

## VATICAN II AND THEOLOGICAL ETHICS

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*This note, extended into an article to commemorate Vatican II, argues that any study of the council and theological ethics must attend to World War II's devastating impact on the field. The war moved European ethicists to repudiate the three centuries of moral manuals and propose a theological ethics based on conscience acting out of charity. In Latin America and Africa, "suffering" emerges as the overarching concern, while in the United States, the language of Catholic social teaching enters the fields of fundamental moral theology, sexual ethics, and bioethics. Looking back on the council today, ethicists see that the agenda of Gaudium et spes has become theirs.*

AS I BEGAN RESEARCH ON THIS TOPIC, I originally wanted to focus solely on what developed in theological ethics after Vatican II. The more research I did, however, the more I found that ecclesialogists and church historians celebrating the 50th anniversary of the council tended to convey at best a modest assumption about the relationship between theological ethics and the council.<sup>1</sup> At the same time, polling theological ethicists around the world, I found that many had recently written on the council, emphasizing either *Gaudium et spes's* anthropological assumptions, embrace of human dignity, affirmation of conscience and personal freedom, together with its wide array of urgent concerns<sup>2</sup> or *Dignitatis humanae's* own defense

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<sup>1</sup> An exception to this impression is John O'Malley, *What Happened at Vatican II* (Cambridge, MA: Belknap of Harvard University, 2008).

<sup>2</sup> Alain Thomasset, *La morale de Vatican II* (Paris: Médiapaul, forthcoming); Kevin Kelly, *Fifty Years Receiving Vatican II: A Personal Odyssey* (Dublin: Columba, 2012); David Hollenbach, S.J. "Commentary on *Gaudium et spes*," in *Modern Catholic Social Teaching: Commentaries and Interpretations*, ed. Kenneth R. Himes, O.F.M. (Washington: Georgetown University, 2005) 266–91; Susanne Mulligan, ed., *Reaping the Harvest: Fifty Years after Vatican II* (Dublin: Columba, 2012); Joseph Selling, "*Gaudium et Spes*: A Manifesto for Contemporary Moral Theology," in *Vatican II and Its Legacy*, ed. M. Lamberigts and L. Kenis (Dudley,

of the conscience and religious freedom.<sup>3</sup> I began to see the profound effect that the council had on theological ethicists, such that today I think ethicists find in the council more fundamental affirmations and resources than they did 50 years ago. This prompted me to revisit my study of the 20th century<sup>4</sup> and to do many more investigations than had I intended, to see how it is that we are now looking back at the council with an appreciation that is remarkable.

## IN EUROPE FROM WORLD WAR II TO VATICAN II

European moral theology had a radical reorientation as it emerged from the rubble of World War II. If the Council of Trent is the locus/tempus

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MA: Peeters, 2002) 145–62; Anne Patrick, “Toward Renewing ‘The Life and Culture of Fallen Man’: *Gaudium et Spes* as Catalyst for Catholic Feminist Theology,” in *Feminist Ethics and the Catholic Moral Tradition*, Readings in Moral Theology 9, ed. Charles E. Curran, Margaret A. Farley, and Richard A. McCormick (New York: Paulist, 1996) 483–510; Marciano Vidal, “‘Gaudium et spes’ y teología moral: A los 50 años del concilio Vaticano II,” *Moralia* 35 (2012) 103–53; Vidal, “Recepción y hermenéutica del Vaticano II,” *Moralia* 35 (2012) 375–406; Günter Virt, “Wie Ernst ist das Gewissen zu Nehmen? Zum Ringen um das Gewissen auf dem 2. Vatikanischen Konzil,” in *Aufbruch des Zweiten Vatikanischen Konzils heute*, ed. Jacob Kremer (Innsbruck: Tyrolia, 1993); Philippe Bordeyne, “Pour une herméneutique contemporaine de l’anthropologie morale de *Gaudium et spes*,” *Studia moralia* 50 (2012) 311–47; Dietmar Mieth, “Zeichen der Zeit”—eine theologisch-ethische Betrachtung,” in *Das Zweite Vatikanische Konzil und die Zeichen der Zeit heute*, ed. Peter Hünermann, Bernd Jochen Hilberath, and Lieven Boeve (Freiburg: Herder 2006) 85–102; Emilce Cuda, “Lo político en la *Gaudium et Spes*,” *Anatélei* (December 2012, forthcoming); Cuda, “La comunidad política como fundamento de lo político en la *Gaudium et Spes*,” *Anatélei* 28 (2012) 109–19; Gustavo Irrazábal, “Cristocentrismo moral y hermenéutica,” *Teología* 86 (2005) 43–90; Irrazábal, “El Vaticano II y la renovación de la teología moral: Misión cumplida?” *Teología* 93 (2007) 309–28.

<sup>3</sup> Marianne Heimbach-Steins, *Religionsfreiheit: Ein Menschenrecht unter Druck* (Paderborn: F. Schöningh, 2012); Stephan Goertz, “Von der Religionsfreiheit zur Gewissensfreiheit: Erwägungen im Anschluss an *Dignitatis humanae*,” *Trierer theologische Zeitschrift* 119 (2010) 235–49; Michael Rosenberger, “Bedingungslose Achtung der Freiheit: Autonomie und Freiheit des Gewissens in der Lehre des Konzils und in der nachkonziliaren Moraltheologie,” in *Das II. Vatikanische Konzil und die Wissenschaft der Theologie*, ed. Günther Wassilowsky and Ansgar Kreuzer (Frankfurt: Herder, 2013); James T. Bretzke, S.J., “Ecumenical Ethics in the Historical Context of Vatican II Moral Theology,” *Josephinum Journal of Theology* 6 (1999) 18–38; Dawn M. Nothwehr, “Signs of the Times: Let Freedom Ring!—Catholics, Moral Pluralism, and Religious Freedom in an Election Year,” *New Theology Review* 25.1 (February 2012) 4–7.

<sup>4</sup> James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century: From Confessing Sins to Liberating Consciences* (New York: Continuum, 2010).

for the birth of moral theology as a science and for the emergence of the moral manual as the textbook for the formation of priests, then World War II marks the most critical moment in modern history when moral theology would either shrivel and die from its complete incapacity to speak to the now-haunted conscience of the postwar, modern world,<sup>5</sup> or it would need to reconstitute itself completely, repudiating what the moral manual had become and offering an entirely new framework, method, and vision for the moral formation of conscientious Christian communities.<sup>6</sup>

Though John Gallagher, in his astute *Time Past, Time Future: An Historical Study of Catholic Moral Theology*, writes: “World War II was to have an impact on European Catholic theology that was not totally unlike that which World War I had on Protestant Christianity,” many others writing on the history of church developments in the 20th century fail to see the impact the war had on European moral theology.<sup>7</sup> The evident failure of the manuals in shaping Catholic consciences capable of resisting rather than participating in the barbarism of Fascism and Nazism throughout Europe led to their complete rejection immediately after the war.

In my study of the 20th century, I examined the three major “English” moral manuals of the first 60 years of the 20th century. These were: the first edition (1906) of *A Manual of Moral Theology for English-Speaking Countries* by Thomas Slater (1855–1928);<sup>8</sup> the fourth edition (1943) of *Moral and Pastoral Theology in Four Volumes* (originally published in 1934) by Henry Davis (1866–1952);<sup>9</sup> and the eighth English edition (1951, a translation of the German 13th edition of 1949) of *Moral Theology* (originally published in 1929) by Heribert Jone (1885–1967).<sup>10</sup> These specific editions allowed me to consider the very first English moral manual; the most important English edition during World War II; and the most international manual to appear from Germany just four years after its surrender. Quite apart from these specific editions, no other moral manuals had more

<sup>5</sup> The war’s civilian death toll was around 47 million, including about 20 million due to war-related famine and disease. The military toll was about 25 million, including about 5 million prisoners of war.

<sup>6</sup> I am indebted to Stephen Schloesser for pointing out the relevance of historical context in the formation of the theological innovation and response: “Against Forgetting: Memory, History, Vatican II,” *Theological Studies* 67 (2006) 275–314.

<sup>7</sup> John A. Gallagher, *Time Past, Time Future: An Historical Study of Catholic Moral Theology* (New York: Paulist, 1990) 141.

<sup>8</sup> Thomas Slater, *A Manual of Moral Theology for English-speaking Countries* (London: Benziger Brothers, 1906).

<sup>9</sup> Henry Davis, *Moral and Pastoral Theology: In Four Volumes*, 4th ed. rev. and enl. (New York: Sheed & Ward, 1943).

<sup>10</sup> Heribert Jone, *Moral Theology*, 8th ed., trans. Urban Adelman (Westminster, MD: Newman, 1951).

influence on English-speaking clergy and the church throughout the world than these three.

In his preface, Slater provides a memorable introduction to the moral manuals:

The manuals of moral theology are technical works intended to help the confessor and the parish priest in the discharge of their duties. They are as technical as the text-books of the lawyer and the doctor. They are not intended for edification, nor do they hold up a high ideal of Christian perfection for the imitation of the faithful. They deal with what is of obligation under the pain of sin; they are books of moral pathology.<sup>11</sup>

In short, the manuals guided priests in the confessional, the place where matters of conscience were assessed, resolved, and absolved from the 16th century until roughly the 1960s.

In my study, I found that as the century unfolded, five developments occurred within the manual tradition that were specific to the 20th century. First, along with its promulgation of the Code of Canon Law in 1917, Vatican congregations and offices issued definitions on moral matters more and more frequently and more and more specifically throughout the century. To the extent that they did, moralists were no longer theologians reflecting on the questions facing the contemporary world, questions that were routinely addressed from the 16th to the 19th centuries in the casuistic and moral manuals.<sup>12</sup> In the 20th century, the more “urgent” questions in the manuals reflect the Vatican’s internal-ecclesial agenda: fulfilling the laws of the church, such as fasting and abstinence, avoiding servile work, attending to Catholic education, avoiding condemned books or movies, and raising perennial concern about girls’ propriety, etc. While earlier moral theologians wrote about matters pertaining to the fifth, seventh, and eighth commandments, 20th-century manualists’ attention turned to the continuous output of dicastery normative teachings throughout the 20th century that were set on controlling Catholic identity and life within the church.

Second, the 20th-century manualists effectively became the interpreters of the teaching. No longer were scholars debating moral opinions about contemporary cases, as they had done earlier. As the century unfolded, manualists were more and more concerned not with facing the challenges of the world but rather with conforming to the rigors of the church.

Third, with greater research into human psychology, the manualists’ perception of the lay Roman Catholic as a wounded and uncertain penitent became more and more evident. Though the manualists were always

<sup>11</sup> Slater, *Manual of Moral Theology* 5–6.

<sup>12</sup> Albert Jonsen and Stephen Toulmin, *The Abuse of Casuistry* (Berkeley: University of California, 1988); John Mahoney, *The Making of Moral Theology: A Study of the Roman Catholic Tradition* (New York: Oxford University, 1987).

known as physicians of souls, they now became the psychiatric caregivers of the inculpable sinners. In simply examining these three manualists, I found in Slater the obstacles that conscience faces regarding ignorance, concupiscence, fear, and violence,<sup>13</sup> but 35 years later Henry Davis gave a startlingly long list of categorically problematic consciences (the false, doubting, perplexed, scrupulous, and lax consciences), allowing us to see just how easily and frequently the average Catholic deviates from the true conscience.<sup>14</sup> Later, Jone provided a host of nervous conditions that diminished the agent's moral responsibility: neurasthenia, hysteria, compulsive disorders, melancholia, hypochondria, inferiority, etc.<sup>15</sup> In Davis, then, the conscience of the Catholic is more ignorant, confused, and incompetent than in the earlier Slater; in Jone we find the penitent more prone to psychological disorders. In both manualists, while compassion for the sinner was probably what motivated them, still the newer writers found more occasions to view the ordinary Catholic as less capable, responsible, and mature. This is an evolution over the decades preceding the council: the average layperson is, in the eyes of the moralists and confessors, progressively less able to discern and execute morally right conduct.

Fourth, the moral manualists became more and more opposed to innovation. They chided those who looked for moral theology to be more integrated into both dogmatic or fundamental theology and ascetical or devotional theology. In fact, as other church leaders tried to persuade the manualists in this more holistic direction, the more the manualists receded from moral theology into canon law. In a particularly salient way, I will show how the manualists from the United States, long after the European moralists abandoned the manuals, continued to resist and deride the developments coming from Europe.

Fifth, as a result, the manualists were unable to address the real critical issues of the day.<sup>16</sup>

On the eve of the war, a few moral theologians aim at replacing the moral manuals. First, there is Scripture scholar Fritz Tillmann (1874–1953), who was ordered by the Vatican to leave his work in Scripture; yet given the opportunity to enter another field of theology,

<sup>13</sup> Slater, *Manual of Moral Theology* 30–40.

<sup>14</sup> Davis, *Moral and Pastoral Theology* 1:67–78.

<sup>15</sup> Jone, *Moral Theology* 29–37.

<sup>16</sup> See examples in Keenan, *A History* 9–34. Consider one here: Jone dedicates one sentence to the moral possibility of hydrogen warfare but provides a timetable to reckon how many minutes “our clocks are ahead of or behind true local time” (ibid. 219). The table assists in matters regarding private celebration of the mass, recitation of the divine office, receiving Holy Communion, and observing the laws of fasting and abstinence. More than 100 US cities are provided. As he notes, midnight in Albany is 12:05 AM GMT (Jone, *Moral Theology* 357).

he chose moral theology.<sup>17</sup> In 1934, he writes *Die Idee der Nachfolge Christi*, on the idea of the disciple of Christ.<sup>18</sup> Seventy years later, Karl-Heinz Kleber comments that in the search to express what the foundational principle of moral theology ought to be, Tillmann came forward and named it: the disciple of Christ. Others followed Tillmann's lead: Gustav Ermecke, Johannes Stelzenberger, Bernard Häring, Gerard Gilleman, and René Carpentier.<sup>19</sup>

In 1937 Tillmann publishes a more accessible text for lay people, *Der Meister Ruft* (The Master Calls). This manual of discipleship proposes practical explications of charity as the love of God, self, and neighbor. Throughout, he highlights the grandeur of the Christian vocation: "The goal of the following of Christ is none other than the attainment of the status of a child of God."<sup>20</sup> The language, vision, and agenda of Tillmann's handbook marks a remarkable alternative to the works of moral pathology.

At the same time, in Belgium, moral theologian Émile Mersch (1890–1940) in three successive works, proposes a corporate identity for moral theology, not the sinner, but the mystical body of Christ.<sup>21</sup> Mersch's contributions make Tillmann's overall christologically oriented proposal all the more feasible.<sup>22</sup>

As Thomas Kuhn argues, paradigm shifts occur only when an existing paradigm is proven worthless and another is capable of operating on its own as a replacement.<sup>23</sup> The initiatives of Mersch, Tillmann, and others provided enough theological foundations and directionality before the war so that after the war the replacement of the manuals could begin to take place.

After the war, Belgian moralist Odon Lottin (1880–1965) leads the charge. In 1946 he publishes his first moral theological synthesis, *Principes de morale*. Rather than being a manual for hearing confessions, it is a theological foundation for anyone interested in the formation of

<sup>17</sup> Keenan, *A History* 59–69.

<sup>18</sup> Fritz Tillmann, *Die Idee der Nachfolge Christi* (Dusseldorf: Patmos, 1934).

<sup>19</sup> Karl-Heinz Kleber, *Historia Docet: Zur Geschichte der Moralthologie* (Münster: LIT, 2005) 89.

<sup>20</sup> Fritz Tillmann, *The Master Calls: A Handbook of Morals for the Layman*, trans. Gregroy J. Roettger (Baltimore: Helicon, 1960) 4–5.

<sup>21</sup> Émile Mersch, *Le corps mystique du Christ: Études de théologie historique* (Brussels: Desclée de Brouwer, 1936); *Morale et corps mystique* (Paris: Desclée de Brouwer, 1937); *La théologie du corps mystique*, 2 vols. (Paris: Desclée de Brouwer, 1944).

<sup>22</sup> James F. Keenan, "Virtue, Grace and the Early Revisionists of the Twentieth Century," *Studies in Christian Ethics* 23 (2010) 365–80

<sup>23</sup> Thomas S. Kuhn, *The Structure of Scientific Revolutions* (Chicago: University of Chicago, 1962).

conscience.<sup>24</sup> In 1954 he published his revolutionary *Morale fondamentale*, where he critiques the wretched past of moral theology, blaming the priest confessor's singular focus on sin as principal cause for moral theology's failure.<sup>25</sup> He attacks recent developments wherein canon law has come to dominate moral theology, forcing it to focus exclusively on external acts, when in fact, historically speaking, moral theology had been primarily interested in the internal life. Overtaken by canon law, moral theology lost its moorings in dogmatic theology and in the biblical and patristic sources. By the manualists' insistence on avoiding wrong external acts, not only had they abandoned the purpose of morality, that is, to pursue the Christian vocation, but they lost morality's deep connection to ascetical and mystical theology.<sup>26</sup> Finally Lottin attacks the probabilists in particular, calling their command of the field of moral theology "profoundly regrettable," noting that the probabilists never instructed the laity to be virtuous; all they did was offer a variety of actions as not sinful, that is, as permitted.<sup>27</sup>

In this work he again turns to the conscience as foundational to the moral life and argues that priests are called to help the members of the church lead conscientious lives.<sup>28</sup> Unlike the manualists's pathology of the layperson's conscience, Lottin writes at length about the "formation" of conscience, on the virtuous life, and the formation of the prudential judgment.

By turning to prudence, Lottin liberates the Christian conscience from its singular docility to the confessor priest. He instructs church members to become mature self-governing Christians, insisting that they have a life-long task, a progressive one, as he calls it,<sup>29</sup> toward growing in virtue. By turning to prudence, Lottin urges his readers to find within themselves, their community, their faith, the church's tradition, and its Scriptures, the mode and practical wisdom for growing into better Christian disciples.

In the next year, in *Au coeur de la morale chrétienne*, Lottin comments on the "poor manuals *ad usum confessoriorum*," wherein not a trace of biblical inspiration can be found. He returns to the question of why the moral manuals were so singularly interested in sin, and this time blames the very numerous mediocre Christians who asked their confessors to give them minimalist expectations for the moral life. Finally, he again notes that moral theology has fallen into a terrible decline: "it separated itself from its living sources, Scripture and dogmatics; it amputated its limbs of

<sup>24</sup> Odon Lottin, *Principes de morale* (Louvain: Abbaye du Mont César, 1946).

<sup>25</sup> Odon Lottin, *Morale fondamentale* (Tournai, Belgium: Desclée, 1954).

<sup>26</sup> *Ibid.* 23–25. He entitles this section, "Causes de l'infériorité actuelle de la théologie morale."

<sup>27</sup> *Ibid.* 331. All translations are mine unless otherwise indicated.

<sup>28</sup> *Ibid.* 297–339. <sup>29</sup> *Ibid.* 54.

ascetical and mystical theology; it introduced a number of canonical questions that sought no solution in biblical texts; and it became much more interested in sin than in virtue.”<sup>30</sup>

One cannot think of the postwar pre-Vatican II period of moral theology without finally arriving at Bernhard Häring.<sup>31</sup> In 1936 he is asked to prepare to teach in the field. “I told my superior that this was my very last choice because I found the teaching of moral theology an absolutely crushing bore.”<sup>32</sup> In his course notes he writes:

In 1936 when I came to study moral theology under the guidance of a professor who was a canon lawyer, he used the manual of Aertnys-Damen; we students found ourselves in crisis and even disgusted. For my personal-in-depth development I found other ethical writers of great value. Thus I created a deviation between the official morality for the preparation of the office of confessor and the personal work for a morality to live and to announce.<sup>33</sup>

Häring realizes that if he finds little benefit in its study, so do the laity. But his own experience of the war intervenes and shapes the breadth and depth of his project. “During the Second World War I stood before a military court four times. Twice it was a case of life and death. At that time I felt honored because I was accused by the enemies of God. The accusations then were to a large extent true, because I was not submissive to that regime.”<sup>34</sup> Häring witnesses to how many Christians recognized the truth, were convicted by it, and stood firm with it. There he understands moral truth not primarily in what persons say, but in how they act and live. The war experiences irretrievably dispose him to the agenda of developing a moral theology that aims for the bravery, solidarity, and truthfulness of those committed Christians he met in the war.<sup>35</sup>

At the same time, Häring also witnesses to “the most absurd obedience by Christians toward a criminal regime. And that too radically affected my thinking and acting as a moral theologian. After the war, I returned to

<sup>30</sup> Lottin, *Au coeur de la morale chrétienne* (Tournai: Desclée, 1957) 6.

<sup>31</sup> On Häring, see Joseph Römelt, “Bernhard Häring,” in *Christliche Ethik im Porträt*, ed. Konrad Hilpert (Freiburg: Herder, 2012) 705–27; James F. Keenan, S.J., “Bernhard Häring’s Influence on American Catholic Moral Theology,” *Journal of Moral Theology* 1 (2012) 23–42; Keenan, *A History* 83–110.

<sup>32</sup> Bernhard Häring, *My Witness for the Church*, intro. and trans. Jeonard Swidler (New York: Paulist, 1992) 19.

<sup>33</sup> Bernhard Häring, *Teologia morale verso il terzo millennio*, class notes (Rome: Alfonsianum University, 1987), the last course Häring offered (the quoted words are present in English).

<sup>34</sup> Häring, *My Witness* 132.

<sup>35</sup> Häring, *Embattled Witness: Memories of a Time of War* (New York: Seabury, 1976).

moral theology with the firm decision to teach it so that the core concept would not be obedience but responsibility, the courage to be responsible.”<sup>36</sup> Häring sees the manualists as being responsible for this conforming, obediential moral theology, one that is worried solely about following church rules; instead, he summons conscientious Christians to a responsive and responsible life of discipleship.

In the same year that *Morale fondamentale* is published, Häring publishes in German the 1600-page magisterial manual, *Das Gesetz Christi: Moralthologie, dargestellt für Priester und Laien* (ET, *The Law of Christ: Moral Theology for Priests and Laity*).<sup>37</sup> Of his 104 published books, this is his landmark contribution.

The opening words of the foreword were decisive: “The principle, the norm, the center, and the goal of Christian Moral Theology is Christ.”<sup>38</sup> The Tillmann-Mersch christological shift is now settled. Christ is the principle, the foundation, the source, the wellspring of moral theology; Christ is the norm, indeed a positive norm, a norm about being, a norm about persons as disciples; Christ is the center, not the human; and Christ is the goal, for charity is union with God forever.

Paragraph one, chapter one, volume one captures—much as Tillmann did—the positive call to moral theology. It is riveting:

The moral theology of Jesus is contained in its totality in the glad tidings of salvation. The tremendous *Good News* is not actually a new law, but the Sovereign Majesty of God intervening in the person of Christ and the grace and love of God manifesting itself in Him. In consequence all the precepts of the moral law, even the most sacred, are given a new and glorious orientation in divine grace and a new focus, the Person of the God-man. There is nothing novel in the call to repentance for all sin. What is new is the glad tidings announcing that *now* the time for the great conversion from sin and the return to God is at hand.<sup>39</sup>

Häring calls the reader: the moment of *Kairos* is now. Christ, the glad tidings, beckons us. “We understand moral theology as the doctrine of the imitation of Christ, as life in, with, and through Christ. . . . The point of departure in Catholic moral theology is Christ, who bestows on man a participation in his life and calls on him to follow the Master.”<sup>40</sup> Norbert Rigali, in noting the lasting influence of Häring, declares that the subject of moral theology’s present incarnation is “unmistakably

<sup>36</sup> Ibid. 23–24.

<sup>37</sup> Häring, *Das Gesetz Christi: Moralthologie, dargestellt für Priester und Laien* (Freiburg: Wewel, 1954); ET, *The Law of Christ: Moral Theology for Priests and Laity*, trans. Edwin G. Kaiser (Westminster, MD: Newman, 1961).

<sup>38</sup> Häring, *Law of Christ* vii.

<sup>39</sup> Ibid. 3.

<sup>40</sup> Ibid. 61

Christian: life in Christ. There can be no question that the new discipline is theology.”<sup>41</sup>

Among the innumerable contributions of *The Law of Christ* are five central themes: an entirely positive orientation; an emphasis on history and tradition; human freedom as the basis for Christian morality; the formation of the conscience; and the relevance of worship for the moral life.

Readers of *Theological Studies* are quite aware of John O’Malley’s significant claim about style, that attribute that describes Vatican II’s legacy.<sup>42</sup> But where did the style come from? Whose style was it? Clearly there are many possible suggestions, but for me the compelling one is Häring himself. As he said in an interview in 1972, “I don’t want to destroy authority. What is needed is another style.”<sup>43</sup>

Häring writes with a deep confidence in the theological competency and interest of the educated conscientious Catholic. Fifty years later, a new generation of theological ethicists are very intent on constructing a positive, relational, confessional, contemporary ethics.<sup>44</sup> Like Häring they write in an accessible style. Between Häring and this new generation are others already writing in similar ways: Charles Curran, Richard Gula, Eileen Flynn, Russell Connors, Patrick McCormick, Patricia Lamoureux, and Paul Wadell, among others. They all imitate Häring’s style.

Häring’s style is identifiable with Vatican II, not because he imitates it, but because, in a manner of speaking, he *shapes* it. At the council, Häring serves on preconiliar and conciliar commissions. When the document on priestly formation, *Optatam totius*, appears, it offers a simple two-sentence statement on moral theology. This comment not only validates the work of Tillmann, Lottin, and Häring, but it also gives a *directive* to the syllabus and style of moral theology. Häring drafted the document, so it is no surprise that its emphases on Scripture, on charity,<sup>45</sup> and on the exalted

<sup>41</sup> Norbert Rigali, “On Theology of the Christian Life,” *Moral Theology: New Directions and Fundamental Issues; Festschrift for James P. Hanigan*, ed. James Keating (New York: Paulist, 2004) 3–23, at 19.

<sup>42</sup> O’Malley, *What Happened at Vatican II*; and O’Malley, “Vatican II: Did Anything Happen,” *Theological Studies* 67 (2006) 3–33.

<sup>43</sup> Gary MacEoin, “Conversation with Bernard Häring,” *Worldview Magazine* 15.8 (1972) 22–28, at 28.

<sup>44</sup> David McCarthy, “Shifting Settings from Subculture to Pluralism: Catholic Moral Theology in an Evangelical Key,” *Communio* 31 (2004) 85–110; William Mattison III, ed., *New Wine, New Wineskins: A Next Generation Reflects on Key Issues in Catholic Moral Theology* (Lanham, MD: Rowman & Littlefield, 2005).

<sup>45</sup> Frédéric Trautmann, *La notion de charité au Concile Vatican II* (Perpignan: Artège, 2012); Trautmann, “The Notion of Charity at Vatican II: Real Consideration, Complicated Integration,” *Asian Horizons* 6 (forthcoming).

vocation of discipleship capture the synthesis of the revisionist vision that replaces manualism. "Special care must be given to the perfecting of moral theology. Its scientific exposition, nourished more on the teaching of the Bible, should shed light on the loftiness of the calling of the faithful in Christ and the obligation that is theirs of bearing fruit in charity for the life of the world."<sup>46</sup>

This brief directive becomes the kerygma of the revisionists' agenda. Josef Fuchs, for instance, makes this directive the key to understanding Vatican II.<sup>47</sup> In 1980 in India, George Lobo parses the sentence in his book so as to explore the council's moral theology.<sup>48</sup> Like Fuchs, the Nigerian Paulinus Odozor begins his book on the renewal of moral theology by Vatican II with that citation.<sup>49</sup> Richard Gula describes it as the "only explicit statement of the council on moral theology."<sup>50</sup> Even recently, Darlene Fozzard Weaver unfolds her essay with the passage so as to study the impact on moral theology of Vatican II's universal call to holiness.<sup>51</sup> Universally, Häring's contribution to *Optatam totius* makes it the first of all reference points within the conciliar documents.

Häring is the secretary of the editorial committee that drafts *Gaudium et spes*, the Pastoral Constitution on the Church in the Modern World,<sup>52</sup> and is referred to as "the quasi-father of *Gaudium et Spes*."<sup>53</sup> We see his style throughout it. The anthropological vision is based on the human as a social being. Moral issues are not treated as primarily individual, but rather as communal and even global. Even though the subject of sin pervades the document, the vision is fundamentally positive as the church stands with the world in joy and hope. A new moral theological foundation

<sup>46</sup> *Optatam totius* (October 28, 1965) no. 16, [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_decree\\_19651028\\_optatam-totius\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651028_optatam-totius_en.html). All URLs cited herein were accessed on December 1, 2012.

<sup>47</sup> Josef Fuchs, "Moral Theology according to Vatican II," *Human Values and Christian Morality*, trans. M. H. Hellan et al. (Dublin: Gill & Macmillan, 1970) 1–55.

<sup>48</sup> George Lobo, *Christian Living according to Vatican II* (Bangalore: Theological Publications in India, 1980).

<sup>49</sup> Paulinus Ikechukwu Odozor, *Moral Theology in an Age of Renewal: A Study of the Catholic Tradition since Vatican II* (Notre Dame, IN: University of Notre Dame, 2003) 1; see also his discussion of the council, 17–43.

<sup>50</sup> Gula, *Reason Informed by Faith* (New York: Paulist, 1989) 29.

<sup>51</sup> Darlene Fozzard Weaver, "Vatican II and Moral Theology," in *After Vatican II: Trajectories and Hermeneutics*, ed. James L. Heft with John W. O'Malley (Grand Rapids, MI: Eerdmans, 2012) 23–43.

<sup>52</sup> Häring also assisted with other documents, among them the chapters on the laity and the call to holiness in *Lumen gentium*.

<sup>53</sup> Charles Curran, "Bernard Häring: A Moral Theologian Whose Soul Matched His Scholarship," *National Catholic Reporter* 34.34 (July 17, 1998) 11, quoting Cardinal Fernando Cento, copresident of the commission in charge of *Gaudium et spes*.

is emerging: here the church conveys a deep sympathy for the human condition, especially in all its anxieties, and stands in confident solidarity with the world. The entire experience of ambivalence that so affected the world in its tumultuous changes of the 1960s is positively but realistically engaged.<sup>54</sup> Finally, in looking at contemporary moral challenges, the church encourages an interdisciplinary approach in understanding and promoting a globalized vision of modernity.

Two particular dimensions of *Gaudium et spes* bear the indelible traits of Häring. First, his theology of marriage emerges from the constitution: Marriage is a “communion of love” (no. 47), an “intimate partnership” (no. 48); it is no longer seen as a contract, but as a covenant (no. 48). Rather than asserting procreation as the singular end of marriage, the Council Fathers argue: “Marriage to be sure is not instituted solely for procreation” (no. 50). Such positive, nonlegalistic, but deeply affirming language is a new phenomenon for Vatican teaching on marriage.

Out of this same framework, the council shapes its teaching on conscience, evidently indebted to Häring’s extensive description of conscience in *The Law of Christ*.<sup>55</sup> His work anticipates, inspires, and forms the now famous conciliar definition of conscience in *Gaudium et spes* no. 16.

The teaching on conscience is, I think, the emblematic expression of the hopeful expectations raised by Häring and affirmed by Vatican II.<sup>56</sup> Universally, conscience becomes the point of departure for revisionists as witnessed by the plethora of books and essays that appear later on the topic. For instance, the German Josef Fuchs, the Australian Terence Kennedy, and the American Charles Curran each publish collected essays on the topic.<sup>57</sup> Full-length books are written by Eric D’Arcy from Australia, Linda Hogan from Ireland, Kevin Kelly from England, Ann Patrick from the United States, Osamu Takeuchi from Japan, and Paul Valadier from France.<sup>58</sup> Conscience becomes the locus

<sup>54</sup> Philippe Bordeyne, *L’Homme et son angoisse: La théologie morale de “Gaudium et spes”* (Paris: Cerf, 2004).

<sup>55</sup> Häring, *Law of Christ* 1:135–89.

<sup>56</sup> O’Malley (*What Happened at Vatican II* 307–13) cites the texts on conscience in *Gaudium et spes* and in *Dignitatis humanae* to highlight how well those two documents, along with *Nostra aetate* embody the style of Vatican II. See also Marciano Vidal on the council’s style, *Concilio Vaticano II y teología pública: Un “nuevo estilo” de ser cristiano en el mundo* (Madrid: Perpetuo Socorro, 2012).

<sup>57</sup> Josef Fuchs, ed., *Das Gewissen* (Düsseldorf: Patmos, 1979); Marian Nalepa and Terence Kennedy, eds., *La coscienza morale oggi: Omaggio al Prof. Domenico Capone* (Rome: Academia Alphonsiana, 1987); Charles E. Curran, ed., *Conscience, Readings in Moral Theology 14* (New York: Paulist, 2004).

<sup>58</sup> Eric D’Arcy, *Conscience and Its Right to Freedom* (London: Sheed & Ward, 1961); Linda Hogan, *Confronting the Truth: Conscience in the Catholic Tradition*

for developing the moral judgment, which, as I will show becomes the standard of moral objectivity.

Häring roots his understanding of conscience in freedom. Noticeably different from his predecessors, the postwar Häring privileges human freedom as the possibility of responding to God's call to do God's will. "In essence freedom is the power to do good. The power to do evil is not of its essence."<sup>59</sup> As in Häring, so in *Gaudium et spes*, conscience is only rooted in the possibility of freedom (no. 17).

There are many reasons for Häring's turn to freedom: the Fascist and Nazi movements that imprisoned millions across the European continent; the subsequent developments in the philosophy of existentialism; the incredibly obsessive control of the manualists and the ever encroaching dictates from the Vatican; Soviet expansionism into Eastern Europe; and the growing appreciation in ordinary European culture of human freedom.

Irish Redemptorist Raphael Gallagher offers another reason for the turn to freedom: revelation. Häring has 2031 scriptural citations in *The Law of Christ*, 659 of which come from Paul, "the apostle of Christian freedom."<sup>60</sup> These glad tidings are precisely what make us free. We have law as a pedagogue, teaching us how to proceed and revealing to us, forensically, our sins. But the gospel, the law of Christ, makes us free to follow him. The Galatian message of Paul rings true in Häring's life experiences, particularly those during the war; by his own testimony, he is free to stand and witness. Personal freedom is the foundation for doing good and for doing moral theology.

### MEANWHILE IN THE UNITED STATES

Unlike Europe, the end of the war does not prompt in the United States a repudiation of the manuals. That repudiation comes in 1968, in the wake of *Humanae vitae*.

The developing role of the moral theologian as primarily the interpreter and parser of church internal laws, rejected in 1946 and replaced in 1954 in Europe, has an extended life span in the United States, giving this development a chilling maturity that is with us today. Charles Curran

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(New York: Paulist, 2001); Kevin Kelly, *Conscience: Dictator or Guide* (London: Geoffrey Chapman, 1967); Anne Patrick, *Liberating Consciences* (New York: Continuum, 1997); Osamu Takeuchi, *Conscience and Personality* (Chiba, Japan: Kyoyusha, 2003); Paul Valadier, *Éloge de la conscience* (Paris: Seuil, 1994).

<sup>59</sup> Häring, *Law of Christ* 1:99.

<sup>60</sup> Raphael Gallagher, "Bernard Häring's *The Law of Christ*: Reassessing Its Contribution to the Renewal of Moral Theology in Its Era," *Studia moralia* 44 (2006) 336.

in his compelling *Catholic Moral Theology in the United States: A History* makes a similar point. As opposed to the newer approaches from Europe, “Catholic moral theology in the United States continued to use the manuals as the textbook for the discipline and followed existing approaches in sexual and medical ethics. As a result, theologians in this country were not prepared for the new perspectives ushered in by the Second Vatican Council.”<sup>61</sup>

In the United States, moral theologians writing these “Moral Notes” in *Theological Studies* vet the European developments. John Lynch and then John Ford and Gerald Kelly are the gatekeepers of acceptable innovation, and they are reluctant to grant entrance. While a survey of the works of the journal’s first 25 years (1940–1965) shows substantive innovations in the field of social ethics, whether from John Ryan, Paul Furfey, John LaFarge, or John Courtney Murray,<sup>62</sup> hardly any innovations can be found in the writings of Lynch, Ford, and Kelly. The exceptional essay by Ford on “Obliteration Bombing” is literally that.<sup>63</sup>

They are in some ways more rigid, authoritative, and intolerant than their predecessors, Slater, Davis, and Jone. They invert the order of authority that the high casuists and early manualists use, acknowledging the authority of the papacy and of Roman dicasteries before and, in fact, sometimes without considering the authority of the argument itself. A magisterial claim is, for Ford and Kelly, itself the guarantor of its truthfulness. “It is only through conformity with the teaching of the Church that the individual conscience can have security from error. The ‘autonomy of the individual conscience’ cannot be reconciled with the plan of Christ and can produce only ‘poisonous fruit.’”<sup>64</sup> Their dependence on the agenda Rome sets is summarized in a stunning statement:

An earnest student of papal pronouncements, Vincent A. Yzermans, estimated that during the first fifteen years of his pontificate Pius XII gave almost one thousand public addresses and radio messages. If we add to these the apostolic constitutions, the encyclicals and so forth, during the same period of fifteen years,

<sup>61</sup> Charles Curran, *Catholic Moral Theology in the United States: A History* (Washington: Georgetown University, 2008) 59.

<sup>62</sup> *Ibid.* 63–82.

<sup>63</sup> John Ford, “The Morality of Obliteration Bombing,” *Theological Studies* 5 (1944) 261–309; see Eric Genilo’s perceptive analysis of Ford’s innovative moments on alcoholism, obliteration bombing, and conscientious objection in contrast to his otherwise strong authoritarian manualism: *John Cuthbert Ford: Moral Theologian at the End of the Manualist Era* (Washington: Georgetown University, 2007).

<sup>64</sup> John Ford and Gerald Kelly, *Contemporary Moral Theology*, 2 vols.; vol. 1, *Questions in Fundamental Moral Theology*; vol. 2, *Marriage Questions* (Westminster, MD: Newman, 1964) 1:111.

and add furthermore all the papal statements during the subsequent years, we have well over a thousand papal documents. . . . Merely from the point of view of volume, therefore, one can readily appreciate that it was not mere facetiousness that led a theologian to remark, that even if the Holy See were to remain silent for ten years, the theologians would have plenty to do in classifying and evaluating the theological significance of Pius XII's public statements.<sup>65</sup>

Ford and Kelly's approach is eventually critiqued by their peers. Daniel Callahan describes the authors as "loyal civil servants" and "faithful party workers" and dismisses their work "as years behind the (theological) revolution now in progress."<sup>66</sup> Later, in a significant study of Catholic medical ethics in the United States in the 20th century, David Kelly identifies the period from 1940 to 1968 as "ecclesiastical positivism": the "divine will is seen to be expressed in a specific source of revelation, the authoritative pronouncements and interpretations of the Roman Catholic magisterium."<sup>67</sup> This same description can be given to all the moral, sexual, and medical ethics of the same period in the United States.

Despite these criticisms, Ford eventually becomes one of the three primary forces in convincing Pope Paul VI that he cannot change *Casti connubii* (1930) and therefore cannot accept the now-famous "majority" report of the birth control commission.<sup>68</sup> When the encyclical *Humanae vitae* appears in 1968, the episcopal conferences receive it variously: the French, German, Canadian, Scandinavian, and Dutch bishops author a variety of responses that encourage the laity to follow their consciences as they receive the encyclical; the United States' conference stands univocally in strong solidarity with the encyclical itself, with hardly a word on conscience.<sup>69</sup> As we can now see, those bishops in countries where moral theologians write for 20 years on conscience are able to invoke conscience in light of church teaching; not so in the United States. As clergy and laity in the United States hear bishops from overseas, they turn away from the manuals of Ford, Kelly, and company.

### CONTRIBUTIONS FROM EUROPE AFTER THE COUNCIL

As Ambrogio Valsecchi makes clear in his invaluable study of the ten-year debate on birth control that precedes *Humanae vitae*'s promulgation, the first of the 20,000 pages (!) of articles on the topic come

<sup>65</sup> Ibid. 1:20–21.

<sup>66</sup> Daniel Callahan, "Authority and the Theologian," *Commonweal* 30.11 (June 5, 1964) 319–23.

<sup>67</sup> David Kelly, *The Emergence of Roman Catholic Medical Ethics in North America* (New York: Edwin Mellen, 1979) 231.

<sup>68</sup> See Genilo, *John Cuthbert Ford* 63–65.

<sup>69</sup> John Horgan, *Humanae vitae and the Bishops* (Dublin: Irish University, 1972).

from John Lynch, Francis Connell, and other moralists in the United States. In 1957, with the research of Dr. John Rock, questions regarding the valid use of progestational steroids are raised, and moralists see the drugs as valid to use for therapeutic reasons, but not for contraception. But then in 1958, Louis Janssens, the eminent moral theologian at Leuven University, becomes the first European to weigh in on the discussion, saying that the drugs may be legitimately used for therapeutic reasons, but he remains remarkably silent on contraception.<sup>70</sup>

Still, among moralists there is little new until 1963 when Rock writes his bestselling book, *The Time Has Come*.<sup>71</sup> Then Janssens breaks ranks with his fellow moralists and argues that the use of anovulant drugs are no different in intentionality from using a “natural” method that depends on a woman’s infertile period.<sup>72</sup> A variety of Europeans follow in kind, but Kelly, Lynch, and Connell react critically.<sup>73</sup>

This entire debate happens during the council. European moralists are for the most part trying to look at birth control not through the lens of a legal hermeneutics; they are looking to find out what a person in conscience should do. They are looking for the moral truth without confining themselves to the ecclesial positivism around them and the council’s spirit and style are emboldening them to do so.

As Valsecchi makes clear, the debate turned into a consensus, and over these ten years European moral theologians developed a way of describing what in conscience, as a disciple of Christ, one should consider in the case of contraception or, as it was eventually called, responsible parenthood.

A key event in the formation of this consensus is the intellectual conversion of Josef Fuchs, who is added to the papal commission studying birth control, ostensibly because he seems less inclined to change than other commission members, notably Häring. Listening to the testimony of married couples, Fuchs abandons his conviction that moral truth is found necessarily and primarily in long-held norms articulated by the magisterium.<sup>74</sup> The competency of a moral decision depends on the adequacy of the human judgment and, to Fuchs, the married couples’ understanding

<sup>70</sup> Louis Janssens, “L’inhibition d’ovulation est-elle moralement licite?” *Ephemerides theologicae Lovanienses* 34 (1958) 357–60.

<sup>71</sup> John Rock, MD, *The Time Has Come* (London: Longmans, Green, 1963).

<sup>72</sup> Louis Janssens, “Morale conjugale et progestogènes,” *Ephemerides theologicae Lovanienses* 39 (1963) 787–826.

<sup>73</sup> Francis Swift, “An Analysis of the American Theological Reaction to Janssens’ Stand on The Pill,” *Louvain Studies* 1 (1966) 19–54.

<sup>74</sup> Mark Graham, *Josef Fuchs on Natural Law* (Washington: Georgetown University, 2002); James F. Keenan, “Josef Fuchs and the Question of Moral Objectivity in Roman Catholic Ethical Reasoning,” *Religious Studies Review* 24 (1998) 253–58.

of the specific claims on them is more comprehensive and more adequate than the general teachings of Rome. Fuchs acknowledges here that one finds moral truth through the discernment of an informed conscience confronting reality.

A look at the birth control commission's famous "Majority Report," a document remarkably different from *Humanae vitae*, in part because the former tries to situate itself in the legacy of *Gaudium et spes*, helps us not doubt or contradict the encyclical's claims, but rather understand the historical consensus that emerges among both the European episcopacy and moral theologians with regard to conscience's obligation to discover and express moral truth.

In resolving the similar problem of responsible parenthood and the appropriate determination of the size of the family, Vatican Council II has shown the way. The objective criteria are the various values and needs duly and harmoniously evaluated. These objective criteria are to be applied by the couples, acting from a rightly formed conscience and according to their concrete situation. In the words of the Council: "Thus they will fulfill their task with human and Christian responsibility. With docile reverence toward God, they will come to the right decision by common counsel and effort. They will thoughtfully take into account both their own welfare and that of their children, those already born and those which may be foreseen"[*Gaudium et spes* no. 50].

. . . There are various objective criteria which are concretely applied by couples themselves acting with a rightly formed conscience. . . . These objective criteria are the couples', to be applied by them to their concrete situation, avoiding pure arbitrariness in forming their judgment. It is impossible to determine exhaustively by a general judgment and ahead of time for each individual case what these objective criteria will demand in the concrete situation of a couple.<sup>75</sup>

In presenting the report on June 9, 1966, the primary author, Josef Fuchs, explains that the locus for finding moral truth has shifted from manualist teachings to persons judging in conscience: "Many confuse objective morality with the prescriptions of the Church. . . . We have to realize that reality is what is. And we grow to understand it with our reason, aided by law. We have to educate people to assume responsibility and not just to follow the law."<sup>76</sup> The turn to responsibility, the model first proposed by Haring, is now operative.

Later, from 1970 until 2000 the search for moral truth in Europe enters into a protracted debate between how "radical" is the judgment of personal conscience for the Christian disciple. Alfons Auer, Dietmar Mieth,

<sup>75</sup> "Responsible Parenthood": Majority Report of the Birth Control Commission," in Robert McClory, *Turning Point: The Inside Story of the Papal Birth Control Commission, and How Humanae vitae Changed the Life of Patty Crowley and the Future of the Church* (New York: Crossroad, 1995) 171–87, at 180–81.

<sup>76</sup> Robert Kaiser, *The Politics of Sex and Religion: A Case History in the Development of Doctrine 1962–1984* (Kansas City, MO: Leaven, 1985) 154.

Antonio Autiero, and Bruno Schüller propose an “autonomous ethics,” arguing that the possibility of moral decision making needs to be authenticated in a conscientious accountability for oneself as the ultimate source of moral judgment. Proponents of “an ethics of faith,” notably Cardinal Joseph Ratzinger and Hans Urs von Balthasar, counter that the accountability and the decision making itself occurs within a faith community that shapes and instructs the Christian conscience.<sup>77</sup> Later Franz Böckle proposes a “theonomous autonomy,”<sup>78</sup> claiming that the competency and responsibility for our autonomy derives from God. For him, Catholic autonomous ethics presupposes a radical dependency on God and this dependency does not negate the claims and responsibility for autonomy. Marciano Vidal and Klaus Demmer offer similar viewpoints.<sup>79</sup> Today, even though John Paul II’s encyclical *Veritatis splendor* (1993) attempts to resolve these differences, European theological ethicists insist on an autonomous ethics, albeit one that is more relational in a theonomous context.<sup>80</sup>

It seems, in fact, that as we descend into the particular judgments we make, the acting Christian moral person finds herself not on one side or the other of the debate but somehow along a spectrum that spans these two positions. Moreover, I personally believe that we need to vest the discussion on conscience and faith in the language of grace and virtue. I propose that if we accept Demmer’s view that conscience is at the origin of every decision,<sup>81</sup> we can still ask: how does grace influence and enable our consciences, whether we are animated by the love command, whether we act in solidarity with and vigilant for the needs of the neighbor, and whether the epistemic virtue of humility<sup>82</sup> is at work in our final assessments?<sup>83</sup>

<sup>77</sup> Charles E. Curran and Richard A. McCormick, eds., *The Distinctiveness of Christian Ethics*, Readings in Moral Theology 2 (New York: Paulist, 1980).

<sup>78</sup> Franz Böckle, “Theonomie Autonomie: Zur Aufgabenstellung einer fundamentalen Moraltheologie,” in *Humanum: Moraltheologie im Dienst des Menschen; Festschrift für Richard Egenter*, ed. Johannes Gründel, Fritz Rauh, and Volker Eid (Düsseldorf: Patmos, 1972) 17–46.

<sup>79</sup> James F. Keenan, S.J., and Thomas R. Kopfensteiner, “Moral Theology out of Western Europe,” *Theological Studies* 59 (1998) 107–35.

<sup>80</sup> As M. Cathleen Kaveny notes, the encyclical itself highlights an appreciation for the new competency of the conscience of the acting person: “The Spirit of Vatican II and Moral Theology: *Evangelium Vitae* as a Case Study,” in *After Vatican II* 43–67.

<sup>81</sup> Klaus Demmer, *Living the Truth: A Theory of Action*, trans. Brian McNeil, foreword James F. Keenan, S.J. (Washington: Georgetown University, 2010) 118–50. See Roberto Dell’Oro, “Recasting fundamental moral theology: Notes on Klaus Demmer’s Christological Anthropology,” *Gregorianum* 93 (2012) 463–83.

<sup>82</sup> Lisa Fullam, *The Virtue of Humility: A Thomistic Apologetic* (Lewiston: Mellen, 2009).

<sup>83</sup> James F. Keenan, “Catholic Conscience Awakening: The Evolution of Our Contemporary Dependence on Conscience,” in *Fluchtpunkt Fundamentalismus:*

The European discussion on faith and conscience is paralleled later by others writing on the magisterium and conscience<sup>84</sup> and tradition and conscience.<sup>85</sup> But at the end, the Europeans maintain a remarkable and enduring defense of the primacy of conscience as the locus for moral responsibility to the call of discipleship.

### CONTRIBUTIONS FROM LATIN AMERICA

From Latin America, liberation theology brings to theological ethics the option for the poor as a response to oppressive suffering. Gustavo Gutiérrez above all, by announcing the irruption of the poor as a new historical event, awakens the world to the experiences and voices of those long ignored. In *A Theology of Liberation: History, Politics, Salvation* (1971), he summons us to stand politically and religiously in solidarity with those marginalized by power and economic forces.<sup>86</sup> His option for the poor becomes a hermeneutical principle for interpreting the legitimacy and purpose of theology.<sup>87</sup> Through it, he endorses a critical reflection on praxis and makes us realize that the end of theological ethics is action: to respond to the world of suffering inhabited by the poor.

This is an entirely new theological agenda. Strange as it might seem, we cannot find in the moral manuals from the 16th to the 20th century hardly any comment on suffering. It is simply not an ethical category. Servais Pinckaers agrees: “The manuals of moral theology have hardly anything to say about suffering.”<sup>88</sup> He also adds that even in *The Law of Christ*, Häring rarely attends to it. With the irruption of the poor in liberation theology comes the irruption of suffering as a central concern for theological ethics.

In the world of suffering are often found interlocking patterns of oppression and domination, established by unexamined yet causal discriminating

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*Gegenwartsdiagnosen katholischer Moral*, ed. Stephan Goertz, Rudolf B. Hein, and Katharina Klöcker (Freiburg: Herder, 2013) 301–25.

<sup>84</sup> Charles E. Curran and Richard A. McCormick, *The Magisterium and Morality*, Readings in Moral Theology 3 (New York: Paulist, 1982).

<sup>85</sup> Brian V. Johnstone, C.Ss.R., “Can Tradition Be a Source of Moral Truth? A Reply to Karl-Wilhelm Merks,” *Studia moralia* 37 (1999) 431–51; Karl-Wilhelm Merks, “Tradition und moralische Wahrheit: Eine Antwort an Brian V. Johnstone,” *Studia moralia* 38 (2000) 265–78.

<sup>86</sup> Gustavo Gutiérrez, *A Theology of Liberation: History, Politics, Salvation* (Maryknoll, NY: Orbis, 1971).

<sup>87</sup> Gustavo Gutiérrez, “Option for the Poor,” in *Mysterium Liberationis: Fundamental Concepts of Liberation Theology*, ed. Ignacio Ellacuría and Jon Sobrino (Maryknoll, NY: Orbis, 1993) 235–50; James Nickoloff, ed., *Gustavo Gutiérrez: Essential Writings* (Maryknoll, NY: Orbis, 1996).

<sup>88</sup> Servais Pinckaers, *The Sources of Christian Ethics* (Washington: Catholic University of America, 1995) 24.

structures of economic and social power. These structures become the subject of analysis and in time are called “structures of sin,” and people in positions of authority are seen as morally responsible for them. Later, social sin is attributed not only to those in designated power but also to the societies themselves whereby ordinary members’ implicit tolerance and complacent ignorance of these structures allow them to be beneficiaries of the very structures that continued to alienate and oppress the poor.<sup>89</sup>

Relying on the developments of theology particularly as an outgrowth of *Gaudium et spes*, Gutiérrez turns to other resources from the tradition, both biblical<sup>90</sup> and historical,<sup>91</sup> to assert that the call to attend to human suffering has been an enduring one. While Europeans develop the source of moral responsibility in the primacy of the Christian conscience, liberation theology proposes the suffering of the poor as those to whom conscience must respond.

From El Salvador, Jon Sobrino calls for theology as an *intellectus amoris* and insists that theology is always in relationship to actual concrete realities, locating itself in love of those in profound suffering of the world.<sup>92</sup> Sobrino’s theology depends on the historicity of Jesus.<sup>93</sup> He sees the failure of Christologies to capture the historical death of Jesus on the cross as the fundamental oversight that leads us to ignore the call of the kingdom and the need to respond to the option of the poor. Thus just as God in Jesus Christ did not abandon the historical world to its wretchedness, neither can we.<sup>94</sup> That *imitatio Christi* is then the embodiment of the spirituality that we need to follow Christ in ministering to those who suffer.<sup>95</sup>

<sup>89</sup> Peter Henriot, “The Concept of Social Sin,” *Catholic Mind* (1973) 38–53; Kenneth Himes, “Social Sin and the Role of the Individual,” *Annual of the Society of Christian Ethics* (1986) 183–213; Mark O’Keefe, *What Are They Saying about Social Sin?* (New York: Paulist, 1990); Margaret Pfeil, “Doctrinal Implications of Magisterial Use of the Language of Social Sin,” *Louvain Studies* 27 (2002) 132–152, at 152.

<sup>90</sup> Gustavo Gutiérrez, *On Job: God Talk and the Suffering of the Innocent* (Maryknoll, NY: Orbis, 1987).

<sup>91</sup> Gustavo Gutiérrez, *Las Casas: In Search of the Poor of Jesus Christ* (Maryknoll, NY: Orbis 1993).

<sup>92</sup> Jon Sobrino, “Theology in a Suffering World,” in *The Principle of Mercy: Taking the Crucified People from the Cross* (Maryknoll, NY: Orbis, 1994) 27–46. See Stephen J. Pope, ed., *Hope and Solidarity: Jon Sobrino’s Challenge to Christian Theology* (Maryknoll, NY: Orbis, 2008).

<sup>93</sup> Jon Sobrino, *Christology at the Crossroads* (Maryknoll, NY: Orbis, 1976); Sobrino, *Jesus the Liberator: A Historical-Theological Reading of Jesus of Nazareth* (Maryknoll, NY: Orbis, 1993).

<sup>94</sup> Jon Sobrino, *No Salvation Outside the Poor: Prophetic-Utopian Essays* (Maryknoll, NY: Orbis 2008).

<sup>95</sup> Jon Sobrino, “Spirituality and the Following of Jesus,” in *Mysterium Liberationis* 677–701.

In Latin America, theological ethics has a deep resonance with the proposals of liberation theology: a critical reflection on praxis, a call to respond to human suffering, the option for the poor, and the naming of social sin and the structures of sin. In response to their innovation, Europeans see liberation theology as the agenda that an autonomous conscience should appropriate.<sup>96</sup>

In a similar way, Margaret Farley identifies love and suffering as the two central human experiences that all human beings encounter and suggests that they are the two foci of all theological ethics, above all in a love that responds to suffering.<sup>97</sup> Throughout history, from Paul to Augustine to Aquinas to Benedict XVI, we can find in moral theology love or charity at the heart of the Christian moral life.<sup>98</sup> But we do not find an attention to suffering. One of the impacts of Vatican II is then clearly the irruption of suffering and the concomitant call to answer in solidarity and to alleviate suffering wherever possible. The agenda of theological ethics is being set.

### CONTRIBUTIONS FROM THE UNITED STATES

In 1965, Richard McCormick becomes editor of the “Moral Notes” in *Theological Studies* and for 20 years moderates the most extensive debates in moral theology.<sup>99</sup> With McCormick, the “Notes” are no longer the last bastion of manualism. While anyone could rightly question the way he often corrals most Europeans together, suggesting implicitly that they are all in agreement, McCormick shows his mastery when he descends into the particulars of individual theologians’ contributions. There he brings his natural casuistic instincts to bear as he analyzes the debates about deontology and proportionalism,<sup>100</sup> autonomous morality and an ethics of

<sup>96</sup> Marciano Vidal, “Is Morality Based on Autonomy Compatible with the Ethics of Liberation?” in *Ethics of Liberation or the Liberation of Ethics*, ed. Dietmar Mieth and Jacques Pohier (London: T. & T. Clark, 1984) 80–86; Dietmar Mieth, “Autonomy or Liberation—Two Paradigms of Christian Ethics?” in *ibid.* 87–93.

<sup>97</sup> Margaret Farley, “How Shall We Love in a Post-Modern World?,” Curran and McCormick, ed., *The Historical Development of Fundamental Moral Theology in the United States*, Readings in Moral Theology 11 (New York: Paulist, 1999) 307–25.

<sup>98</sup> Edward Vacek, *Love, Human and Divine: The Heart of Christian Ethics* (Washington: Georgetown University, 1994).

<sup>99</sup> For an excellent study, see Paulinus Ikechukwu Odozor, *Richard McCormick and the Renewal of Moral Theology* (Notre Dame, IN: University of Notre Dame, 1995).

<sup>100</sup> See Richard A. McCormick and Paul Ramsey, eds., *Doing Evil to Achieve Good: Moral Choice in Conflict Situations* (Chicago: Loyola University, 1978); on the “transitional” nature of proportionalism see Keenan, *A History* 156–58.

faith, rightness and goodness, magisterial authority and dissent. No European does what the multilingual McCormick does: present, engage, and incorporate the thousands of contributions being made in theological ethics worldwide.<sup>101</sup>

To complement his “Notes,” he coedits with Charles Curran a series of collections of internationally, distinguished essays on particular topics in moral theology: moral norms, the *proprium* of moral theology, the magisterium, feminism, the development of moral doctrine, etc.<sup>102</sup>

During the 1970s, Curran writes on fundamental moral theology<sup>103</sup> and specific contemporary moral issues.<sup>104</sup> At the same time he develops an argument for dissent to moral teaching.<sup>105</sup> In 1980, he authors a landmark essay on method in moral theology, a relational-responsibility model based on the five Christian mysteries: creation, incarnation, sin, redemption, and resurrection destiny.<sup>106</sup> The model is evidently indebted to Häring’s own responsibility ethics, but it makes more explicit the claims to relationality.<sup>107</sup> Today Curran publishes his major books with Georgetown University Press, offering us fundamental assessments on the origins and history of moral theology in the United States, the church’s social teaching and its mission, and the moral theology of Pope John Paul II.<sup>108</sup>

<sup>101</sup> Richard A. McCormick, *Notes on Moral Theology, 1965 through 1980* and *Notes on Moral Theology, 1981 through 1984* (Washington: University Press of America, 1981, 1984).

<sup>102</sup> The series is entitled *Readings in Moral Theology* and runs to 16 volumes. After volume 11 Curran carries on the series, coediting it with women scholars like Margaret Farley, Lisa Fullam, and Julie Hanlon Rubio.

<sup>103</sup> Charles E. Curran, *New Perspectives in Moral Theology* (Notre Dame, IN: Fides, 1974); *Ongoing Revision in Moral Theology* (Notre Dame, IN: Fides, 1975); *Themes in Fundamental Moral Theology* (Notre Dame, IN: University of Notre Dame, 1977); *Transition and Tradition in Moral Theology* (Notre Dame, IN: University of Notre Dame, 1979).

<sup>104</sup> Charles E. Curran, *Contemporary Problems in Moral Theology* (Notre Dame, IN: Fides, 1970); *Medicine and Morals* (Washington: Corpus, 1970); *Issues in Sexual and Medical Ethics* (Notre Dame, IN: University of Notre Dame, 1978).

<sup>105</sup> Charles E. Curran, *Faithful Dissent* (Kansas City, MO: Sheed & Ward 1986). Charles E. Curran and Richard A. McCormick, *Dissent in the Church*, *Readings in Moral Theology* 6 (New York: Paulist, 1988).

<sup>106</sup> Charles E. Curran, “Method in Moral Theology: An Overview from an American Perspective,” *Studia moralia* 18 (1980) 107–28.

<sup>107</sup> On Curran’s method, see James J. Walter, Timothy O’Connell, and Thomas Shannon, eds., *A Call to Fidelity: On the Moral Theology of Charles E. Curran* (Washington: Georgetown University, 2002) 37–54.

<sup>108</sup> Besides the texts mentioned above, see Curran’s publications from Georgetown University Press: *The Origins of Moral Theology in the United States: Three Different Approaches* (1997); *Catholic Social Teaching, 1981–Present: A*

Together Curran and McCormick shape the available bibliography for the development of theological ethics in the United States and promote an ongoing literacy in the United States among bishops, priests, theologians, and laity regarding recent innovations in theology.

After McCormick and Curran another set of movements emerge. I have argued elsewhere that the influence of liberation theology in the United States led to the development of feminist theology, black theology, and womanist theological ethics in the United States.<sup>109</sup> Here I want to propose that besides these theological contributions two significant, fairly unique developments from the United States are the introduction of the Catholic social tradition into the areas of fundamental, sexual, and medical ethics and the retrieval of virtue ethics.

If we remember that the distinctive ethical innovation in the United States from 1940 to the council was the social ethics of John Ryan and John Courtney Murray, then wisely the next generation of theological ethics develops its strengths. David Hollenbach, in particular, advances that tradition<sup>110</sup> and addresses a wide array of issues: mediating claims in conflict, promoting a new perspective for an equitable justice, developing the respect of human rights, analyzing issues of war and peace in a nuclear age, and deepening the notion of common good to reflect better the world in which we live.<sup>111</sup> More recently he writes on the issues of refugees and forced migration.<sup>112</sup>

Along with Margaret Farley and many others,<sup>113</sup> Lisa Sowle Cahill promotes the inclusive agenda of connecting feminism to the Catholic social tradition and bringing that connection to the major areas of applied ethics. In 1985, she writes on an ethics of sexuality and explores the sources

*Historical, Theological, and Ethical Analysis* (2002); *The Moral Theology of Pope John Paul II* (2005); *The Social Mission of the U.S. Catholic Church: A Theological Perspective* (2011).

<sup>109</sup> Keenan, *A History* 211–16.

<sup>110</sup> David Hollenbach, “Religious Freedom, Morality, and Law: John Courtney Murray Today,” *Journal of Moral Theology* 1.1 (2012) 43–68.

<sup>111</sup> David Hollenbach, *Claims in Conflict: Retrieving and Renewing the Catholic Human Rights Tradition* (New York: Paulist, 1979); *Nuclear Ethics: A Christian Moral Argument* (New York: Paulist, 1983); *The Common Good and Christian Ethics* (New York: Cambridge University, 2002); *Justice, Peace, and Human Rights: American Catholic Social Ethics in a Pluralistic World* (New York: Crossroads, 1988); *The Global Face of Public Faith: Politics, Human Rights, and Christian Faith* (Washington: Georgetown University, 2003)

<sup>112</sup> David Hollenbach, ed., *Refugee Rights: Ethics, Advocacy, and Africa* (Washington: Georgetown University, 2008).

<sup>113</sup> See Margaret Farley, *Just Love: A Framework for Christian Sexual Ethics* (New York: Continuum, 2006).

of Christian ethics: Scripture, tradition, human nature, and experience. These categories are seen not as distinct, but rather as interrelated and mutually defining. In this context, she develops certain concepts that became foundational for her own positions: feminism, the common good, and moral practices.<sup>114</sup>

Later she advances a sexual ethics that is deeply relational, promoting gender equity, and contending that sexuality should fortify not privacy but rather integral relationships within the common good.<sup>115</sup>

More recently, she writes on bioethics.<sup>116</sup> Here she turns to the common good, solidarity, structural injustice and sin, and the option for the poor—concepts that had been used until this point only in the field of social ethics—and draws them into bioethics.<sup>117</sup> Here she insists on justice, examines the economic realities that drive so much research while at the same time disenfranchising those most in need, chides the glorification and fascination with a technology that is more market- than person-driven, and remains in solidarity with women throughout the world, particularly those most alienated from current medical advances.<sup>118</sup>

Cahill's purpose in writing is to bring about actions, practices, and policies that achieve a greater equity and solidarity with those suffering in the world. As she said in her presentation in Padua at the international conference of Catholic theological ethics:

Modern terms such as “human dignity,” “full humanity,” “democracy,” “human rights,” “equality,” “solidarity,” and “equal opportunity” are ways of challenging inequitable access patterns. Such language represents a social, political, and legal ethos in which participation in the common good and access to basic goods of society [are] universally shared, even though on many possible cultural models. This is the modern definition of social justice, and social justice is an indispensable constituent of contemporary moral theology.<sup>119</sup>

<sup>114</sup> Lisa Sowle Cahill, *Between the Sexes: Foundations for a Christian Ethics of Sexuality* (New York: Paulist, 1985).

<sup>115</sup> Lisa Sowle Cahill, *Women and Sexuality* (New York: Paulist, 1992); *Sex, Gender, and Christian Ethics* (New York: Cambridge University, 1996).

<sup>116</sup> Lisa Sowle Cahill, *Bioethics and the Common Good* (Milwaukee: Marquette University, 2003).

<sup>117</sup> Lisa Sowle Cahill, “Bioethics,” *Theological Studies* 67 (2006) 120–42; “Bioethics, Theology, and Social Change,” *Journal of Religious Ethics* 31 (2003) 363–98; “Biotech and Justice: Catching Up with the Real World Order,” *Hastings Center Report* 33.5 (2003) 34–44.

<sup>118</sup> Lisa Sowle Cahill, *Theological Bioethics: Participation, Justice, and Change* (Washington: Georgetown University, 2005).

<sup>119</sup> Lisa Sowle Cahill, “Moral Theology: From Evolutionary to Revolutionary Change,” in *Catholic Theological Ethics in the World Church: The Plenary Papers from the First Cross-Cultural Conference on Catholic Theological Ethics*, ed. James F. Keenan, S.J. (New York: Continuum, 2007) 221–27, at 225.

In sum, Cahill brings the resources of the Catholic social tradition into the framework of theological ethics. She insists that as we do theology we examine narrative claims, social practices, and institutional structures. She advocates an action-oriented ethics that seeks to extend the parameters of discourse and participation and is mindful of the biases of classicism, sexism, and racism.

Concrete social changes that promote justice signify the purpose of a great deal of theological ethics in the United States.<sup>120</sup> It is a remarkable achievement, then, that only 15 years after the turn away from manualism, the US Conference of Catholic Bishops (USCCB) issue on May 3, 1983, their long-awaited, transparently-drafted, landmark statement, *The Challenge of Peace: God's Promise and Our Response*.<sup>121</sup> This prophetic and ethically well-argued statement gives the church in the United States a sense that working for justice is its mission.<sup>122</sup> Three years later on November 13, 1986, the bishops address the ethical issues related to the economy, in *Economic Justice for All*.<sup>123</sup> These events empower Christians around the country to reflect on the relationship of justice, the church and the world.<sup>124</sup> The legacy of *Gaudium et spes* becomes realized in these ethically founded teachings.

A final coda on contributions from the United States must acknowledge the development of virtue ethics, begun in theological ethics by Jean Porter<sup>125</sup> but brought to fruition by William Spohn.<sup>126</sup> Spohn sees virtue ethics as providing the indispensable hermeneutics to carry out the charge

<sup>120</sup> Kenneth R. Himes, *Christianity and the Political Order: Conflict, Cooptation, and Cooperation* (Maryknoll, NY: Orbis, 2013, forthcoming).

<sup>121</sup> USCCB, *The Challenge of Peace: God's Promise and Our Response; a Pastoral Letter on War and Peace, May 3, 1983* (Washington: USCC, 1983), [www.usccb.org/sdwp/international/TheChallengeofPeace.pdf](http://www.usccb.org/sdwp/international/TheChallengeofPeace.pdf).

<sup>122</sup> Todd D. Whitmore, "The Reception of Catholic Approaches to Peace and War in the United States," in *Modern Catholic Social Teaching: Commentaries and Interpretations*, ed. Kenneth R. Himes (Washington: Georgetown University, 2004) 493–522.

<sup>123</sup> USCCB, *Economic Justice for All: Catholic Social Teaching and the U.S. Economy* (November 13, 1986) (Washington: USCC, 1986); [www.usccb.org/sdwp/international/EconomicJusticeforAll.pdf](http://www.usccb.org/sdwp/international/EconomicJusticeforAll.pdf).

<sup>124</sup> Charles E. Curran, "The Reception of Catholic Social and Economic Teaching in the United States," *Modern Catholic Social Teaching: Commentaries and Interpretations*, ed. Kenneth R. Himes et al. (Washington: Georgetown University, 2005) 469–92.

<sup>125</sup> Jean Porter, *The Recovery of Virtue: The Relevance of Aquinas for Christian Ethics* (Louisville: Westminster John Knox, 1990).

<sup>126</sup> William C. Spohn, "Virtue and American Culture," *Theological Studies* 48 (1986) 123–35; "Passions and Principles," *Theological Studies* 52 (1991) 69–87; "The Recovery of Virtue Ethics," *Theological Studies* 53 (1992) 60–75.

of *Optatam totius* that ethics be “nourished more on the teachings of the Bible” (no. 16).<sup>127</sup> Since his work, Daniel Harrington, James Keenan, and Yiu Sing Lúcas Chan further these investigations with a virtue ethics and its attendant practices shaped by the distinctively social contributions of Farley, Cahill, and Hollenbach.<sup>128</sup>

### CONTRIBUTIONS FROM AFRICA

The irruption of the suffering poor does not enter African theology as a delayed afterthought. If there is one part of the world that most people think of when we consider human suffering as a social reality, it is Africa. The world has become more familiar with Africa through globalized communications that frequently narrate the advance of HIV/AIDS, the enduring tragedy of malaria and tuberculosis, and the internecine struggles that pit poor aggressor against poor aggressor.

African theology has been attentive not only to the challenges facing Africa but also to the gifts animating it. If liberation theology is the offering from Latin America, then an inculturation that is critically approached through liberation theology is Africa’s contribution to the church and the world. Africa yearns for its identity and finds that by understanding its past, it can establish its future.<sup>129</sup>

While Bénézet Bujo is the most eloquent promoter of African inculturation in theological ethics,<sup>130</sup> Jean Marc Ela questions it: If the African Church becomes more truly African, will it become better? If African society heeds its ancient cultures, will it actually move forward? Ela prefers a liberation theology approach: the African church, its leaders, and

<sup>127</sup> William C. Spohn, *Go and Do Likewise: Jesus and Ethics* (New York: Continuum, 1999).

<sup>128</sup> Daniel J. Harrington and James F. Keenan, *Jesus and Virtue Ethics: Building Bridges between Biblical Studies and Moral Theology* (New York: Sheed & Ward, 2002); Harrington and Keenan, *Paul and Virtue Ethics: Building Bridges between New Testament Studies and Moral Theology* (New York: Rowman & Littlefield, 2010); Yiu Sing Lúcas Chan, *The Ten Commandments and the Beatitudes: Biblical Studies and Ethics for Real Life* (New York: Rowman & Littlefield, 2012); Chan, *Doing Biblical Ethics in the Twenty-First Century: Developments, Emerging Consensus, and the Future* (New York: Paulist, 2013).

<sup>129</sup> See Laurenti Magesa’s brilliant essay on how evangelization affected Africa, “The Council of Trent in the African Experience,” in *Catholic Theological Ethics Past, Present, and Future: The Trento Conference*, ed. James F. Keenan (Maryknoll, NY: Orbis, 2011) 48–59.

<sup>130</sup> Bénézet Bujo, *African Christian Morality at the Age of Inculturation* (Nairobi: Paulines, 1990); *African Theology in its Social Context* (Maryknoll, NY: Orbis, 1992); Bujo, *Foundations of an African Ethic: Beyond the Universal Claims of Western Morality* (New York: Crossroads, 2001).

members need to heed the liberating gospel that confronts local cultures with the kingdom of God as expressed in Jesus Christ and in the love, justice, equity, and option for the poor that characterizes the gospel message. Ela offers a ringing corrective to African contextual theology. As a noted sociologist and theologian, he demands a concrete and not a conceptual liberation: we must know the Africa we are talking about, not to accept it, but to liberate it.<sup>131</sup>

If Ela brings liberation theology into African theological discourse, Laurenti Magesa considers it a companion and not a replacement for inculturation.<sup>132</sup> Magesa promotes a theology of inculturation, especially in his landmark work on the pan-African culture of life that imbues African religion.<sup>133</sup> He studies the challenges of Africa today: those resulting from gender inequities, elitism, political and economic corruption, and the long-standing compromise of the environment. He admonishes theologians to recognize that inculturation and liberation are complementary theologies, and that no true African theological ethicist can afford to overlook either of these significant theological claims. He urges theologians to locate themselves more immediately with “the wretched of the earth” and to find more constructive ways of encouraging Africa’s hierarchy to promote, rather than inhibit, the type of theological discourse Africa needs, one that is relevant and action oriented for God’s people.<sup>134</sup>

There is a thickness to African theology. We can sense African culture alive in its theology. One new theological ethicist who follows in Magesa’s steps is Nigeria’s Agbonkhianmeghe Orobator, who takes the sociological category of crisis, correlates it with the theological conception of *kairos*, and contends that the identity of the African church is measured by its response to the HIV crisis.<sup>135</sup> Elsewhere he writes on the church as a practical institution with a historical tradition rooted in hope while facing ethical challenges. He reflects on the church as family, a very African line of thought, the specific image of the church used at the recent synod.<sup>136</sup>

<sup>131</sup> Jean-Marc Ela, *Le cri de l’homme africain: Questions aux Chrétiens et aux églises d’Afrique* (Paris: L’Harmattan, 1980); *Afrique, l’irruption des pauvres* (Paris: Harmattan, 2000); *African Cry* (Maryknoll, NY: Orbis, 1986).

<sup>132</sup> See Emmanuel Martey, *African Theology: Inculturation and Liberation* (Maryknoll, NY: Orbis, 1994).

<sup>133</sup> Laurenti Magesa, *African Religion: The Moral Traditions of Abundant Life* (Maryknoll, NY: Orbis, 1997).

<sup>134</sup> Laurenti Magesa, “Locating the Church among the Wretched of the Earth,” in *Catholic Theological Ethics in the World Church* 49–56.

<sup>135</sup> Agbonkhianmeghe E. Orobator, *From Crisis to Kairos: The Mission of the Church in the Time of HIV/AIDS, Refugees and Poverty* (Nairobi: Paulines, 2005).

<sup>136</sup> A. E. Orobator, *The Church as Family: African Ecclesiology in Its Social Context* (Nairobi: Paulines, 2000).

In another book, through the use of African narratives,<sup>137</sup> Orobator explores central issues of contemporary faith: from the (non) naming of God to the Trinity, from Christology to mercy and grace, and from the kingdom to the communion of saints. This master storyteller draws his material from the traditional stories of his fellow Nigerian Chinua Achebe's *Things Fall Apart* (1994).<sup>138</sup> In all this, we can see a liberating inculturation theology entering its second generation, and if anyone wants to know where the most sustained and promising contextual theology is emerging today, they need only look there to find it.

### CONCLUSION

I could try to say something about Asia as I have elsewhere,<sup>139</sup> that it is a theological ethics in cross-cultural, interreligious dialogue. It has an immediacy about its concerns for suffering, whether they deal with Hong Kong maids, Thai sex workers, Indian call centers, Japanese xenophobia, or reproduction issues in the Philippines. And whether one reads *Asian Horizons* or the latest publications of Ecclesia of Women in Asia,<sup>140</sup> one finds a contextual and dialogical vibrancy in Asian ethical writing that is striking and that finds more and more sources in the Catholic social justice tradition.<sup>141</sup>

Now, however, I must conclude. I hope this essay captures the significant developments of theological ethics in light of Vatican II. Out of the rubble of World War II, theological ethics discovered its conscience and pursued vigorously a new agenda. While affirming that it has always been rooted and animated by charity or love, theological ethics quickly discovers human suffering as it emerges from the council. This coupling of a love responding in conscience to suffering becomes the platform for building a new theological ethics. That platform arises in each continent where the distinctive social understanding of humanity emerges: in Latin America that understanding comes through a praxis of an option in solidarity with the poor; in North America it comes through the use of the common good tradition to face the challenges of the social structures that promote the racism, sexism, and classicism responsible for such suffering

<sup>137</sup> Joseph G. Healey and Donald Sybertz, *Towards an African Narrative Theology* (Maryknoll, NY: Orbis, 1996).

<sup>138</sup> A. E. Orobator, *Theology Brewed in an African Pot* (Maryknoll, NY: Orbis, 2008).

<sup>139</sup> Keenan, *A History* 208–11.

<sup>140</sup> Forum of Asian Catholic Women Theologians, <http://ecclesiaofwomen.ning.com/>.

<sup>141</sup> Aloysius Lopez Cartagenas, *Unlocking the Church's Best Kept Secret: Principles for the Interpretation, Communication, and Praxis of Catholic Social Teaching* (Manila: Ateneo de Manila, 2012).

and alienation; and in Africa it comes through the engagement of local religious and cultural narratives and practices that capture the promise of a future vision despite the urgent issues of the day. Of course there are other traditions on those same continents: black Catholics in the United States find in their own narratives and songs the sources that shape a liberating black theology, and feminists turn to philosophical hermeneutics to develop a more liberating ethics on its horizon. But in each instance the resources are as social as the anthropological vision that animated *Gaudium et spes*. The famous turn to the subject found humanity suffering.

I believe that when the council promulgated *Gaudium et spes*, moral theologians never imagined that therein was the source of the fairly robust, action-oriented agenda that we would have today. Corruption, global pandemics, human trafficking, unemployment, unstable climate changes, gender inequity, violence against women, homosexuals and children, abortion, racism, the enormous economic divides both local and global, refugees and migration, inability to access health care, patenting laws, etc.—these and a hundred other topics, all related to deep-seated social-structural issues, have to be in conscience engaged by Catholic theological ethicists now mindful of a love responding collaboratively and resourcefully to suffering. The council is for us more prophetic than we ever imagined.