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## **THE ACHIEVEMENT OF MORAL THEOLOGY AT VATICAN II**

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In order to appreciate the achievement of moral theology at Vatican II we have to recognize that moral theologians in the first half of the twentieth century attempted to develop the foundations of a contemporary moral theology to replace the four centuries of the moral manuals. For reasons too numerous to explain here, these theologians wanted to revisit the roots of this “new” moral theology in the Catholic tradition as it developed from the time of Christ until the dawn of sixteenth-century casuistry.<sup>1</sup> That is, they wanted to revisit the tradition prior to the emergence of the moral manuals in

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<sup>1</sup>See James F. Keenan, *A History of Catholic Moral Theology in the Twentieth Century*, New York: Continuum, 2010.

their early forms as the *summary of cases* or the *summa de casibus*. Häring's work represents the crowning achievement of these efforts. His work, I will argue here, guided moral theology to its achievements at Vatican II.

Before looking at Häring and then Vatican II, we need to appreciate what he inherited from the pioneers before him. I will highlight three pioneers: the German diocesan priest, Fritz Tillmann who led us to the Scriptures and therein to Jesus Christ and our call to discipleship; the Belgian Benedictine Odon Lottin who turned to the history of the tradition and of the person; and, the French Jesuit Gérard Gilleman who invoked charity as the ultimate good.

### The Early Revisionists

In 1912, the internationally-known Scripture scholar Fritz Tillmann was ordered by the Vatican to leave Scripture, but was also given the opportunity to enter another field of theology. He became a moral theologian. His difficulties with the Vatican arose from the fact that, as Cardinal Joseph Ratzinger explains, he was editor of a collection of essays about the New Testament, and one of the contributing authors defended the two source theory for the writing of the synoptic Gospels.<sup>2</sup>

After writing moral theology for fifteen years, he later collaborated with Theodor Steinbüchel and Theodor Müncker on a three volume work, which he edited, entitled, *Die katholische sittenlehre (Catholic Moral Teaching)* in 1934. Tillmann wrote the third volume, *Die Idee der Nachfolge Christi*, on the idea of the disciple of Christ.<sup>3</sup>

Tillman's volume was a tremendous success. Seventy years after its publication, Karl-Heinz Kleber writes that in the search to express what the foundational principle of moral theology ought to be, Tillman came forward and named it: the disciple of Christ. Others followed Tillmann's lead: Gustav Ermecke, Johannes Stelzenberger, Bernard Häring, Gerard Gilleman, and René Carpentier.<sup>4</sup>

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<sup>2</sup>Pope Benedict VI, *Relationship between Magisterium and Exegetes*, May 10, 2003, [http://www.vatican.va/roman\\_curia/congregations/cfaith/pcb\\_documents/rc\\_con\\_cfaith\\_doc\\_20030510\\_ratzinger-comm-bible\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/pcb_documents/rc_con_cfaith_doc_20030510_ratzinger-comm-bible_en.html), accessed January 23, 2011.

<sup>3</sup>Theodor Steinbüchel, *Die philosophische Grundlegung*; Theodor Müncker, *Die psychologische Grundlegung*; Fritz Tillmann, *Die Idee der Nachfolge Christi*; in Fritz Tillmann, ed., *Die katholische sittenlehre*, Dusseldorf: Patmos, 1934.

<sup>4</sup>Karl-Heinz Kleber, *Historia Docet: Zur Geschichte der Moraltheologie Studien der Moraltheologie 15*, Münster: LIT Verlag, 2005, 89.

In 1937 he published a more accessible text for lay people, *Die Meister Rufft*, which was translated into English in 1960 as *The Master Calls*. Here he presented a handbook of lay morality not as a list of sins, but as virtues dominated by the idea of the disciple guided by Scripture to follow Christ. Its three central parts are practical explications of the love of God, self, and neighbour. Throughout, he highlighted the grandeur of the call to discipleship: "The goal of the following of Christ is none other than the attainment of the status of a child of God."<sup>5</sup>

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

To bring moral theology into the contemporary world, Dom Odon Lottin brought in history.<sup>6</sup> From 1942 to 1960 he wrote his four volume study (roughly three thousand pages) on the writings of the scholastics on matters related to conscience and moral decision-making, *Psychologie et morale aux XIIe et XIIIe siècles*.<sup>7</sup> Here he revolutionized our understanding of scholasticism in general and Thomas Aquinas, in particular.

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

<sup>6</sup>See Mary Jo Iozzio, *Self-Determination and the Moral Act: A Study of the Contributions of Odon Lottin, O.S.B.*, Leuven: Peeters, 1995.

<sup>7</sup>Odon Lottin, *Psychologie et morale aux XIIe et XIIIe siècles*, Gembloux, Belgium: J. Duculot, Volume I, 1942; II, 1948; III, 1949; IV, 1960.

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

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

Far from writing a moral pathology, Lottin, like Tillmann before him, believed that morality conveyed humanity's greatness: "the true grandeur of being human resides in morality, because one's moral life is one's own self manifesto, the fruit of one's own personality."<sup>8</sup> The end of morality is the right realization of the person and the community in God's salvific plan.

For Lottin, ministers of the church are called to help the members of the Church lead conscientious lives.<sup>9</sup> His striking break with the manualists is evident by the hermeneutical context in which he established the conscience as foundational to the moral life. Unlike the manualists's pathology of the lay person's conscience (doubtful, lax, scrupulous, uncertain, erroneous, etc), Lottin wrote at length about the "formation" of conscience, on the virtuous life, and the formation of the prudential judgment.

By turning to prudence, Lottin liberated the Christian conscience from its singular docility to the confessor priest. He instructed church members to become mature self-governing Christians, insisting that they have a life-long task, a progressive one, as he called it,<sup>10</sup> toward

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<sup>8</sup>Lottin, *Aux Sources de Notre Grandeur Morale*, Louvain: Abbaye du Mont César, 1946, 20.

<sup>9</sup>Odon Lottin, *Morale Fondamentale*, Tournai, Belgium: 1954, 297-339.

<sup>10</sup>Odon Lottin, *Morale Fondamentale*, 54ff.

growing in virtue. By turning to prudence, Lottin urged his readers to find within themselves, their community, their faith, the Church's tradition and its Scriptures, the mode and the practical wisdom for determining themselves into growing as better Christians.

Gérard Gilleman examined the most internal and gracious of all virtues, charity, by studying the *Summa Theologiae* of Aquinas in light of the work of the Jesuit moral theologian Émile Mersch (1890-1940). In three successive works, Mersch examined the mystical body of Christ: first through historical investigations, then in its relevance for morality, and finally, in its own theological significance.<sup>11</sup> Gilleman found in Mersch compelling grounds for identifying the Christian with the filial self-understanding of Jesus, the Son of God. In that self-understanding, Gilleman found that charity establishes our union with God. For Gilleman, by pursuing charity he would find the key to the renewal of moral theology. As he wrote in *The Primacy of Charity*, the purpose of his study is "to apply to the formulation of each and every question of moral theology the universal principle of St. Thomas: *Caritas forma omnium virtutum*."<sup>12</sup>

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

Second, appreciating charity as internal, he rightly directed us to Thomas's thoughts where charity is expressed as the form, mother, and source of virtue. As form it precedes all other virtues and exists at the core of our life, directing us to the development of other virtues.<sup>13</sup> As mother, she generates all other virtues. As source, every Christian virtue finds its roots in charity. In short, charity is the foundation of all virtue.

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<sup>11</sup>Émile Mersch, *Le Corps mystique du Christ: Études de théologie historique*, Brussels: Desclée de Brouwer, 1936; *Morale et corps mystique*, Paris: Desclées de Brouwer, 1937; *La Théologie du corps mystique*, 2 vols., Paris: Desclées de Brouwer, 1944.

<sup>12</sup>Gerard Gilleman, *Le primat de la charité en théologie morale*, Bruxelles : L'Édition universelle, 1952; *The Primacy of Charity in Moral Theology*, Westminster, MD: Newman Press, 1959, xxxvi.

<sup>13</sup>Gillemman, 29-55.

Finally, when we fully understand the depth and breadth of charity we see here how charity is not only the mother of all moral virtues but inevitably all ascetical virtues as well. The link between moral and ascetical theology is found in the life of the person living with the gift of charity. As form of the virtues, charity becomes, "our profound spiritual tendency" which seeks expression in the moral act.<sup>14</sup> Gilleman provided his own summary to these three claims: "The task of Christian morality and of asceticism which is intimately linked to it, is to render the intention and exercise of charity in us always more and more explicit."<sup>15</sup>

It is hard to over-estimate the influence of Gilleman's work. Even to this day his direct influence is felt as in Pope Benedict XVI's *Deus Caritas Est*.<sup>16</sup> There though Gilleman is not invoked, his influence is unmistakably present.<sup>17</sup>

Before Häring writes, then, a sustained "revisionist" movement was already thirty years old and these reformers effectively insisted that before talking about sin, moral theology had to talk first about virtue and grace.<sup>18</sup> Starting there, revisionist moral theology had to be rooted in Scripture, Christologically founded, sustained by charity, historically connected to the tradition, integrated with the ascetical life, and articulated in the key of virtue. Before Häring these claims are already expressed. What then did Häring give us, beyond this?

### Häring's Legacy

In order to specify Häring's contemporary legacy, I compare him first with my own mentor, Josef Fuchs.<sup>19</sup> I hope my reasons for turning to Fuchs, further highlight the contribution of Häring.

When I attended the Gregorian University (1982-1987), I studied at an institution that had been awarding degrees since the Jesuits arrived in

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<sup>14</sup>Gillemman, 57-160.

<sup>15</sup>Gillemman, 82.

<sup>16</sup>Benedict XVI, *Deus Caritas est*, December 25, 2005 [http://209.85.215.104/search?q=cache:5LYqbqvjd\\_AJ:www.vatican.va/holy\\_father/benedict\\_xvi/encyclicals/documents/hf\\_ben-xvi\\_enc\\_20051225\\_deus-caritas-est\\_en.html+Deus+Caritas&hl=en&ct=cInk&cd=1&gl=us](http://209.85.215.104/search?q=cache:5LYqbqvjd_AJ:www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben-xvi_enc_20051225_deus-caritas-est_en.html+Deus+Caritas&hl=en&ct=cInk&cd=1&gl=us)

<sup>17</sup>See "A More Excellent Way," *America* 194.5 (February 13, 2006) 1.

<sup>18</sup>James Keenan, "Virtue, Grace and the Early Revisionists of the Twentieth Century," *Studies in Christian Ethics* 23.4 (2010) 365-380.

<sup>19</sup>The most perceptive and detailed assessment of Fuchs is Mark Graham, *Josef Fuchs on Natural Law*, Washington, D.C.: Georgetown UP, 2002; see also, Keenan, *A History*, 120-126, 142-157; 179-189.

Rome and founded the Gregorian's earlier incarnation, the Roman College (1551, suspended in 1773 during the suppression of the Society of Jesus). I did my licentiate with Klaus Demmer<sup>20</sup> and my doctorate with Josef Fuchs. I was the last person to study with Fuchs as a doctoral director.

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

The basic shift in his moral theology concerned competency, with a distinct nod to subsidiarity. On the papal commission he realized that a married couple was ultimately competent to determine whether and how they should regulate the births for their own family. The Vatican's universal declarations that birth control was always wrong became, for Fuchs, at best a general rule that needed to be entertained by married couples, who had to consider other moral claims as well.

Like Lottin, who influenced him, Fuchs thought that the Christian disciple should form and follow her/ his conscience. But like Lottin, he never wrote for a general audience but rather exclusively for theologians in general, and moral theologians in particular.<sup>21</sup>

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

When I studied at the Gregorian, the claim was that while the Alfonsianum had many courses in moral theology, the Gregorian was more academic and its moral theology was rooted in systematic theology. The Alfonsianum was more "pastoral," but in hindsight I would add, "innovative" as well. Though Fuchs and Demmer were certainly innovative, and both even wrote on the topic, they were the

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<sup>20</sup>Klaus Demmer, *Shaping the Moral Life: An Introduction to Moral Theology*, Washington, D.C.: Georgetown University Press, 2000; *Living the Truth: A Theory of Action*, Washington, D.C.: Georgetown University Press, 2010.

<sup>21</sup>He frequently published in *Stimmen der Zeit*, a Jesuit monthly similar to the US Jesuit quarterly *Theological Studies*.

exception (along with the Australian Jesuit, Gerald O'Collins) to the institutional stability of the Gregorian's theology. After all, the program for the Gregorian's mass of the Holy Spirit, on the feast of Robert Bellarmine, lists each year all alumni who have been consecrated to the episcopacy or promoted to a higher position within the hierarchy.

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

Style—no other aspect of Vatican II sets it off so impressively from all previous councils and thereby suggests its break with "business as usual." No other aspect so impressively indicates that a new mode of interpretation is required if we are to understand it and get at its "spirit."<sup>22</sup>

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

Among the early revisionists, only once (*The Master Calls*) did Tillmann write in such a way or for such an audience. Lottin wrote exclusively for the scholar; Gillemann wrote nothing but a dissertation for his director. Among Häring's contemporaries, none wrote in such a way or for such an audience. Fuchs, Alfons Auer, Klaus Demmer, Bruno Schüller, and Franz Böckle wrote turgid German; Louis Janssens wrote for his students and colleagues at Louvain. Only Häring wrote for this much more literate and disposed audience, in this way. Anyone reading the following words from O'Malley must see the name of Häring all over it. Häring was clearly interested in the Patristics, rhetoric, consolation, persuasion, and conversion.<sup>23</sup>

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<sup>22</sup>John O'Malley, "The Style of Vatican II," *America*, (February 24, 2003) [http://www.americamagazine.org/content/article.cfm?article\\_id=2812](http://www.americamagazine.org/content/article.cfm?article_id=2812)

<sup>23</sup>On conversion and Häring see Curran, *The Catholic Moral Tradition Today* 94-98; *Catholic Moral Theology in the United States*, 136-9.



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

Style is not content-less; on the contrary, it shapes the text, the community, the Church. O'Malley notes: "We know, moreover, that content and mode of expression are inextricably intertwined, that there is no thought without expression, that expression is what style is all about. In dealing with style we are at the same time dealing with content."<sup>24</sup>

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

At the Alfonsianum, Häring directed seventy-seven dissertations of students from around the world, including: Terence Kennedy (Australia); Mathew Koikara (India); Stephen Jairaj Koonthamattam (India); Byung-Ouk So (South Korea); Karl Heinz Peschke (Germany/India); Francisco Moreno Rejon (Peru); and, Clement Waidyasekara (Sri Lanka).<sup>25</sup> To each of them, he taught this new style. "Style" in fact was what he wanted to offer. In his wonderful

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<sup>24</sup>John O'Malley, "The Style of Vatican II;" See also his, *What Happened at Vatican II*, Cambridge: Harvard UP, 2008; on style, see the two volume work, Christoph Theobald, *Le christianisme comme style: Une manière de faire de la théologie en postmodernité*, Paris: Cerf, 2007.

<sup>25</sup>[http://www.alfonsiana.edu/Italian/studenti/dissertazioni/db/index\\_db.html](http://www.alfonsiana.edu/Italian/studenti/dissertazioni/db/index_db.html)

interview with Gary MacEoin, he said, "I don't want to destroy authority. What is needed is another style."<sup>26</sup>

Beyond his doctoral students, he influenced many other moralists, though most notably, two other Alfonsianum students, the American Curran and the Spaniard, Marciano Vidal. Though they each did their doctorates with other Redemptorists, by their own admission, no one influenced them more than Häring.<sup>27</sup> Moreover, no two other theologians appreciated the style of Häring and emulated it more than Curran and Vidal. While McCormick wrote for readers of *Theological Studies*, Curran wrote for a broader audience in a series of books with Notre Dame University Press. My favourite, and one that I took with me to Rome, was *Catholic Moral Theology in Dialogue*. The dedication reads "To Bernard Häring, C.S.S.R. teacher, theologian, friend, and priestly minister of the Gospel in theory and practice on the occasion of his sixtieth birthday."<sup>28</sup> It introduced me to a variety of discussions of the contemporary Church.

What are the central components of Häring's style? The first was that there was a deep presumption in the theological competency and interest of the educated Catholic and of other sympathetic Protestant traditions. Indeed, there was and is an American audience for this. Elsewhere, I have narrated the importance of Orbis Press publishing on liberation theology in the United States starting in 1970.<sup>29</sup> But, in 1960, Tillmann's *The Master Calls* and Gilleman's dissertation are both published in English in the United States. The next year, Häring's first volume of the *Law of Christ* appears, and is a bestseller.

While Curran, in English, and Vidal, in Spanish, develop and cultivate the same audience that Häring wrote for, Häring himself in 1978 validates again this audience by writing, *Free and Faithful in Christ* for an English-speaking audience; it was later translated into German.<sup>30</sup> This instinct to write for the non-theologically trained but still educated Catholic lives on today in many of the works of the new

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<sup>26</sup>Gary MacEoin, "Conversation with Bernard Häring," *Worldview Magazine* 15.8 (1972) 22-28 at 28.

<sup>27</sup>Curran actually did two doctorates, one at the Gregorian, the other at the Alfonsianum. On Häring's influence on Curran and Vidal, see Keenan, *A History*, 98-104.

<sup>28</sup>Charles Curran, *Catholic Moral Theology in Dialogue*, Notre Dame: University of Notre Dame Press, 1972.

<sup>29</sup>Keenan, *A History*, 211-215.

<sup>30</sup>Häring, *Free and Faithful in Christ*, New York: Seabury Press, 1987.

generation of scholars in moral theology very intent on constructing a positive, relational, confessional, contemporary ethics. Like Häring they write in an accessible style, very much the style of Vatican II.<sup>31</sup> Moreover, we should note that, between Häring and this new generation there are others who wrote in similar styles, like Richard Gula,<sup>32</sup> Eileen Flynn,<sup>33</sup> Russell Connors and Patrick McCormick,<sup>34</sup> James Keenan,<sup>35</sup> and more recently, Patricia Lamoureux and Paul Wadell.<sup>36</sup>

Another trait of his style was his reliance on experience in order to share common ground with readers. This too animates the style that most of the above named authors used as well.

A fundamental experience for Häring was the moral theology that he studied. When asked to prepare himself to teach in the field, he reported, "I told my superior that this was my very last choice because I found the teaching of moral theology an absolutely crushing bore."<sup>37</sup> In subsequently pursuing moral theology, Häring realized that if he found little benefit in its study so would the laity. He began to see that moral theology needed to be framed for others as well.

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

<sup>32</sup>Richard Gula, *What Are They Saying about Moral Norms?*, New York: Paulist Press, 1982; *Reason Informed by Faith*, New York: Paulist Press, 1989; *Ethics in Pastoral Ministry*, New York: Paulist Press, 1996; *Moral Discernment*, New York: Paulist Press, 1997; *The Good Life*, New York: Paulist Press, 1999; *The Call to Holiness*, New York: Paulist Press, 2003.

<sup>33</sup>Eileen Flynn, *AIDS: A Catholic Call to Compassion*, New York: Sheed and Ward, 1985; *Issues in Healthcare Ethics*, New York: Prentice Hall, 1999; *The Ten Commandments: Case Studies in Catholic Morality*, Notre Dame: Ave Maria Press, 2010.

<sup>34</sup>Russell Connors and Patrick McCormick, *Character, Choices and Community*, New York: Paulist Press, 1998; *Facing Ethical Issues*, New York: Paulist Press, 2002; Patrick McCormick, *Sin as Addiction*, New York: Paulist Press, 1989; *A Banqueters Guide to the All-Night Soup Kitchen of the Kingdom of God*, Collegeville, MN: Liturgical Press, 2004.

<sup>35</sup>James Keenan, *Virtues for Ordinary Christians*, Kansas City: Sheed and Ward, 1996; *Commandments of Compassion*, Sheed and Ward, 1999; *Moral Wisdom: Lessons and Texts from the Catholic Tradition*, Lanham, Md.: Sheed and Ward, 2004; *The Works of Mercy: The Heart of Catholicism*, Lanham, Md.: Sheed and Ward, 2005.

<sup>36</sup>Patricia Lamoureux and Paul Waddell, *The Christian Moral Life*, Maryknoll: Orbis, 2010; Waddell, *Friendship and the Moral Life*, Notre Dame: University of Notre Dame Press, 1989; *Happiness and the Christian Moral Life*, Lanham: Rowman and Littlefield, 2008.

<sup>37</sup>Häring, *My Witness for the Church*, Mahwah: Paulist Press, 1992, 19.

Häring's attempts to design a new moral theology was oriented towards a notion of moral truth that was realized in persons. This project led him to reform theology even if it meant censure and silencing. In a way, his life was mirrored by the very premises with which he worked: he knew the truth, not through utterances, but through profound life experiences.

Unlike the manualists who wrote during and after World War II, Häring's experience of the war shaped the breadth and depth of his project. The war empowered him: "During the Second World War I stood before a military court four times. Twice it was a case of life and death. At that time I felt honoured 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>38</sup> Häring witnessed to how many Christians recognized the truth, were convicted by it, and stood firm with it. There he found truth not primarily in what persons said but in how they acted and lived. The war experiences irretrievably disposed him to the agenda of developing a moral theology that aimed for the bravery, solidarity, and truthfulness of those committed Christians he met in the war.<sup>39</sup>

While he encountered heroes and heroines, he also witnessed to "the most absurd obedience by Christians toward a criminal regime. And that too radically affected my thinking and acting as a moral theologian. After the war, I returned to moral theology with the firm decision to teach it so that the core concept would not be obedience but responsibility, the courage to be responsible."<sup>40</sup> He realized therein the need to develop not a conforming, obediential moral theology, but rather one that summoned conscientious Christians to a responsive and responsible life of discipleship.

The conviction of the competency of the laity and the belief in the truth of his experience led him to a third integral component of his style: its deep commitment to Vatican II. While it is not coincidental that O'Malley refers to this as the "Style of Vatican II," Häring's style is identifiable with Vatican II, not because he imitated it, but because, in a manner of speaking, he *shaped* it.

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<sup>38</sup>Häring, *My Witness*, 132.

<sup>39</sup>Häring, *Embattled Witness: Memories of a Time of War*, New York: Seabury Press, 1976.

<sup>40</sup>Häring, *Embattled Witness*, 23-4.

### The Achievement of Moral Theology at Vatican II

Clearly, as Norbert Rigali and others noted, with Häring's *Law of Christ*, moral theology came of age as a theological discipline.<sup>41</sup>

With the *Law of Christ*, moral theologians had a solid foundation for their revisionists' claims. There was no longer a need to go back over the claims of Lottin, Tillmann, Mersch or the others. There was no need to make anew a case for revisionism: now it was a theology. The claims of previous writers were validated now by the realization of a new manual of moral theology. As such, it was foundational for moral theologians as they faced the 1960s, and most especially Vatican II.

At the council, Häring served on pre-conciliar and conciliar commissions. Thus, when the document on priestly formation, *Optatam Totius*, defined seminary education, it offered a simple two-sentence statement on moral theology. This comment not only validated the revisionists' work, but admonished the seminaries to incorporate the Scriptures in their study of moral theology and discipleship (Tillmann) and to embrace more clearly the virtue of charity (Gilleman). Häring was its draftsman and since its promulgation, the paragraph has become a kind of a terse manifesto of the revisionists' agenda. It reads:

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>42</sup>

One example of its pivotal role in moral theology is a fifty-page article written in 1966, by Josef Fuchs on the moral theology according to Vatican II. The very first words of the essay are those from *Optatam Totius*.<sup>43</sup>

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<sup>41</sup>Marciano Vidal's *Nueva Moral Fundamental: El hogar teológico de la Ética* Biblioteca Manual Desclée, Bilbao: Desclée de Brouwer, 2000.

<sup>42</sup>*Optatam Totius*, paragraph 16, October 28, 1965 [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)

<sup>43</sup>Josef Fuchs, "Theologia moralis perficienda; votum Concilii Vaticani II, " *Periodica de re morali, canonica, liturgica* 55 (1966) 499-548. (In English: "Moral Theology According to Vatican II, " *Human Values and Christian Morality*, Dublin: Gill and Macmillan, 1970, 1-55; see also Paulinus Ikechukwu Odozor begins his book

Häring also served on the pre-conciliar and conciliar commissions and was the secretary of the editorial committee that drafted the *Pastoral Constitution on the Church in the Modern World, Gaudium et Spes*.<sup>44</sup> Charles Curran noted, that Cardinal Fernando Cento, the co-president of the mixed commission in charge of that document, publicly referred to Häring as “the quasi-father of *Gaudium et Spes*.”<sup>45</sup> Among his contributions to the document three are particularly noteworthy.

First, the entire scope of the document was new: therein the moral vision of the Church was expressed in a remarkably creative way. The anthropological vision foundationally was based not on a singular entity but on the human as a social being. Moral issues were not treated as primarily individual, but rather communal and global. Moreover, even though sin is pervasive in the document, still the vision is fundamentally positive as the Church stands with the world in joy and hope. A new moral theological foundation was emerging that hardly looked like the moral manualists, but it did look like Häring.

As the French theological ethicist, Philippe Bordeyne argues in his work on the moral theology of *Gaudium et Spes*, here the Church conveyed a deep sympathy for the human condition, especially in all its anxieties, and stood in confident solidarity with the world. The entire experience of ambivalence that so affected the world in its tumultuous changes of the 1960s was positively entertained and engaged.<sup>46</sup> Finally, in looking at contemporary moral challenges, the Church encouraged an interdisciplinary approach in understanding and promoting a globalized vision of modernity.<sup>47</sup>

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with the passage as well: *Moral Theology in an Age of Renewal: A Study of the Catholic Tradition Since Vatican II*, Notre Dame: University of Notre Dame Press, 2003, 1; see also his discussion of the Council, 17-43.

<sup>44</sup>Häring also assisted in other documents, among them the chapters on the laity and the call to holiness in *Lumen Gentium* and the oft quoted paragraph 16 from *Optatam Totius*.

<sup>45</sup>Charles Curran, “Bernhard Häring: A Moral Theologian Whose Soul Matched His Scholarship,” *National Catholic Reporter*. 34 (17 July 1998) 11.

<sup>46</sup>Philippe Bordeyne, *L’Homme et son angoisse: La Théologie Morale de ‘Gaudium et Spes’*, Paris: Cerf, 2004.

<sup>47</sup>Besides Bordeyne, Josef Römelt advanced Häring’s project on interdisciplinary cooperation between ethics and the social sciences, see his

Second, out of this framework, the council shaped its teaching on conscience, evidently indebted to Häring's extensive description of conscience in *The Law of Christ*. His work anticipated, inspired, and formed some of the most important words from the Council, the now famous definition of conscience that deserves to be quoted in its entirety.

In the depths of his conscience, man detects a law which he does not impose upon himself, but which holds him to obedience. Always summoning him to love good and avoid evil, the voice of conscience when necessary speaks to his heart: do this, shun that. For man has in his heart a law written by God; to obey it is the very dignity of man; according to it he will be judged. Conscience is the most secret core and sanctuary of a man. There he is alone with God, Whose voice echoes in his depths. In a wonderful manner conscience reveals that law which is fulfilled by love of God and neighbour. In fidelity to conscience, Christians are joined with the rest of men in the search for truth, and for the genuine solution to the numerous problems which arise in the life of individuals from social relationships. Hence the more right conscience holds sway, the more persons and groups turn aside from blind choice and strive to be guided by the objective norms of morality. Conscience frequently errs from invincible ignorance without losing its dignity. The same cannot be said for a man who cares but little for truth and goodness, or for a conscience which by degrees grows practically sightless as a result of habitual sin.<sup>48</sup>

The teaching on conscience is, I think, the emblematic expression of the hopeful expectations that were raised by Häring and affirmed by Vatican II. Universally conscience becomes the point of departure for revisionists as witnessed by the plethora of books and essays on the

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*"Fides quarens Scientiam, Das Gespräch Bernhard Härings mit dem Humanwissenschaften am Beispiel der Ethik der Familie und der Bioethik," 50 Jahre 93-114.* See Also, Aniceto Molinaro, "Scienze Umane, Filosofia, Etica," Tullio Goffi and Giannino Piana, ed., *Vita Nuova in Cristo: Morale fondamentale e generale*, Brescia: Queriniana, 1983, 39-76.

<sup>48</sup>*Gaudium et Spes* December 7, 1965, paragraph 16. [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_cons\\_1965\\_1207\\_gaudium-et-spes\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_cons_1965_1207_gaudium-et-spes_en.html)

See Sabatino Maiorano, "Coscienza e Verità Morale nel Vaticano II," Marian Nalepa and Terence Kennedy, ed., *La Coscienza Morale Oggi: Omaggio al Prof. Domenico Capone*, Rome: Alfonsianum University Press, 1987, 29-271. In that same collection are fine essays, see Terence Kennedy, "L'idea di coscienza morale secondo S. Tommaso D'Aquino," 145-176; Karl Golser, "La coscienza, concetto chiave di una pastorale della misericordia," 553-573

topic. For instance, the German Josef Fuchs, the Australian Terence Kennedy, and later the American Charles Curran all publish collected essays on the topic.<sup>49</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, Herbert Schlögel from Germany, Osamu Takeuchi from Japan, and Paul Valadier from France.<sup>50</sup> By becoming the locus for developing the moral judgment, conscience sets the standard of moral objectivity.

Finally, Häring's theology of marriage also emerges from the constitution: Marriage is a "communion of love" (47), an "intimate partnership" (48); it is no longer seen as a contract, but as a covenant (48). Rather than asserting procreation as the singular end of marriage, the council fathers argued: "Marriage to be sure is not instituted solely for procreation (50)."<sup>51</sup> Such positive, non-legalistic, but deeply affirming language was a new phenomenon for Vatican teaching on marriage.

England's Kevin Kelly is probably the theological ethicist who has written more extensively on marriage than any colleague, particular on the relationship between experience and the teaching tradition. He saw in *Gaudium et Spes* a watershed moment in the Church's teaching. He writes:

In the Pastoral Constitution, *Gaudium et spes*, nn. 47-52, the Council Fathers clearly accepted a personalist approach to marriage as helping

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<sup>49</sup>Josef Fuchs, ed., *Das Gewissen*, Düsseldorf: Patmos Verlag, 1979; Charles E. Curran, ed., *Readings in Moral Theology No. 14: Conscience*, Mahwah: Paulist Press, 2004.

<sup>50</sup>Eric D'Arcy, *Conscience and its Right to Freedom*, London: Sheed and Ward, 1961; Linda Hogan, *Confronting the Truth: Conscience in the Catholic Tradition*, Darton, Longman, Todd, Ltd., and Paulist Press, 2001; Kevin Kelly, *Conscience: Dictator or Guide*, London: Geoffrey Chapman, 1967; Anne Patrick, *Liberating Consciences*, New York: Continuum, 1997; Herbert Schlögel, *Nicht Moralisch, Sondern Theologisch: Zum Gewissenverständnis von Gerhard Ebeling*, Mainz: Matthias-Grünwald Verlag, 1992; Osamu Takeuchi, *Conscience and Personality*, Chiba, Japan: Kyoyusha, 2003; Paul Valadier, *Éloge de la conscience*, Paris, Seuil, 1994. Other essays by moral theologians include Richard M. Gula, "Conscience," *Christian Ethics*, 110-122; William E. May, "Conscience Formation and the teaching of the Church," Ronald Hamel and Kenneth Himes, ed., *Introduction to Christian Ethics*, Mahwah: Paulist Press, 1989, 397-406. On pastoral connections with moral theology through conscience, see Dennis Billy and James Keating, *Conscience and Prayer: The Spirit of Catholic Moral Theology*, Collegeville: Liturgical Press, 2001; Sidney Callahan, *In Good Conscience*, New York: Harper Collins, 1991; Charles Shelton, *Morality of the Heart*, New York: Crossroad, 1990.

<sup>51</sup>Todd A. Salzman and Michael G. Lawler, *The Sexual Person: Toward a Renewed Catholic Anthropology*, Washington, D.C.: Georgetown UP, 2008, 41-47.



us to appreciate much more positively the gift of human sexuality and its important role within the marriage relationship. They moved away from a predominantly functional view that regarded procreation as the primary purpose of marriage. Instead they used the language of 'relationship' (covenant) to speak of marriage. The bishops were prepared to recognize that the sexual expression of a couple's love reflects and communicates God's own love for us. They even went so far as to warn couples that sexual abstinence could threaten their faithfulness to each other and thus pose a danger to the stable home life needed by their children. All of this was light years away from St. Augustine's insistence that sexual acts were sinful because they disturbed the calmness of mind demanded by rational self-control and needed to be 'excused' by the reasonable purpose of procreation. In contrast, Vatican II's personalist approach spoke of children as the 'fruit' of married love, not its purpose.<sup>52</sup>

Still, the hopes of developing Church teaching even further hit an enormous impasse precisely in the final stages of the document's preparation. Then, after a week of tumultuous debate over birth control,<sup>53</sup> the council concluded with these words "the sons of the Church may not undertake methods of birth control which are found blameworthy by the teaching authority of the Church in its unfolding of the divine law" (51). For all the joy and hope that the council offered to married couples, when it came to the issue of responsible parenthood the council fathers were not ready to substantiate their theology of marriage with the teaching of conscience which they had just articulated. Instead, they reiterated the teaching of *Casti Connubii*. The divides between theology and norm and between teaching and conscience became all too apparent and, in a word, foreboding.

In a recent collection of essays from Leuven University, *Vatican II and its Legacy*,<sup>54</sup> Joseph Selling sees in *Gaudium et Spes* the foundational

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<sup>52</sup>Kevin T. Kelly, "Divorce and Remarriage," *A Call to Fidelity*, 97-112, at 98-99. See also his *Divorce and Second Marriage: Facing the Challenge*, Kansas City, Mo: Sheed & Ward, 1997; "Divorce And Remarriage" *Christian Ethics*, 248-265; "Divorce," Adrian Hastings, et al., ed., *The Oxford Companion To Christian Thought*, 172-173, Oxford: Oxford University Press, 2000, 172-73.

<sup>53</sup>See John O'Malley, *What Happened at Vatican II?*, Cambridge: Harvard UP, 2008, 284-289; Jan Grootaers and Jan Jans, *La régulation des naissances à Vatican II: Une semaine de crise*, Leuven: Peeters, 2002.

<sup>54</sup>Mathijs Lamberigts and Leo Kenis, ed., *Vatican II and its Legacy*, Leuven: Leuven University Press, 2002; Enrico Chiavacci, "La Riflessione Cristiana sul Sociale Nella *Gaudium et Spes*," *Teologia Morale Fondamentale*, Assisi: Cittadella Editrice, 2007, 279-292.

outline for fundamental moral theology.<sup>55</sup> Georges De Schrijver comments on how the document has been received and reformulated at the Latin American Episcopal Conferences of Medellín, Puebla and Santo Domingo.<sup>56</sup> And, Mary Elsbernd studies how *Gaudium et Spes* is “reinterpreted” in *Veritatis Splendor*.<sup>57</sup>

## A Final Word

In 1980 George Lobo wrote *Christian Living According to Vatican II*. In the acknowledgements he thanks “Josef Fuchs, S.J., under whose guidance I did my doctoral studies in Rome. Then Bernard Häring, C.S.S.R. who has made the greatest single contribution to the renewal of Catholic moral theology.”<sup>58</sup> He then leads us in the spirit of Lottin to consider our history and our need for renewal. For moral theology according to the council, citing *Optatam Totius*, he initiates the discussion.<sup>59</sup> In the footsteps of Tillmann, he turns then to two chapters on the morality of the Scriptures.<sup>60</sup> Then following Häring there are three chapters on Christian anthropology. Then he turns ala Gilleman to two chapters on worship and spirituality, then following Fuchs two chapters on the natural law and moral absolutes. Finally he turns to conscience for the most sustained investigation in his work, then closing on freedom and sin. Readers of this issue of *Asian Horizons* might find in Lobo’s classic work a healthy and robust reminder of the achievement of Vatican II.

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<sup>55</sup>Joseph A. Selling, “*Gaudium et Spes*: A Manifesto for Contemporary Moral Theology,” *Vatican II*, 145-162.

<sup>56</sup>Georges De Schrijver, “*Gaudium et Spes* on the Church’s Dialogue with Contemporary Society and Culture: A Seedbed for the Divergent Options Adopted at Medellín, Puebla, and Santo Domingo,” *Vatican II*, 289-327.

<sup>57</sup>Mary Elsbernd, “The Reinterpretation of *Gaudium et Spes* in *Veritatis Splendor*,” *Vatican II*, 187-205, *Ibid*, 201.

<sup>58</sup>George Lobo, *Christian Living According to Vatican II*, Bangalore: Theological Publications in India, 1980, x.

<sup>59</sup>Lobo, 18.

<sup>60</sup>An update of the work on scripture and ethics is found in Yiu Sing Lúcas Chan, *The Ten Commandments and the Beatitudes: Biblical Studies and Ethics for Real Life*, New York: Rowman and Littlefield, 2012.