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**CONVERGENCE IN SEXUAL ETHICS?  
Roman Catholic and Protestant Approaches in the  
United States Today**

by Joseph M. Lazor

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Theology of St. Paul University as  
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ments for the degree of Doctor of  
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Joseph M. Lazor, Ottawa, Canada, 1984.

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## CURRICULUM STUDIORUM

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## INTRODUCTION

The ethical dialogue that occurs among Christians on many different levels may be compared to the broader ecumenical dialogue of twenty years ago. Initially in the ecumenical dialogue, so much agreement was found between and among Christian traditions that the ideal of Christian unity was seen as an attainable goal, one that would be reached in the immediate future. Not only was there perceived agreement at the theoretical levels of church government, worship, and orders; there was also a growing awareness that individual Christians and groups of Christians were actually living out their Christianity in the same way. That is, in the day-to-day living of the Christian existence there was often little difference between the life of a Southern Baptist and a Methodist, between a Roman Catholic and a Lutheran, or between an Anglican and a United Church of Canada member.

Two decades later, the "immediate future" is past. Though there have been many significant statements of agreement between and among the various Christian traditions, the ongoing dialogue has uncovered equally significant disagreements, disagreements which remain unresolved. The optimism of an easily attainable unity has been replaced by the reality of the need for still more dialogue.

Some of that initial optimism which was present in the early ecumenical dialogue is still present in the dialogue which is focusing on the day-to-day living out of the Christian message. At this level of Christian ethics there is every reason for optimism. After all, Christian ethicists from various traditions are facing the same ethical dilemmas, are drawing on the same scriptural texts and

studies, are absorbing the same sociological and psychological findings, and are asking the same ethical questions: What ought a Christian do in the face of a particular ethical dilemma? What Christian values are involved? How will the Kingdom best be realized? Since Roman Catholic and Protestant ethicists answer these questions in such a similar manner, the ethical dialogue continues with increasing optimism.

This optimism surrounding the convergence taking place at the level of Christian ethics is not naive. Different solutions to the same ethical dilemma are still proposed by different Christian traditions. The convergence which has been taking place has not produced a single, uniform, Christian ethic. Nonetheless, the basis of the disagreement is being carefully examined. There is considerable theological opinion today which maintains that different ethical solutions no longer stem from confessional affiliation. Rather, these differences stem from different philosophical world views. That is, today one is likely to find more significant differences between a "liberal" and a "conservative" Roman Catholic on specific moral matters, than between a liberal Roman Catholic and a liberal Episcopalian. Between the liberal Roman Catholic and Episcopalian there is probably agreement; or so much of the current theological opinion maintains.

The ecumenical dialogue in Christian ethics, then, has a much different focus than the broader ecumenical question. If the current theological opinion is correct, the fundamental question concerning the convergence in Christian ethics is not an ecumenical question at all. Rather it is a philosophical question dealing with the different world views which do not respect confessional boundaries.

The purpose of this study is to test the current theological opinion, to test the "common wisdom," which claims such a great deal of convergence in Christian

ethics. In addition, this study will examine whether divergent ethical solutions offered by the Christian traditions are based on different philosophical world views, or whether they continue to stem from confessional affiliation.

Three methodological issues must first be considered before the problem can be more clearly explicated. First, since ethics is a broad field, to keep the problem manageable, only the writings in one area of Christian ethics will be examined. That one area is sexual ethics. Second, sexual ethics, as any area of ethics, is considered within a particular cultural context. For the purpose of this study the culture of the United States will serve as the context. Third, in order to test the common wisdom, it is necessary to examine the writings of certain, representative, contemporary, Christian ethicists. If there is a convergence taking place, it will be reflected in their writings.

The first methodological issue is the choice of the particular area of ethics. Sexual ethics was chosen since it has been seen as a field within which very clear confessional differences have been drawn. The confessional division has been seen between the Roman Catholics and the Protestants. Little allowance has been made for the rich diversity found among the distinct Protestant traditions. Though there is acknowledgment that the Protestant position on a particular question in sexual ethics is difficult to discern, the all-inclusive term "Protestant Ethics" continues to be used in the literature. This study will only examine writings in sexual ethics and will seek to determine whether a convergence between Roman Catholics and Protestants is, in fact, taking place.

The second methodological issue is the particular cultural context. Context in ethics is not always a factor. Various levels can be distinguished within ethics, and at the level of universal ethical principles the cultural context is not

very significant. The claim, "Human life should be respected," could be applied to any culture, any set of circumstances, any period in history. However, when trying to decide how this human life should be respected, whether this subject is a murderer, an unborn fetus, or an attacking invader, the context is essential data for the ethical decision; the cultural context is vitally important. The United States serves as an apt context in sexual ethics for several reasons. The United States has produced numerous psychological, sociological, and physiological studies in human sexuality. The data from these studies is often used throughout the world in many other cultural contexts. The so-called "sexual revolution" gained great exposure through the mass media. Consequently, large segments of the population have become aware of the changes in sexual mores and have joined in the public debate. Finally, within the context of the United States, there exists religious pluralism. The various religious traditions exist side by side, the ecumenical dialogue continues at the levels of local communities as well as the universities. With such a juxtaposition of the various Christian traditions a conducive atmosphere is present for a possible convergence.

The third methodological issue focuses on the particular authors to be studied. To determine whether a convergence is taking place between Roman Catholics and Protestants, the authors themselves must be studied. Too often the common wisdom merely refers to the collective "they." That is, "they" are saying the same thing in sexual ethics. In this study "they" is replaced by a group of particular authors in a determined situation.

Several determinants are involved in the choice of authors. To begin with, there is an obvious need to choose authors who fall into two groups, Roman Catholics and Protestants. There is also a need to articulate which elements are

important in Roman Catholic ethics and which are important in Protestant ethics. That is, there must be some agreement on what is meant by confessional affiliation for Roman Catholics and for Protestants. The findings of several studies examining the ecumenical dialogue between the two traditions are presented in the first section of Chapter Six. These same studies are claiming that significant differences are emerging within the two major traditions, dispelling the notion that a single Roman Catholic or a single Protestant ethic exists. Therefore, a further distinction must be made.

Bernard Lonergan's categories, "classicist world view" and "historical minded world view," are used to designate this distinction within the two traditions. Lonergan's terminology is explained in the second section of Chapter Five. Suffice it to say at this point that "classicist" emphasizes the immutable, the eternal, and the rational in ethics; the methodology is most often conducted in an a priori, deductive manner. The "historicist," on the other hand, emphasizes the particular, the temporal, and the changing elements in the human situation; the methodology is a posteriori and inductive.

Lonergan's categories are used for two convenient reasons. They avoid the pejorative overtones contained in "conservative" and "liberal." Also, Lonergan's categories, not specifically ethical classifications, deal more with the philosophical underpinnings of any field of study, whether it be ethics or history or sociology. His terms are more basic than such ethical categories as ontological/teleological/relational-responsible. With Lonergan's categories added to the Roman Catholic/Protestant distinction, there are four groups of authors: Roman Catholic Classicists, Roman Catholic Historicists, Protestant Classicists, and Protestant Historicists.

Three authors were selected for each group. The number three was deemed better than two, guarding against the possibility that within a particular group of two there may be no agreement whatsoever, nor the possibility of determining which of the two was representative of the group. However, to go beyond three authors, nothing significant would be added unless the number was considerable, and a considerable increase in numbers would make the project unmanageable. Thus, it was necessary to select twelve authors. It was further decided to restrict the selection of authors to contemporary authors, making it possible to restrict the cultural context variable in the development of their ethics.

To specify the authors for each of the four groups a survey was sent to eighty-one schools selected from the Association of Theological Schools' 1978 Bulletin. The survey was sent to those theological schools which were associated in some type of ecumenical cluster or consortium, asking each school to provide three names which would be most representative of each of the four groups. The text of the letter, the survey itself, and the results of the survey are found in Appendix 1. A total of seventy-three different names were suggested. The process of distilling the twelve authors out of the seventy-three is also explained in Appendix 1.

To confirm the findings of the first survey, a second survey was sent back to the eighty-one schools. The schools were asked whether they agreed with the selected twelve authors. If there was disagreement, the schools were asked to suggest other names. The text and results of this second survey are also found in Appendix 1.

In the Roman Catholic Classicist category John F. Harvey, William E. May, and Charles J. McFadden were chosen; in the Roman Catholic Historicist category: Charles E. Curran, John F. Dedek, and John G. Milhaven; in the

Protestant Classicist category: Greg L. Bahnsen, Paul Ramsey, and Dwight H. Small; and in the Protestant Historicist category: Beverly W. Harrison, James B. Nelson, and W. Norman Pittenger.

Further comment is necessary in the case of two of these authors. W. Norman Pittenger is an Episcopalian priest now living in England. Many Episcopalians and Anglicans do not use the term "Protestant" when referring to themselves. Nonetheless, in the field of Christian ethics the distinction is made between Roman Catholic and Protestant ethics. No provision is made for the distinctiveness of the Anglican tradition. For this reason Pittenger is included among Protestant ethicists. Furthermore, as is noted in Appendix 2, though he now resides in England, Pittenger is an American and spent thirty-one years teaching and writing in the United States before taking a position in England. Thus, Pittenger is considered an American Protestant in this study.

The second author to be noted is Paul Ramsey. There is some difficulty in attempting to associate Ramsey with the other two Protestant Classicists, namely Greg Bahnsen and Dwight Hervey Small. While all of these three authors base their ethical theory on an external authority, there is little agreement beyond that point. Ramsey's own academic background is more diverse than the others; he has written significantly more than the other two combined; and his writing is more nuanced and sophisticated. For these reasons, it will often be difficult, at times impossible, to arrive at a univocal position for the three Protestant Classicists.

One final comment needs to be made concerning the classification of these authors. The focus of this study is not the classification itself. The initial classification was recognized and was used in the selection of the twelve authors by the respondents to the surveys. Even though some type of classification is used

throughout this study, the authors are classified and grouped together only for the sake of comparison, only to determine whether convergence is taking place between groups.

Having considered these three methodological issues, it is now possible to articulate more clearly the focus of this study. It is commonly assumed that confessional differences are disappearing in Roman Catholic and Protestant writings on sexual ethics. The goal of this work is to test such an assumption. Furthermore, if differences remain, this study will determine whether disparate moral conclusions stem from an author's confessional affiliation or from an author's philosophical world view.

This study will begin with an examination of the works in sexual ethics of each author. This examination will take place in the first four chapters of this study with one chapter devoted to each of the groups. A procedure consisting of three parts is followed for each author. The first part is a description of the author's ethical theory. With many of these twelve authors, no previous attempt has been made to formulate an ethical theory as such. Their writings have dealt with specific ethical questions with little emphasis placed on theoretical or methodological underpinnings. With these authors it is necessary to derive an ethical theory from their treatment of specific topics, thereby surfacing the presuppositions which undergird their conclusions. Such a process involves risks. Categories, definitions, and thought processes are identified in reverse order, starting from an author's conclusions and working backwards. One is necessarily cautious in attributing certitude when using such a procedure.

For the sake of comparison, four categories are used for the consideration of an author's ethical theory in this work: (1) Ethical Foundation and Operative

Philosophy, (2) Social Sciences, (3) Ecclesial Context, and (4) Scripture. These categories are derived from the writings of the twelve authors. Not all four categories apply to each author; but, these four categories do encompass all the theoretical issues dealt with by the twelve authors.

The first category, Ethical Foundation and Operative Philosophy, is the most inclusive. Within this category an author's consideration of foundational ethical issues is explained. Such issues as the starting point in Christian ethics, the nature of the human person as a moral agent, and the question of personal freedom are examined within this category.

Within the second category, Social Sciences, the author's appreciation of the findings of the social sciences is considered. An author's use of such findings reveals whether his or her ethical methodology is inductive or deductive. A deductive method usually begins with established principles and definitions; against these norms the findings of the social sciences are judged. An inductive method begins with the findings of the social sciences (among other things) and from these moves to the derivation of definitions and the formulation of appropriate principles. The relationship between the findings of the social sciences and ethical norms is an important consideration in this category.

Within the third category, Ecclesial Context, an author's perception of the role of the Christian community in the ethical formation of its members is considered. Such a consideration is important in identifying the role of a teaching office within the community and in determining the manner of resolving conflicts which may arise between the teaching office and an individual's conscience.

The final category, Scripture, provides an opportunity to examine an author's use of scriptural texts and scriptural themes in his or her writings. On the

one hand, it is necessary to determine whether scriptural texts are used in a "proof-text" fashion. Such a use of Scripture indicates that the final ethical norm is to be found within the text. On the other hand, for those authors who draw on scriptural themes without making reference to specific texts, it is important to discover on which basis the author decides to rely on one theme rather than another.

The use of these four categories allows for a comparison among the twelve authors and among the four groups of authors. Furthermore, the consideration of an author's ethical theory allows one to determine the amount of convergence which is actually taking place between traditions at the theoretical level. It must be noted, however, that the move from the theoretical to the practical, or particular, level may reveal some differences which were not evident at the theoretical level.

The second part of the procedure followed for each author deals with the author's theory of sexuality. Many authors have not developed a theory of sexuality as such. Their writings generally deal with a particular issue in sexual ethics. Whenever possible, however, this study attempts to identify the theoretical considerations of these authors.

The third and final part of the procedure is an examination of the author's application of his or her theory of sexuality to one particular issue in sexual ethics. Homosexual activity is the issue, and, whenever possible, the author's consideration of this situation is used. Due to its controversial nature, homosexuality sharpens many of the presuppositions in an author's theory. It is a topic which has received considerable attention from both the Roman Catholic community and the various

Protestant communities. In those cases where an author does not deal with homosexuality, another suitable issue is chosen to expose the author's method.

The consideration of a specific ethical issue, that is to say the practical application of a theory of sexuality, serves to verify the consistency of the theory. If at the theoretical level, for example, an author claims to base his or her theory of sexuality on the relational aspects of the human person, but in the application of that theory draws exclusively on a text from Scripture, there is an obvious discrepancy between theory and practice. This is important when discussing possible convergences between the traditions; convergence, then, must be examined at both the practical level and the theoretical level.

The first four chapters elaborate each author's ethical theory, theory of sexuality, and the application of the theory of sexuality to one particular topic. The work of these four chapters is vital in order to be in a position to realistically and specifically approach the question of possible convergence between Roman Catholic and Protestant American ethicists today. It must be kept in mind, however, that the focus of this study is not convergence between individual authors; rather, the focus is the possible convergence taking place between groups of authors. What is necessary is a methodological construct which allows for both the grouping of individual authors as well as the comparison of one group with another. Thomas S. Kuhn's theory of paradigms provides such a framework.

Where the first four chapters deal with the thinking of individual authors, the final two chapters deal with the four groups of authors. In Chapter Five a comparison is made between the Roman Catholic groups and the Protestant groups through the use of Kuhn's theory of paradigms. This comparison deals with whether or not the traditionally perceived confessional differences are still present in the

ethical writings of Roman Catholics and Protestants. A second set of comparisons is made between each of the Roman Catholic groups and between each of the Protestant groups. This second set of comparisons is concerned with identifying those elements which distinguish Roman Catholic Classicists from Roman Catholic Historicists and Protestant Classicists from Protestant Historicists. The findings of these comparisons indicate whether there is convergence between Roman Catholic Classicists and Protestant Classicists, as well as convergence between Roman Catholic Historicists and Protestant Historicists. The results of Chapter Five reveal that, in fact, convergence is taking place in some areas but not in others.

Chapter Six examines the possible reasons for the continuance of disparate moral conclusions in sexual ethics. The first part of Chapter Six considers the commonly perceived confessional differences found in the literature today. Then, in the second section of Chapter Six, the writings of both the Classicist authors and the Historicist authors are examined to determine whether these confessional differences remain. In the third section, the Roman Catholic Historicist approach to homosexuality is examined to determine the influence of confessional affiliation. The conclusion of this chapter tries to test the common theological wisdom. The findings are surprising.

This project is believed to be a timely and appropriate undertaking for at least two reasons. A belief which is commonly held by a large number of individuals can acquire a credibility apart from concrete grounds. This credibility can be based on the fact that individuals believe it to be true. To test such thinking is always appropriate, particularly when there is suspicion that the belief may be false. The second reason is that, if the ecumenical dialogue continues in

Christian ethics, and surely it will continue, to identify clearly those areas of agreement and disagreement also identifies what future study should take place. This project is submitted in the hope that the ecumenical dialogue may be strengthened; differences and problems are identified only in the hope that they may be dealt with.

## CHAPTER I

### ROMAN CATHOLIC CLASSICISTS

This first chapter will deal with the Roman Catholic Classicists: John F. Harvey, William E. May, and Charles J. McFadden. The ethical theory of each author will be studied; how the ethical theory is used to develop a theory of sexuality; and, finally, how both the ethical theory and the theory of sexuality are applied to a specific issue in sexual ethics. Both Harvey and McFadden consider the issue of homosexuality. May only uses homosexuality to illustrate some of his points. In May's case the issue of contraception indicates his premises in sexual ethics.

#### A. JOHN F. HARVEY

##### 1. Ethical Theory

John F. Harvey has been writing since the middle nineteen-fifties. Twenty years later, in 1975, he revealed some of his thinking in basic ethics. His ethical theory is most clearly articulated in Communio, the Spring issue of 1975, in which he published an article entitled, "Law and Personalism." Until this time most of his articles had been dealing with particular issues in sexual ethics, principally, homosexuality, with an occasional article on some aspect of medical ethics. In "Law and Personalism" Harvey considers what is meant by the concept of morality, laying out his ethical foundation. This leads to his understanding of the ecclesial context, and finally to the role of Scripture.

a. **Ethical Foundation and Operative Philosophy.**--For Harvey "morality is what a human act ought to be. It is a relationship between a norm and an action in which it is assumed that the norm is binding in conscience."<sup>1</sup> It is in the area of this relationship, according to Harvey, that the moralist should concentrate his or her efforts.

Recognizing a breakdown in the ability of the society and the community to critically evaluate ethical matters, Harvey claims that "it is the task of the moralist to study the situation to see how the concept of moral law has been distorted, and to suggest remedies."<sup>2</sup> The fact that morality is based on law is foundational to Harvey's ethical reasoning. This underlies not only his theory but his applications as well. In the Communio article Harvey offers a definition of law.

While the term law can be understood in various ways, I shall follow the definition of the Summa of St. Thomas: an ordination of reason for the common good promulgated by the one who has authority to govern the community. This definition can be applied to natural moral law and to all the forms of positive law: civil law, ecclesiastical law, and Divine positive law.<sup>3</sup>

What Harvey does not consider is the role of reason in either the understanding or the genesis of the law. He is more concerned with protecting the objectivity of the law and the norm, keeping them grounded in reality which, according to Harvey, is differentiated from the individual's state of consciousness. Harvey implies that one's conscience is not a part of reality. Unlike reality, which is "out there," the individual's state of consciousness may be entangled in fantasies and other distortions.<sup>4</sup> He does acknowledge at least one subjective factor in the determination of the moral norm on the part of the individual. The conscience is the individual's "[...] capacity to discern right from wrong in personal decision-making."<sup>5</sup> He goes on to explain conscience:

Yet, while holding that conscience is a subjective or personal faculty, we also believe that it cannot function unless it is informed and moved from without. The act of conscience depends upon learning the differences between right and wrong; it also depends upon a reality beyond the person who moves the person to do good or to avoid evil. Without denying the many subjective factors influencing conscience, it is necessary to affirm objective structures in its total reality. [emphasis added]<sup>6</sup>

Harvey attempts to follow Thomas' understanding of conscience. In Thomas' intricate explanation, however, conscience is an act, not a power or a faculty,<sup>7</sup> which is different from Harvey's interpretation. In the above quote Harvey does not develop just how the subjective influences discern right from wrong. He is more concerned with maintaining the position that the conscience is influenced by the reality which is outside of the individual. Nonetheless, by looking inside oneself the individual is able to "[...] know something about the laws of his own perfection [...]."<sup>8</sup> These laws within the individual are most basic in Harvey's ethical foundation. The moralist seeks to discern the nature of these laws, and it is the role of individuals to obey the laws.

**b. Social Sciences.**--Harvey does not theorize on the use of the social sciences in ethics. As will be seen below, when he does refer to the findings of the social sciences it seems to be an afterthought in that his conclusion is already established.

**c. Ecclesial Context.**--For Harvey the ecclesial is an important element in discerning what is moral. The moral life is not merely contained in the discernment of good and evil and the choosing of the good. For the Christian, according to Harvey, the good is identified with the law of God; the moral Christian is the one who follows God's law; and the Church, considering the natural

sciences and other findings of human reason, evaluates all such knowledge against the norm of divine revelation and clearly transmits God's law to the faithful.

My basic argument is that man needs the guidance of the Church to know the law of God; that such guidance is found principally in the official magisterium of the Church, which is centered in the bishops and the pope, that theologians should work with the official magisterium in expounding authentic moral teaching. In this way the faithful will receive the guidance they desire.<sup>9</sup>

The guidance which the magisterium and the theologians offer is in the realm of objective morality. Harvey maintains the distinction between objective morality and subjective morality. For him objective morality would consider the actions in themselves. It would be in the area of subjective morality that one would consider the motivation as well as other psychological influences which are brought to bear on the particular moral decision.<sup>10</sup> The norms which are found in Scripture and which are interpreted by the teaching Church are in the area of objective morality. Harvey believes these norms to be applicable in every situation and not dependent on different cultures. He takes Roderick Hindery<sup>11</sup> to task when Hindery suggests that the Christian and non-Christian ethicists should seek to develop a common ethic. For Harvey a common ethic would mean that the Catholic would have to let go of the authoritative teaching of the Church, thus relativizing norms, since there does not seem to be anything else which could be the basis of norms in Harvey's system. The outcome would be a situational ethic. Harvey makes it very clear: "[...] The truth remains that the Christian is not able to establish a working ethic without the help of revelation and the Church."<sup>12</sup> Harvey seems to be taking a position which is, in fact, against the tradition of Roman Catholic teaching. The tradition has taught that reason could prove the existence of God,<sup>13</sup> that there is no opposition between faith and reason,<sup>14</sup> and that in listening to one's conscience the individual would know what to do.<sup>15</sup>

Harvey sees the Church establishing concrete laws in the realm of objective morality. "[...] True law is meant to be reasonable, and to serve the common good. It is also a directive of the will, but under the guidance of reason seeking the truth."<sup>16</sup> Just laws serve the purpose of protecting the rights of all the members of the community.<sup>17</sup> Some of these laws the community follows are divine positive laws. Harvey considers these in the context of divorce and remarriage of the Christian. In this situation the divine law prohibiting remarriage is binding on the individual.<sup>18</sup> In the case of divine positive law, the directive of the will under the guidance of reason occurs outside the community. This process occurs in God. According to Harvey, the law which flows from God is a result of His love for individuals.

Freedom from sin, proclaimed in the New Testament, goes hand and [sic]hand with the obligation of fulfilling the New Law of love, which is understood throughout the New Testament as including the Commandments. The very phrase "law of love" indicates the harmonious relationship between law and love. Divine love is the reason for moral law, the motivation for its observance, and the goal of all actions under the New Law.<sup>19</sup>

The moral law, which stems from divine love, does not arise from within the community, nor does it arise through deliberative communal discernment. The law is given to the community by God through revelation. This law is clearly taught by the Church.

While Harvey does not develop this line of thinking any further, an implication of the above would be that the role of reason in the individual Christian is to understand what the divine law is, not to question the divine law. It is understandable, then, that Harvey would have a difficult time with dissenting theologians within the Church. A definite theme for him is communal agreement on the law. Even where there is not a question of infallible statements and where

the particular laws and guidelines are open to revision, he still wants unanimity. His reason for holding this is "[...] the common good of the people in the church [...]."20

Harvey's understanding of this common good dictates that the teaching voice of the Church be clear and united. The teaching voice of the Church gives to the individual Christian the guidelines or laws which are to be followed. It is not the role of the Church to encourage individuals to make up their own minds about these moral matters which he is considering. In one sense it is the role of the Church to protect the individual Christian from confusion.

Those not educated in the procedures of professional moral theology, however well versed they may be in other disciplines, do not appreciate the conflicting voices they hear within the teaching church. When a pastor-counselor tells them to make up their own mind about a complex moral problem, they regard this as a cop-out, because they came to him for guidance.<sup>21</sup>

Since the Church is the authentic teacher of the law and since the individual cannot come to a knowledge of the law without the teaching of the Church,<sup>22</sup> if there is confusion within the teaching voice, the individual Christian is hopelessly lost.

One final point on Harvey's understanding of law--the individual is able to fulfill the law. He writes:

[...] I understand morality as a norm by which an individual evaluates his way of life in the light of an ideal to which he feels committed--an ideal fashioned by the combined insights of Catholic doctrine and reason. I also understand ideal as an attainable goal for the Christian, and not merely as an option which one can achieve through the practice of grace-filled, extraordinary virtue.<sup>23</sup>

The fulfillment of this ideal is not easy. As a matter of fact, for Harvey, one of the problems of the "new morality" is that ideals and goals are set which can be achieved too easily.<sup>24</sup> The cross of Christ is the primary symbol for the Christian,

and from this symbol follows the fact that everything which is human must be converted and redeemed.<sup>25</sup> Consistent with this understanding of the central role of the cross, Harvey maps out how he sees the ascetic life: carrying the cross every day, the seed dying in the ground, chastizing one's body, and crucifying oneself with Christ.<sup>26</sup> In this approach grace is placed on top of the human and raises the human to a different level, a level which is then pleasing to God. Harvey never spells out just how it is that grace accomplishes this. When referring to the homosexual and criticizing Curran's evaluation of homosexual acts, Harvey writes: "This compromise principle is not acceptable. Presupposing truly human acts, he [the homosexual] will have the grace of God to avoid an action which is objectively evil."<sup>27</sup> Through this grace one's whole life changes. "The body itself is at the service of a new and supernatural life, of a life of the spirit under the impulsion of the Spirit of God--in the Risen Christ."<sup>28</sup>

**d. Scripture.**--Harvey views the use of Scripture in ethics within the ecclesial context. For Harvey the individual's

[...] knowledge of right and wrong is terribly incomplete unless it is reinforced by the guidance of divine revelation in both the Old Testament and the New. It is also presupposed that the Roman Catholic Church remains an authentic teacher of the moral content of revelation. In short, the Catholic Christian depends upon the teaching of revelation as understood by the Church, and upon the discoveries of human reason as enriched by all the human sciences. With regard to moral knowledge, the imperatives in the Old Testament or the New are clear in comparison with the groping of human reason.<sup>29</sup>

In this explanation of the role of the teaching Church, reference is made to human reason and the natural sciences. However, the place of both is subsidiary to revelation. This is not a recent development in Harvey's thinking. In an article published twenty years previous to "Law and Personalism," he makes a similar

claim. While the natural sciences are important in understanding the true nature of sexuality, and particularly homosexuality, which is the concern of the earlier article, still, "Catholic theology alone gives man the full truth about his nature, his destiny, and the means which he can use to attain his goal."<sup>30</sup> And in another article he points out that the individual conscience must conform itself to the Divine Law as this is interpreted by the authentic teaching Church.<sup>31</sup> Again, in a later article published in 1973, using the traditional understanding of sexuality, which sees the monogamous, permanent, procreative, marital relationship as normative for all ethical evaluation of sexual activity, Harvey claims that this norm of sexuality is a premise of revelation.<sup>32</sup> While he acknowledges other influences, all of these other influences are to be judged against the ultimate norm of revelation which is authoritatively interpreted for the individual by the teaching Church.<sup>33</sup>

e. **Summary of Ethical Theory.**—The first point in Harvey's ethical foundation is the very nature of morality itself. Even in his definition of morality the human act is what is important. For Harvey law is what helps the individual evaluate the different acts. What Harvey does not consider is the active role of the individual in determining the law itself. The teaching Church and Scripture are the key foundations for the law, to the extent that without the assurances of Scripture or the Church an individual would not be able to know what ought to be done. It follows, then, that there would be no dissent within the teaching Church since this confuses the faithful.

## 2. Theory of Sexuality

While Harvey touches on several issues within the realm of human sexuality<sup>34</sup> and occasionally on some aspect of medical ethics,<sup>35</sup> by far his greatest effort is on the topic of homosexuality, about which he has written at least twenty articles since 1955. When treating the topic of homosexuality, he remains consistent with his ethical theory, basing his evaluation of homosexual acts on the nature of sexuality which has already been established by God. This norm has been revealed in Sacred Scripture and has been consistently taught by the authoritative Roman Catholic Church. This section will begin with his understanding of the established plan of creation, then the nature of homosexuality as Harvey sees it, and finally, the moral evaluation and advice which Harvey offers on homosexual activity.

a. **Nature of Sexuality.**--Harvey states his understanding of the nature of sexuality very clearly in an article which was published in 1974.

It is the teaching of both Scripture and Christian tradition that genital sexual expression between a man and a woman should take place only in marriage and that marriage is a permanent, exclusive, procreative and loving union. Apart from the intention of the man and the woman, sexual intercourse has a twofold meaning: it is an act of union with the beloved and it is procreative. These unitive and procreative meanings are distinct but inseparable.<sup>36</sup>

In the same article he goes on to draw the conclusion that marriage is normative for all sexual expression, appealing to Genesis' description of the relationship between man and woman and to St. Paul's Letter to the Ephesians.<sup>37</sup> In this article Harvey offers no critical analysis of the Scriptural texts; however, he does refer the reader to his own article in the New Catholic Encyclopedia.<sup>38</sup> In the

encyclopedia article Harvey lists those texts which condemn homosexual activity. Harvey quotes Romans 1:26 and 27, where men and women have turned away from "natural intercourse" to homosexual activity, without acknowledging that the distinction between homosexual orientation and homosexual activity was unknown during the biblical author's time. Nor does he offer an explanation as to why the teaching on marriage found in Ephesians is applied to homosexuality.

The inseparableness between the unitive and procreative aspects of sex is central to Harvey's thinking. Using this understanding as a basis, he states his conclusion in the area of homosexuality. He writes: "As God made us, we are not meant to love with intense concentration and exclusiveness another member of our own sex [..]."<sup>39</sup> In Harvey's theory there is little which can be done that would stray from the norm, since the norm has been established by God and not by human beings. The homosexual act would directly violate that norm in that there would be no possibility of a procreative dimension in the homosexual activity. "By their nature homosexual acts exclude all possibility of procreation of life. Such acts are, therefore, inordinate uses of the sexual faculty."<sup>40</sup> Individuals or entire societies would be unable to change this teaching, since it comes directly from God. Since procreation is not possible, he draws the following conclusion:

Homosexual acts, however, make the attainment of procreation and education of children impossible. The divine will is violated because the procreation and education of children is clearly indicated as the will of God in the institution of marriage.<sup>41</sup>

Harvey draws some of the implications which would follow if procreation were able to be separated from the unitive function of sexuality.

[..] As soon as one separates completely the procreative function of the generative organ and of the marital act from their personal and individual values, there remains no principle "by which any mutual act of two people, married or unmarried, of opposite sexes, or of the same sex,

can be condemned as immoral, if these simply state that this is the way they choose to express their mutual love."<sup>42</sup>

Since Harvey bases his entire theory on what he considers a revealed truth, he has no other arguments or lines of reasoning to fall back on. While this is important for his theory, he does not attempt to demonstrate the essential connection between the procreative and unitive dimensions. This is such a critical point that, if procreation could be separated from the unitive aspect, Harvey would have no theory.

Harvey appeals to Scripture for the revelation of God's plan, although he himself does not conduct a critical evaluation of the pertinent passages. Having just discussed the inability of the homosexual act to fulfill the procreative purpose of sexuality, he offers supportive arguments from Scripture.

These arguments from reason are strengthened immeasurably by at least six Scriptural passages, five referring to males and one to females. The first two references are in Lev. 18:22 and 20:13 with the latter ordering the death penalty. In the New Testament at least three passages refer to male homosexuality: Rom. 1:27; I Cor. 6:9-10; and I Tim. 1:9-10. Rom. 1:26 can be understood as condemning acts between women [...].<sup>43</sup>

Harvey admits that it is impossible to lift all scriptural statements and consider them as literal demands placed on the human family in the Twentieth Century. He notes that the condemnations of Leviticus 15:19-30 are culturally determined.<sup>44</sup> What he does not elaborate is how he decided which passages are to be kept and which are to be left aside. He seems to maintain that it is a "[...]belief in the Providence of God Working Through a Church [...]."<sup>45</sup> This providence would indicate which passages should remain and which should be interpreted differently. However, a logical conclusion from this premise would be that other teachings could change due to the ongoing revelation, a conclusion which Harvey does not accept.

Since sexual expression is not permissible outside of marriage, Harvey maintains that sexual expression in the human being is not essential. In an article against permanent sexual union, but in favor of mature and lasting celibate relationships between homosexuals, he writes: "He [the homosexual] understands that the most basic need of the human person is not for full sexual expression, heterosexual or homosexual, but to have the sense of being loved and be able to love in return."<sup>46</sup> The solution for the homosexual, then, is perfect chastity.<sup>47</sup> In Harvey's way of thinking there would be no other possible conclusion. He recognizes that the living out of this chaste life style is difficult, but the individual has the grace which God offers everyone to deal with her or his state in life.

It is simply an assertion that the only Christian solution to the problem of inversion involves the practice of chastity, that such chastity is possible only in the context of an intensely spiritual life, and that such a spiritual life enlarges the vision of the person and enables him to lead a life of genuine devotion to his fellow humans. While the person who settles for a homosexual "marriage" tends to remain close to the subculture, the chaste homosexual integrates into the community.<sup>48</sup>

It is God's grace which makes this chaste style of living possible, and it is on this score that Harvey consistently criticizes Charles E. Curran, claiming that "[...] Curran does not give sufficient attention to the reality of grace helping the sinner to overcome evil, even to the extent of practicing heroic virtue."<sup>49</sup> Harvey seems inconsistent in his understanding of the role of grace. As was noted above in his ethical theory, the ideal of the Christian life is attainable, and it is attainable apart from "grace-filled, extraordinary virtue." Harvey seems to admit that the homosexual would need heroic virtue to reach the ideal, that is, heterosexual relationships or perpetual chastity.

**b. Application of Theory: Homosexuality.**--Even though the basic norm for sexuality is established by God's plan of creation, Harvey still takes pains to elaborate a theory of homosexuality. At the basis of his theory is the conviction that homosexuality is a sickness. In an article published in 1980, seven years after the American Psychiatric Association removed homosexuality from the listing of mental disorders in the Diagnostic and Statistical Manual of Mental Disorders (DSM-II), Harvey writes: "In this paper I assume that homosexuality is a condition which involves some degree of psychological imperfection, the American Psychiatric Association to the contrary notwithstanding."<sup>50</sup> This understanding is found throughout his writings.<sup>51</sup>

Harvey maintains the distinction between homosexual orientation and homosexual activity.

One does not have to agree with various analyses of the etiology and nature of homosexuality in order to work for the full recognition of his person. No matter what view one takes on the morality of homosexual acts, one can respect the homosexual person, and insist that his human rights be respected.<sup>52</sup>

Since there is always some degree of neurosis or compulsiveness involved in the homosexual, even with the distinction between orientation and sexual activity, the homosexual person would still be treated differently than others, needing to be more careful, needing a more detailed plan to live an ascetical way of life to overcome neurosis.

One of the reasons that allows Harvey to be tolerant of the orientation to homosexuality in a person is his understanding that whatever the explanation for the incipience of the condition, "[..] it cannot be assumed that a homosexual is responsible for 'being that way'; he does not choose to be homosexual, but discovers that he is."<sup>53</sup> However, Harvey does not see some of the implications of

his recognition. He does not go beyond acknowledging that the individual homosexual did not choose the condition. Harvey offers no explanation for the condition itself.

Harvey is aware of the particular arguments which are put forward to justify homosexual unions, but he maintains that there is no evidence that the homosexual community wants such permanent unions.

Sometimes two homosexuals agree to live together; and as their relationship continues, each allows the other to have occasional relationships with other homosexuals or heterosexuals. [...] Again, it is common knowledge that some homosexuals wear "wedding" rings, and desire to have a church ceremony, but in the expression of their commitment there is generally lacking the note of "until death do us part."<sup>54</sup>

Harvey sees promiscuity as typical of the homosexual community. By applying his theory of sexuality to homosexuality, it is easy for Harvey to make a moral evaluation of homosexual activity.

As long as the basic principles of Christian sexual morality are derived from the Church's teaching on marriage, there is no way of justifying homosexual actions. The only way to justify such actions is to reject the principles of sexual morality more recently reaffirmed in Vatican II's statement on marriage and in Humanae Vitae.<sup>55</sup>

For Harvey, homosexual acts are in violation of the moral law and are therefore objectively evil.<sup>56</sup>

There seems to be at least one inconsistency within Harvey's application of his theory of sexuality to the question of homosexual activity. In one of his earlier articles, published in 1962, he discusses the situation of the homosexual in religious life. As stated above, Harvey acknowledges the need for intimacy in the life of the homosexual and for the need of sustained friendships, even though he cannot allow for any physical expression in the relationship. Yet, when counseling

the homosexual in religious life, Harvey realizes that if the friendships are encouraged, they could easily lead to sexual activity. Therefore, he concludes:

If he [the homosexual] really wants to keep his chastity, he will exercise the vigilance necessary to avoid both psychic intimacy, leading to the desire to express affection, and careless immodesties, sparking an unhealthy curiosity and arousal of the flesh. [emphasis added]<sup>57</sup>

Ultimately, Harvey must even rule out close friendships for the homosexual that would in any way be intimate. Yet, to love and to be loved requires intimacy. Therefore, the homosexual would remain unloved and unable to love. While Harvey would like to maintain that one could love without any form of sexual expression, he knows how dangerous this is. Surprisingly, he advises the individual to refrain from any form of intimacy, even psychic intimacy, in order to preserve the dictates of the moral order.

**c. Summary of Theory of Sexuality.**--Harvey begins his approach with the inseparable connection between sex and procreation, as well as male/female complementarity. While these principles are attributed to Scripture, Harvey merely states this is so and does not consider the scriptural passages themselves. From these principles Harvey draws several conclusions: sexual expression is not necessary, homosexuality is a distortion, and homosexual acts are immoral.

All of the elements of Harvey's ethical theory are found in his reasoning on homosexuality. Morality is based on law, and there is a need to protect the objectivity of the law. Homosexual activity is in violation of the established moral order and is, therefore, a serious infraction. This moral order is revealed by God in Scripture and is authoritatively taught by the Catholic Church. It is not the role of individuals to change this norm; the law is absolute and can admit of no

exceptions. Neither is the law a mere ideal; however, the fulfillment of the law is only possible through the gift of grace.

Harvey refers to the findings of the social sciences throughout his works, usually only once or twice in a particular article.<sup>58</sup> Even where the findings of the sociological studies differ from his own conclusions, he is able to quote another source which contradicts the first, thus maintaining his own position, unchanged since the 1955 article. The appeal to the social sciences seems to be an afterthought, the conclusion on the morality of the actions having already been established. While not explicit, Harvey seems to evaluate the findings of the social sciences by the standard of the revealed word in Scripture as interpreted by the Church.

Harvey's method of ethical reasoning is a priori, the principles coming from God's revelation. Within those principles there is no room for homosexual activity.

Harvey is unable to establish the foundations for his sexual ethics. He merely states that sex and procreation are inseparable without offering the argument which leads to that conclusion. There is a consistent appeal to the authority of the magisterium as a basis for morality though Harvey never explains how the magisterium comes to know the truth.

There are several assumptions in Harvey's thinking: sex and procreation are inseparable, Scripture as interpreted by the magisterium is the possessor of all moral truths, the Christian community must think uniformly in moral matters, and each homosexual is psychologically ill. Given these assumptions, Harvey articulates his theory. He does not seem willing to admit that his foundations are assumptions.

## B. WILLIAM E. MAY

The second of the Roman Catholic Classicists is William E. May. He approaches the ethical question as a philosopher, attempting to describe just what is meant by the human and how this understanding leads the individual and the community to normative criteria for human actions.

### 1. Ethical Theory

a. **Ethical Foundation and Operative Philosophy.**---May's ethical foundation will be examined in the same order in which he writes. First, the nature of the human will be considered, since it is the nature of the human which leads to the discovery of human goods and values. Second, from the nature of the human, normative criteria are developed. These are found in what May calls "reality-making factors," and in the communal dimension of humanity. Finally, exactly what May intends by an "ethics of intent + content" will be examined.

When considering the nature of the human, May recognizes the ongoing process of discovery which is involved in understanding the human individual. He also recognizes that there is much which is not known. In one of his earlier articles, "Getting to Know the 'Human,' " published in 1973, he writes:

What does it mean to be a human being? No one, of course can give a definitive, final answer to this question. But our inability to do this does not mean that the word--and those associated with it, like "justice," "friendship," "love"--is vague or meaningless. We can certainly say what it does not mean and can grow in our understanding of what it means.<sup>59</sup>

Of the things that can be known about the human is the ability to search and to inquire, to be conscious. May sees this consciousness necessary in order to

establish the moral dimension of the human. "Human beings are moral beings because they are minded entities [...]."60 This search for meaning, while it goes on at the personal level, also draws in the communal aspects in that each individual is helped or hindered by others. The reason that others are involved in this search for moral meaning and in the search for what it means to be human is that human beings not only exist, but coexist, at the very fundamental level of being.61 The complexity of the search and the inability of any one individual to have the definitive answer to what it means to be human also points to the need for the communal searching.

[...] We are never finished products, but always on the way, groping, searching for our completion and fullness, for the authentic expression of our humanity, and in this search we are not alone but in the company of our brothers. It would be arrogant and foolish for any one person to claim that he and he alone fully understood just what being human entails, but each of us can learn from others and from the Other who has come into our midst.62

May sees an intimate connection between what the individual is and what the individual does, between being and act. In an article he coauthored with John F. Harvey, an article which critiqued the Catholic Theological Society of America's report, Human Sexuality,63 he states, "But our authors seem to forget the deep connection between act and being. We shape our moral being by our willingness to do these kinds of acts rather than those."64 It is not merely a question of one's actions revealing the being which is the source of the actions. What May is even more concerned about at times is the effect one's actions have on one's being. "The acts that we freely choose to do not only reveal who we are now; they also make us to be the kind of persons we become."65

May sees a connection between the human and the other members of the category "animal" but usually develops his own views on this matter only when

criticizing the position of someone else. This connection is an issue in his critique of the C.T.S.A. report<sup>66</sup> and is elaborated on in the following quote taken from another article published in 1976, one year prior to the critique written with Harvey:

To be a human being is, of course, to be an animal, but it is to be an animal of a radically different kind from other animals; the animality of human animals is a different kind of animality from the animality of other animals, and it is so because of the presence of something within the human animal that is not present within any other animal that we know of.<sup>67</sup>

What is unique in the individual is spelled out in a later article "Sexuality and Fidelity in Marriage," published in 1978, two years after the above quote. The uniqueness of the human animal, according to May, is found in the ability to communicate. "By this I mean the human person is the being who is able both to communicate and to enter into communion, and his ability to communicate is intended to serve his capacity for communion."<sup>68</sup>

This notion of communication becomes very complex for May and it is here that his philosophical analysis shines forth. The individual is concerned with communicating with others about various facts, but this is not as significant as the desire on the part of the individual to communicate oneself, to move to communion with the other.<sup>69</sup> May uses this same notion of communication to explain the individual coming from God. He sees the human being as a word spoken by God,<sup>70</sup> as a "code-word" for God.<sup>71</sup>

It is through communion with others that the individual comes to understand what it means to be human. Thus, communication, which leads to communion, plays an essential role in the moral quest. In 1974 he wrote:

Through our speech we reveal ourselves both to ourselves and to others, and vice versa. Through language we discover who we are and who we are meant to be. Our being as the human animal, the moral being, is a

linguistic being. To be a man, to be a moral being, is to be a being who can communicate and share life.<sup>72</sup>

It is actually being in communion with others that the moral life is lived. Furthermore, it is only in the life of communion with others that one is aware of different approaches to life's questions. It is only in communicating with others that one realizes that not all individuals value the same human needs or goods. Along with others the individual seeks out those goods which "[...] point to dimensions of our being, of our personhood."<sup>73</sup> Once these authentic goods are discovered, there is one remaining step in actually living out a moral existence. May spells this out.

Finally, we try to shape our lives by acting responsibly in accord with what we have discovered to be the true meaning of our experience. There is, in other words, a dynamism that pushes us from experience to understanding to truth to responsible action.<sup>74</sup>

May distinguishes between two distinct meanings of the term "human." In communication an individual reveals to another and to oneself what one is, but in the process of communication one comes to understand that there is also an element of the human which is what one ought to be. "It is to distinguish between is and ought, between what men actually are and do, and what men ought to be and ought to do."<sup>75</sup> There is a recognition on May's part that the individual is in the process of becoming, is aware of where he or she is at any given moment, but also is aware that where one is now is not where one ought to be. Furthermore, the rules which are formulated to spell out what it means to be human are also open to constant revision as human beings come to a more complete understanding of what they are to be.<sup>76</sup>

May does not seem to be willing to state that everything about the human remains open to change in the future. While it might be difficult to specify all the

basic human goods, some can be agreed upon: preservation of life, sociability, and continuation of the species.<sup>77</sup> Individuals and communities come to these goods through experience, including the cumulative experience of past generations.<sup>78</sup> It is the task of ethics to continue to uncover and to clarify these basic human goods. May writes: "Possibly the best way of describing what ethics is about is to adapt a striking phrase from Lehmann and to say that ethics is the attempt to discover what it is that is required to make and to keep human life human."<sup>79</sup>

The distinction between "is" and "ought" in ethics comes to consciousness in communion with others as does the recognition of human needs. These needs also exist even when the individual is not aware of them. May is not clear when he attempts to explain how the needs themselves exist apart from consciousness.

These needs are not, obviously, known to us in any conscious or articulate manner when we come into existence in our mothers' wombs, nor are we consciously aware of them when we are born. But they are within us nonetheless, and, as many observers of the human animal will tell us, they exist within us as dynamic sources of behavior. Although we can come to know these needs consciously only as a result of experience and reflection upon experience, they exist in us in a way that one writer terms a preconscious manner, as inclinations or dynamic tendencies directing us in our human strivings.<sup>80</sup>

According to May it is precisely in the fulfillment of these human needs that the moral life is lived.

Once these needs are clearly discerned, the individual creates rules of action which protect these needs. However, the rules themselves are not sufficient to tell the individual whether any particular action is right or wrong. May appeals to what he calls "reality- or truth-making factors" to determine whether a particular act is right or wrong.<sup>81</sup> These factors will be considered in the next section of May's writings. For now it is sufficient to clarify that the rules are of a general nature. It is also important to keep in mind the reason why the

examination of human actions is so important for May: "[...] We are concerned with human deeds because it is in and through them that we both reveal who we are and become who we are to be."<sup>82</sup>

While he denies that acts exist in themselves, May seems to be saying in this section of his book that one could merely look at the actions of an individual and come to know what the individual is, since the actions themselves are the revelatory elements--they say who the person is. In this sense the actions have a somewhat independent character, standing apart from the person performing the actions. Referring to the description of human acts used by the Scholastics, which included the object, the end, and the circumstances, May writes: "[...] It seems better to limit the expression human act or moral act in its more precise and restricted sense to the total ensemble minus consequences and alternatives."<sup>83</sup> However, he does admit that when one considers the humanness of the act, both the consequences and alternative must be considered.

In summary, for May's ethical foundation, he maintains that an individual is in the process of becoming human, and one engages with others in the discovery of those basic goods which enhance humanness. These goods are discovered in experience, through an examination of human activity. Activity itself is important since it is constantly revealing what the individual is. Actions which protect the human goods make the individual more human.

The second main point in May's ethical foundation contains two elements: the normative criteria found in reality-making factors and the communal aspect of humanity. Through what he calls "reality-making" or "truth-making" factors, May attempts to ground morality in reality itself which is distinct from the individual's intention or the consequences of an individual's actions. May writes:

The thinking and opinions whereby human experiences are given meaning and thus structured into a reality of human significance for those being initiated into specific human communities do not make a value to be a value or a good to be a good. Rather the thinking and opinions are truthful to the extent that they are predicated on the real relations among men that do indeed provide us with truth-making or reality-making factors.<sup>84</sup>

One comes to know these truth-making factors through an examination of human acts. May sets up a series of seven questions which are to be asked of an action.<sup>85</sup>

May seeks to maintain an intrinsic approach to ethics through his appeal to these truth-making factors. This position holds that "[...] one judges or opines or responds to something as valuable because it is so."<sup>86</sup> May appears to be saying that it is the truth-making factors which constitute the good or the humanness of the act, but he is not explicit about this. He is able to enumerate some of the goods which are sought by individuals: life itself, health, justice, friendship and knowledge.<sup>87</sup> He goes on to say that these basic goods provide principles which make moral choices intelligible. He also acknowledges that these principles are not sufficient to indicate whether any particular action or practice is right or wrong. "[...] That is something that is to be determined by reality- or truth-making factors that show how and to what extent our love for these basic human goods is embodied in our actions or not [...]."<sup>88</sup>

May is not very precise when it comes to spelling out just what these truth-making factors are. This is surprising since they seem to be so important in his theory. As will be seen below, when he evaluates sexual activity May does not appeal to these factors. May is much more explicit when he considers the rules of action which come out of the examination of moral conduct.

Here it might be suggested that the various moral "rules" discoverable in all human societies are efforts to articulate consciously and objectively the meanings that men have discovered in their moral experiences. These prescribe, or more usually proscribe, certain definite species of actions

(murder, rape, perjury) because they have been experienced as destructive of human goods and human community.<sup>89</sup>

A concern of May's has been to demonstrate that the moral evaluation of an act cannot be made in the intention of the individual. In the introduction to his book, Becoming Human: An Invitation to Christian Ethics, he writes that his purpose

[...] is to show that value judgments and moral evaluations of concrete situations are not capricious or arbitrary opinions dependent on purely relativistic considerations but are rooted in the truth, in what we can call reality-making or truth-making factors.<sup>90</sup>

He has no use for Joseph Fletcher's theories which seem to place the basis of moral judgment in the effects or the consequences of the actions.<sup>91</sup> In a similar vein May condemns any form of teleological reasoning.<sup>92</sup>

There is some confusion in May's approach. The role of intelligence in the ethical quest is unclear in his writings. At times May even seems to advocate the compartmentalizing of thinking and feeling apart from reality. The following quotes within the same work indicate this confusion. Commenting on the approach to morality taken by some individuals, an approach which May describes as totally arbitrary, he writes:

Rightness and wrongness are not, on [sic] this view, rooted in reality, intelligently discernible in the real relations that are set up in and through human deeds. Rather they are exclusively and totally dependent on the way men think and/or feel. In other words, on this view we do not discover anything of human or moral significance in our activities but rather impose this significance on our activities.<sup>93</sup>

A few pages later he reemphasizes this point:

But the core of the relativistic mentality is that the value-making factor, the right-making factor, the human-making factor in any moral situation, is something that is extrinsic to or outside of the moral situation itself. It resides in the "thinking" [...] or opining or evaluating of the person and/or groups involved or in their emotions or responses to the situation.<sup>94</sup>

In these two quotes May seems to imply that human thinking and feeling are outside of reality. Yet, later in the book, May writes of the importance of human intelligence.

[...] The "norm" or "register" against which our behaviour is to be checked is within us; it is rooted in our intelligence whereby we are able to question experience, interpret it or discover its meaning, test its meaning for truth, and act responsibly in accordance with our true understanding of our experience.<sup>95</sup>

The final quote above seems to give intelligence (thinking) an important role in the ethical discussion, which seems to be contrary to the position May takes in the two previous quotes.

In summary, May holds that the morality of the act is determined by certain truth-making factors found in the act itself; however, he is unable to explain what these factors are. This same problem remains in his sexual ethics as will be seen below.

The second element May considers is the communal aspect of humanity.

Man's being as a being-with-others or as a social being, thus, has something to tell us about the normative human. Because man is this kind of being-with-others, because his existence is a coexistence, he has some kinds of needs that are his because he is a man and not because he is white or black, American or Burundian, male or female, and there are goods corresponding to these needs.<sup>96</sup>

His emphasis on the communal search seems to go against his insistence on the importance of the act itself. The act is certainly performed in community, in one's being-with-others; but it is not the opinion of the community which determines the morality of the act. The morality of the act is determined by the truth-making factors found within the act itself. The communal searching, then, only helps in the discovery of these factors; the community does not change them.

For May there is an intimate connection between the actions that one performs and what one is. In the communal life one is involved in "speaking"

oneself to others through actions. In a passage on love in one of his earliest articles May writes: "[...] Human acts are a highly significant way in themselves of communicating. A human act not only gets something done, it gets something said; it tells us something about what it means to be human."<sup>97</sup> These actions performed in community indicate the basic goods which are essential to the human. In all of this the distinction between what is and what ought to be must be kept in mind. What May does not develop very clearly in his ethical theory is exactly how the community arrives at these basic goods, and, using these goods as a foundation, how the community then goes about deriving both general principles of action and particular norms.

May is very definite that these principles and norms are grounded in reality. It is this grounding which is the basis for what May calls "ethics of intent + content." It is his contention that there stems from the very nature of the human person a desire to communicate with others. This desire to communicate not only uncovers the differing opinions that exist among humans with regard to basic goods and needs, it also leads to communion with others. May points out: "As human persons we are indeed interested in what is being said, but we are even more interested in the who behind the what."<sup>98</sup> It is the recognition of the importance of the agent of the action that causes May to include "intent" along with the content in his ethical theory.

His theory of intent + content is actually developed in opposition to other theories, notably Joseph Fletcher's as expressed in his Situation Ethics<sup>99</sup> and the consequentialist or teleological form of thinking found in Richard A. McCormick's works.<sup>100</sup> May calls the consequentialist form of thinking an ethics of intended good consequences or an ethics of intent. He himself sides with Paul Ramsey<sup>101</sup>

and Eric D'Arcy<sup>102</sup> and claims that ethics of intent + content is "[...]more responsive to the needs and claims of living persons, and more capable of helping us in our struggle to become human [...]." <sup>103</sup> May makes it very clear in the concluding section of Chapter Four of Becoming Human that certain actions would never be permissible because of the content of the actions. The intent itself could never change the content in some acts.

[...] An intelligent analysis of human acts forces us to admit that we cannot properly evaluate moral situations unless we open our minds to the content (fitting matter and circumstances) as well as to the intent. To put it somewhat differently, an intelligent analysis leads us to agree with Ramsey that agapeic love (or humanitarian justice) is not only a motivation or objective for actions but is also structured, that is, built into the acts that persons do, so that it is quite possible--indeed certain--that some kinds of deeds simply cannot count as expressions of agape, as expressions of the human.<sup>104</sup>

It should be noted that as May concludes Chapter Four of his book with the above quote, he has not conducted a detailed analysis of human acts. In that chapter dealing with the notion of intent + content he does not attempt to draw out the truth-making factors. He does not show how intent + content is used in deciding the morality of the act.

According to May, then, there certainly are negative moral absolutes. The two examples he offers in this section are assassination and abortion.<sup>105</sup> There seems to be an inconsistency here in May's theory. While he vigorously maintains the need for an examination of both intent and content, he at the same time holds that in the case of certain "contents" the intent is immaterial to the moral investigation. Furthermore, since he maintains that one's actions reveal what one is to oneself, the content of the action actually is the source of understanding what the "true intent" is. "True intent" seems to be distinguished from conscious intent, though how this is possible is not explained. Therefore, while May tries to maintain

that intent must be considered along with content, content is the determining factor; and the distinct elements within content seem to be the ultimate criteria for even deciding when the intent will be brought into the evaluation.

b. **Social Sciences.**--May does not theorize on the use of the social sciences in ethics, nor does he refer to them when arriving at moral conclusions.

c. **Ecclesial Context.**--May's primary concern with regard to the ecclesial context is the magisterial authority of the Roman Catholic Church. May quotes at length from an article by Richard A. McCormick<sup>106</sup> where McCormick considers dissent to authentic, yet noninfallible, teachings of the magisterium. While May is in basic agreement with McCormick, May maintains that McCormick reduces the magisterial teaching to the same level as the teaching of a particular theologian. Thus, in McCormick's article May sees the magisterium as just one other opinion.<sup>107</sup> This does not mean, however, that May would not tolerate theological diversity. In an article published in Horizons in 1974 he writes, "Thus it is incumbent on the hierarchy to make the faithful aware of the possibility of theological diversity."<sup>108</sup> And in Becoming Human he writes: "[...] We can conclude that a human being has a moral obligation to act according to his own conscientious judgment, even if this judgment does in fact differ from that of the teaching Church."<sup>109</sup>

May sees the teaching magisterium bound by the same ethical methodology as are individuals.

Any proposed course of action is right or wrong, human or inhuman, not because it is declared to be so by the teaching Church or any teaching authority, but because of reality-making or truth-making factors. If the Church teaches that something is wrong, it is not wrong because the

Church teaches that it is; rather the Church teaches that it is wrong because it really is wrong.<sup>110</sup>

In one of his more recent works May takes a different position with regard to theological dissent from the Church's magisterium. May chaired a committee designed to express support for the document Sapientia Christiana.<sup>111</sup> The committee's report was released by May in September of 1980. The second section of the report comments on the dissent by theologians in such areas as the existence of moral absolutes, morality of contraception, premarital sex, homosexuality, and other issues. The third section of the report comments on the current scene:

The arguments used to justify contemporary dissent and the replacement of authentic Catholic teaching with theological opinions are fallacious and contribute to the deplorable situation of today's church.

Academics advancing views contrary to the authentic teachings of the church cannot propose these views as Catholic. The faithful have a God-given right to hear authentic teachings of the church, to discover reasons supporting these teachings, and to be supported in their desire to adhere to these teachings, and shape their lives in accordance with them.<sup>112</sup>

In the above quote May does not consider the reasons which are offered by the magisterium or by the theologians in the different disputes. It is not the weight of the arguments which point to the truth. However, this seems to go contrary to his earlier attempts to ground the moral meaning in the reality of the act itself. If meaning is found in the act itself, is it not possible for dialogue to take place between various points of view, even if there is disagreement between the magisterium and the theologians? In the end, May would not allow what he means by theological diversity to move into theological dissent.

One final comment on May's committee report. He makes the statement that the faithful have the right to hear the authentic teachings of the church. What May does not seem to consider is the right to pursue the truth. At times the authentic teachings will correspond with the truth, but there are times when this

may not be the case. May seems to hold that authentic teaching and truth are synonymous.

d. **Scripture.**--May does not theorize on the use of Scripture in ethics, nor does he refer to Scripture when arriving at moral conclusions.

e. **Summary of Ethical Theory.**--In May's ethical foundation and operative philosophy an individual is in the process of becoming more human. Through this process the individual becomes aware of others. By communicating with these others, basic human goods are uncovered. May is not clear in describing the process for the discovery of these basic goods. The recognition of the existence of basic human goods gives rise to the development of normative criteria. Here, too, precision is lacking in his theory. He attempts to ground the goodness of the moral act in what he calls reality-making factors. One comes to know these factors through an examination of experience. Just what these factors are, however, is not explained; nor does May develop how one moves from the consideration of general principles--which are the result of examining the reality-making factors--to specific prohibitions of particular actions.

May also attempts to show the connection between the intent and the content of the act. As was seen above, May pays little more than a passing nod to the intent of the agent. The truth-making factors, the determining elements in deciding the morality of an act, are not always known by the agent and exist apart from the consciousness.

In his ethical theory May does not make use of the findings of the social sciences, nor does he refer to Scripture. He does theorize on the role of the

magisterium in the ethical discourse. Though in some of his earlier writings he acknowledges the right to dissent, in his later writings he seems unwilling to admit that the magisterium might be in error. May sees himself as a deontologist,<sup>113</sup> and the reasoning exposed in his writings as well as his understanding of the magisterium seems to corroborate that claim.

## 2. Theory of Sexuality

Since 1975 William E. May has written ten articles which deal with sexuality. The issues that he handles most extensively in these articles are birth control and marriage. He has not treated the topic of homosexuality at length. As will be seen below, a central element in his theory of sexuality is the inseparable connection between sex and procreation. Since homosexuality can not be procreative there is no possibility that homosexual sex is moral. May does refer to it on occasion as an example of what could happen if the inseparableness were abandoned. Only May's treatment of birth control, found in six articles, will be considered in this section. It is within these articles that he defends his position that procreation is an essential element in sex.

**a. Inseparable Dimensions of Sex.**--May stands firmly against any form of contraception, basing his position on the principle that the unitive and the procreative aspects of sexual intercourse are inseparable. While he attempts to establish an argument which would support such a claim, he discounts the arguments which have been used in the past in favor of his own position. In an article published in 1976, commenting on the minority opinion of the commission

deliberating the issue of birth control prior to the publication of Humanae Vitae, he writes:

For the purposes of this inquiry it will be helpful if we take for granted that the principal types of arguments developed by philosophers and theologians to show the intrinsic immorality of contraceptive intercourse prior to the publication in 1968 of Humanae Vitae are unconvincing and open to serious, indeed devastating criticism. Other writers have ably commented on this, and indeed those theologians on the papal commission on population, the family, and natality who were morally certain that contraception is inherently immoral and that the teaching of the Church on the immorality of contraception could not change admitted that they could not bring forth "clear and cogent" reasonable arguments to support that teaching.<sup>114</sup>

In this 1976 article May prefers to attack the arguments which are put forth in favor of allowing the practice of contraception in the marriage, rather than developing his own theory.<sup>115</sup> In an article on sterilization for contraceptive purposes, he recognizes that Richard A. McCormick has developed a particular method of moral reasoning and has come to a different conclusion than May has with regard to Sterilization.<sup>116</sup> As May begins to develop his own theory he states:

[...] It is quite necessary to point out that my efforts to do so [to demonstrate that sterilization is an intrinsically evil act] will not be convincing to McCormick or to any person who agrees with the basic moral theory advocated by him and many moral theologians today.<sup>117</sup>

Following a brief description of McCormick's theory, May simply states:

I will proceed on the assumption that the moral theory accepted by McCormick and, according to his own appraisal, operative in the thought of many contemporary Roman Catholic moral theologians, is by no means true and that it is open to serious objections.<sup>118</sup>

**1) Truth-Making Factors in Sex.**—When May does begin to develop his own argumentation in support of the statement that the unitive and the procreative aspects of human sexuality are inseparable, he claims that it is within the nature of the act of sexual intercourse that the truth-making factors can be found.<sup>119</sup> In his

theory, then, May tries to explicate just what these truth-making factors are. He does not try to claim that every act of sexual intercourse must have the conscious intent toward procreation,<sup>120</sup> and he does recognize that many acts of sexual intercourse will not lead to a new individual human life due to biological reasons.<sup>121</sup> Central to his theory, however, is the notion that procreation is a good which has been given to the human person to participate in God's plan of creation.

May posits the existence of:

[...] premoral or nonmoral or ontic goods of the human person which, taken together, go to make up the total human good. Among such goods are the goods of life and health, truth, justice, peace, friendship. [...] None of these goods is the summum bonum or an "absolute" good in the sense of being the be-all and end-all of human existence—only God is the summum bonum. But a person's moral or ethical good, his participation in the life of the summum bonum, is totally dependent upon his willingness to recognize these real goods of human persons for what they really are.<sup>122</sup>

This passage is worthy of comment. May comes close to giving the impression that the goods which are being considered are apart from the person. Even though these goods exist within the person, they are not integral to the person. May seems to be saying that it is not the person who is good, rather the person can appropriate these other goods which then give the person the moral or ethical good. The person must "fit" the pattern which is established by these ontic goods.

May then applies this thinking directly to sexuality. The two aspects of sexuality which he is considering, the unitive and the procreative, are seen as goods of the human person. He concludes that neither can be done away with.

To act contraceptively or to intervene by surgical sterilization for contraceptive purposes is, in effect, to choose to reject the goodness of this human power. It is to say, in effect, that this power is here and now an evil, a curse, not a blessing, and it is a curse because here and now it interferes with my participation in another good of the human person.<sup>123</sup>

May seems to confuse what might be a possible attitude by some individuals toward the gift of procreation with what is actually the attitude of others who in fact practice contraception. Also, May is unwilling to consider another alternative: contraception, rather than rejecting the human power to reproduce, rejects the use of the human power to reproduce here and now, or in the future.

May draws his argument from his philosophical line of thought. As was noted in his ethical theory, there is an intimate connection between the act and the person. Also, in certain cases, according to May, the content of the act is of such a nature as to constitute the act as evil, regardless of the intent. May claims that this is the case in contraception; however, his reasoning is not conclusive.

In his 1979 article, "Fertility Awareness and Sexuality," he approaches the question of the inseparability from two different directions. First, he points out that the small child needs a loving atmosphere in which to grow. The child "[...]needs a life-giving love, for this kind of love alone can provide the soil and nurture which can enable it to flourish."<sup>124</sup> And he also points out that a couple may in the very same act become one flesh and bring forth new life. From this he concludes:

This shows us why the unitive or love-giving and procreative or life-giving powers of our sexuality are meant to go together. Our power to unite, in an intimacy of love, with a person of the opposite sex and to share life with that person provides the only meaningful human context for choosing to exercise our sexual power to give life to a new human person--to exercise our fertility.<sup>125</sup>

May's conclusion does not follow from his preceding arguments.

Another way that he approaches the question in this article is by beginning with the statement that the male human is always fertile. "He [the male] simply cannot choose to exercise his sexual power of giving love without at the very same time choosing to exercise his sexual power of giving life."<sup>126</sup> Once

again, May draws the conclusion: "In him [the male] the sexual powers of giving life and of giving love (the procreative and the unitive dimensions of his genital sexuality) are by nature inseparable."<sup>127</sup> The term "fertile" has several meanings. The third meaning given in Webster's Second College Edition of the New World Dictionary is: able to produce young, seeds, fruit, pollen, spores, etc. The human male is fertile (in the sense of producing young) only when his sperm fertilizes the ovum of the woman. In neither of the above approaches does May present a conclusive argument. May has not established the inseparable connection between sex and procreation, a connection he claims is based on inherent truth-making factors within the act of sexual intercourse.

**2) Indirect Proof of Inseparability.**--May has a secondary method of arguing against the inseparableness of the unitive and the procreative dimensions of human sexuality. He considers what would happen if the two were separated. For the couple practicing contraception, the result would be what May calls a "contraceptive mentality."

It is difficult for me to see how it is possible to choose this policy, to adopt this practice as a way of life, as an expression of one's personality, without taking on a "contraceptive mentality," whether one really wants to take on this kind of mentality or not. It imperceptibly becomes a dimension of one's existence. Contraception to be effective, must become a habituated mode of action.<sup>128</sup>

May is not very definite as to the content of this mentality. Also, his conclusion is based on the premise that the individual's intent does not give the meaning to the act. As was noted in his ethical theory, he seems to be considering the marital act, apart from the intent, even though he claimed that the intent must be considered in the moral evaluation. For May it is the act itself which gives the meaning and which actually reveals the true intent even to the agent.

According to May, once the unitive and the procreative aspects of sexuality are separated, other sexual activities might become moral, practices which at the present time, in May's thinking, are immoral. Seeing this tendency toward separation present in the majority opinion of the commission, he writes:

I am simply claiming that the rationale behind the majority report's justification of contraceptive intercourse in principle justifies oral and anal intercourse. In fact, as perceptive readers have noted, the rationale of the majority report opens up an entirely new type of sexual ethic. Recently Charles Curran, a theologian surely well disposed to the rationale of the report, noted that "history has clearly shown that those who were afraid that a change in the teaching on contraception would lead to other changes were quite accurate." The arguments currently being advanced to justify homosexual intercourse are, in my judgment, logical extensions of the rationale central to the majority report.<sup>129</sup>

If contraception were permissible, certain devices would be necessary; and May considers the morality of these items. He sees the "pill" and IUD's as abortifacients; therefore, worthy of condemnation. On other methods he writes:

Foams, jellies, condoms and the like are the other and true contraceptive techniques. Their use is difficult to reconcile with deep, conjugal love. When one wants to caress someone tenderly, does one put gloves on? Yet this seems to be what is entailed in the use of a condom. Contraceptives thus seem to attack the unitive or love-giving dimension of sexuality as well as the procreative dimension.<sup>130</sup>

The reasoning in this statement is inconclusive. First, May makes no attempt to apply his ethical theory. He does not examine any of the truth-making factors. While perpetuation of the species was seen as a basic human good, the inseparableness of the unitive and procreative aspects has not been established. Second, he has moved from the level of general principles (preservation of the species) to the condemnation of a particular act (contraceptive intercourse) without demonstrating the intermediate steps. Third, the use of the "glove" analogy in the above quote does little to clarify the truth-making factors which establish the evilness of foams, jellies, and condoms when used for contraception.

**b. Need for Clear Moral Evaluation.**--In an article which May coauthored with John F. Harvey, critiquing the Catholic Theological Society of America's study, Human Sexuality: New Directions in American Catholic Thought, May evaluates the moral methodology used in the study. He attributes the theory to Richard A. McCormick, his methodology being one which would not accept the existence of negative moral absolutes. Referring to this methodology, May states: "One of the major problems with this view is that it does not seem to recognize that by adopting it one can never really tell when an act is morally bad."<sup>131</sup> In fact, this seems to be May's concern in the ethical quest--to search out which acts are bad. Therefore, he maintains an ethical theory within which the moral evaluation of particular acts can be easily and efficiently performed.

**c. Application of Theory: Contraception.**--Since May's consideration of contraception is the issue he uses to put forth his understanding of sexuality, it will suffice at this point to restate what has been said throughout the previous two sections of his theory of sexuality. When the question of contraception is considered, May maintains that it is an immoral act.

Thus an act of sexual intercourse that is made deliberately destructive of either of these two human goods, an act of sexual intercourse that is, by reason of human choice, purposefully made to repudiate either its unitive or procreative meanings is unreasonable, simply because it cuts away the bonds of love and trust that are constitutive of the moral order.<sup>132</sup>

**d. Problems in Theory of Sexuality.**--There are at least three items within May's sexual theory on contraception which are worthy of note. The first is the distinction between practicing contraception and abstaining from sexual

intercourse for the purpose of not having children. In criticizing the C.T.S.A. study's treatment of birth control, May writes:

What this massive fact shows is that the Church teaches that there is a significant moral difference between contraceptive marital intercourse and the choice to abstain from marital intercourse when there is reason to believe that such intercourse will lead to a pregnancy and one has an obligation to avoid pregnancy. What this also shows is that it is quite false to equate contraceptive intercourse with periodic abstinence.<sup>133</sup>

The "massive fact" which May draws on is that the Church has always taught it. He does not attempt to explain which "truth-making" factors would cause contraceptive marital intercourse to be wrong and would cause periodic abstinence to be right. Once again, it seems clear that for May the morality is found in the structure of the act itself apart from the intent. It is immaterial if the couple chooses not to have children. The morality is found in which means are used to reach that end. Within his system, then, May must maintain that contraception is of a nature that would not allow it to be the object of a moral choice. May would have to show that contraception is an evil in itself. While he attempts to show this, his argument falls short.

When elaborating his ethical theory, May maintained that morality was to be found in the act itself, in the intent + content. In examining the truth-making factors one could come to an understanding of the human goods involved in the act. However, when he considers the act of contraception May does not use his theory. Rather, he draws on the teaching of the Church. He proceeds in this fashion even after admitting in his ethical theory that an individual could dissent from a magisterial teaching. The magisterium itself, according to May's theory, must search out the truth-making factors in contraception. When considering the arguments, he admits that "clear and cogent" arguments have not been offered to support the magisterial position. Therefore, for May to draw the conclusion that

artificial contraception is immoral based on the constant teaching of the Church seems inconsistent with his own theory.

The second item worthy of note is May's thinking on the consummation of a marriage. In a paper published in the Proceedings of the Catholic Theological Society of America in 1978 he wrote: "I believe that marriage, the intimate partnership and covenant of life and love, is consummated by one act of truly marital intercourse, by one marital or conjugal act."<sup>134</sup> This comes two pages after a statement pointing out that a couple could choose to never engage in sexual intercourse.<sup>135</sup> Such a marriage, according to May, would remain unconsummated, and the couple would never exercise their procreative potential. Would this be a violation of the human good of procreation? Or, is the good of procreation, in May's theory, found merely within the exercise of the sexual organs? If that is the case, then procreation is not a good intrinsically connected to the person. Rather, procreation would be connected primarily to genital activity. Therefore, according to May's understanding, if one chose not to engage in sexual activity, one need not be concerned with the good of procreation.

The final notable item is May's repeated statement that sex is not the "end-all" of marriage. In his first article on contraception, published in 1976, he states:

Sexual intercourse is an act that is not only proper for married persons but highly desired by them; it is one of the best ways for them to share their lives together, to enter into communion with one another, to show their love for one another, to be blissful and joyous together. It is indeed appropriately referred to as the "marriage" or "conjugal" act. Yet it is by no means exhaustive of a marriage, the be-all and end-all of their lives together.<sup>136</sup>

Almost this identical statement is found in five of the six articles which deal with contraception.<sup>137</sup> The only article in which it is not present is the article which

critiques the C.T.S.A. study. Obviously, there are other elements which come together to make up a marriage besides a well-intended and well-performed act of sex. Nonetheless, the uniqueness of the sexual embrace is able to speak of oneself in a way that no other act, or combination of acts, can. May's precise meaning in this constant repetition is unclear. He does not seem to be able to establish the truth-making factors which would indicate the goodness of the unitive aspect of sexual intercourse. He is unwilling to consider this unitive aspect apart from the procreative aspect. In the end, May seems to be saying that sex, in and of itself, is not a good. Sex only becomes good in marriage when the procreative aspect is included.

**e. Summary of Theory of Sexuality.**—May bases his understanding of sexuality on the inseparable connection between sex and procreation. He attempts to show this in two ways. First, he states there are truth-making factors within the act of sexual intercourse, though he never demonstrates what these are. Second, he uses an indirect approach, holding that if a couple were to separate sex and procreation and were to practice contraception, the result would be a contraceptive mentality. It was also seen that May is not tolerant of ambiguous moral judgments. He seeks clear answers in order that the faithful will not be confused.

In determining May's ethical theory it was seen that he views the individual and the community in a process of development, searching for what it means to be human. However, in his consideration of contraception, May has shown little evidence of development. He considers some of the current situations which have caused many others to change their position on this issue. He even admits that the arguments which have been offered in the past in favor of the

Roman Catholic Church's condemnation of artificial birth control are inadequate. He himself, however, is unwilling to change. His own argument is based on the inseparableness of the unitive and procreative functions of the conjugal act, although he never adequately demonstrates the validity of this premise.

When critiquing the different arguments in the area of sexual ethics, May shows little tolerance for theological dissent. May draws conclusions rather hastily within his own arguments, which admit of no doubt. To support his statement that "the marital act is, therefore, integrally unitive and procreative [..],"<sup>138</sup> he offers the following footnote:

The fact that this is indeed the intrinsic nature of the marital act is commonly recognized. Genital coition is, after all, both genital (procreative) and coital (involving union). See P. Ramsey, Fabricated Man (New Haven: Yale University Press, 1971), pp.32-33.<sup>139</sup>

While his conclusion may be "commonly recognized" by some, it certainly is not commonly recognized by others in the precise way in which he chooses to interpret it. Secondly, May must be aware that, although Ramsey maintains the stated connection, Ramsey's own conclusion in the area of contraception is different from May's;<sup>140</sup> and Ramsey directly challenges the Roman Catholic Church's teaching on contraception in his first major work.<sup>141</sup>

May's strength lies in his ethical theory. He articulates a method which can be used to arrive at the truth-making factors contained in human action. Philosophically, May presents a strong argument for an intrinsicist approach to ethics.

Once May moves away from the theory, his weaknesses show through. In considering particular questions in sexual ethics, he is not able to apply his own theory. While he claims that there are truth-making factors in the act of sexual intercourse which would make contraceptive intercourse intrinsically immoral, he

is not able to bring forth a clear presentation of what these factors are. Thus, his inability to apply his own theory calls into question the validity of the theory itself. What seems to be necessary is a detailed examination by May on just how the seven questions he offers would in fact reveal the truth-making factors in any of the moral dilemmas facing human beings today. It is interesting to note that Daniel Maguire asks almost the same questions to uncover the moral meaning. Yet Maguire comes to a different decision on contraception.<sup>142</sup>

May develops a theory that should lead to the uncovering of the essence of the moral discussion. While he refers to the theory, he draws particular conclusions without working through the step-by-step process he himself has advocated. In his particular conclusions May comes close to supporting an extrinsicist approach in that he is unable to ground the moral meaning within the situation, occasionally even appealing to the authoritative statements of the magisterium.

May would like to see himself as a deontologist who correctly applies the law in a reasonable manner, sensitive to the needs of the present time. However, he seems to be more percipient in his understanding of what the law is saying than either in articulating the basis of the law or in assessing the present needs.

### C. CHARLES J. MCFADDEN

The third of the Roman Catholic Classicists is Charles J. McFadden. He has written three books that deal with some form of sexual ethics, and a fourth book on the philosophy of Communism. Of the three concerning sexual ethics only his first, Medical Ethics, published in 1946, develops a theoretical basis for ethics.

The other two books deal with specific questions, presupposing the theoretical base.

## 1. Ethical Theory

a. **Ethical Foundation and Operative Philosophy.**--In McFadden's ethical foundation he begins with a consideration of the nature of the human. This nature is uncovered through an examination of human acts. He clarifies what he means by a human act, remaining consistent with his own philosophical tradition.

In contrast [to an act of man], a human action is one which proceeds from man's rational nature. It is an action which is done with at least some knowledge and some free choice. Most of our actions are of this type. It is with both knowledge and freedom that we perform a high percentage of the countless actions in our daily life.<sup>143</sup>

He is already setting the scene in this quote for the primacy of the individual's rational side, an aspect of his theory which will become more significant when he develops his approach to sexuality. He sees the need to distinguish further within the area of human acts and goes on to describe a particular subset of human acts known as "moral acts."

A human action which involves some principle of Moral Law is known as a moral act. More strictly, a moral act is one which is freely done by man with an awareness of its relationship to Moral Law and his own final end. Whenever such an action is in conformity with Moral Law, it is called good; if opposed to Moral Law, it is called bad.<sup>144</sup>

McFadden considers the findings of several different fields of natural sciences--epistemology, natural theology, rational psychology--to establish the existence of God. The fact of God's existence also points to the existence of a particular destiny for the individual human being.<sup>145</sup> In the following quote he spells out all that follows from the discovery of the existence of God.

Once man recognizes the fact of God's existence, he realizes immediately that he owes this Supreme Being a fitting love, honor, and worship. Once man recognizes the fact that he is endowed with a spiritual soul and an immortal destiny, he knows that he must subject the desires of his lower nature to the interests of his higher spiritual nature. Once man recognizes that his fellowmen are endowed with a nature and destiny similar to his own, he understands that they possess certain rights which he is morally obliged to respect.<sup>146</sup>

To summarize McFadden's understanding of the nature of the individual, human nature is established by God, giving each one a destiny to be fulfilled. It is the moral law which indicates to each individual what ought to be done.

This moral law is something which is known to the individual through the use of reason. This is already contained in the way McFadden defines "ethics."

More technically, Ethics is defined as that science which studies the mortality [sic] of human acts through the medium of natural reason. It is that science which is directive of the moral acts of man's will according to basic rational principles.<sup>147</sup>

There is a distinction here between ethics and the moral law. Ethics is that which uncovers the moral law. As such, ethics falls within the category of a natural science "[..]" in the sense that it uses a purely natural means, the power of human reason, to arrive at its conclusions."<sup>148</sup> However, once the science uncovers what the moral law is, then there is a binding force on each individual to follow the dictates of the moral law.

He must mold and direct his life according to those moral ideals which he has learned in the science of Ethics. In a word, many other sciences are practical in the sense that man may apply them, whereas Ethics is practical in the sense that man must apply its principles in his life.<sup>149</sup>

The moral imperative arises out of the fact that the moral law is established by God. The Creator has established a definite goal or destiny for everything created. The Creator also has established a law which shows how the particular destinies are to be reached.<sup>150</sup>

One of the immediate implications of the divine origin of the moral law for McFadden is the immutability of the law. In a chapter on birth control he draws this implication:

[...] There is something about the very nature of an act, over and above its temporal effects, which makes it conformable or opposed to the nature of man. It is a fundamental ethical principle that "the end does not justify the means"; that is, the morality of an act cannot be evaluated solely in terms of the temporal goods it may produce. The rejection of this principle would result in the destruction of the foundations of all ethics. A stable and unchangeable moral mode would be an impossibility. Morality would be determined simply by expediency.<sup>151</sup>

Fundamentally, then, McFadden sees the basis of the moral law residing in the creative act of God. It is the role of ethics to discover the particulars of this law and how they should be applied to specific cases. Since the Creator is the source of this law, the law is unchangeable, according to McFadden.

From the moral law McFadden moves to the nature of the natural law. Through reflection and the application of the natural sciences, individuals have come to the realization that "[...] every reality in the universe is governed by a law in harmony with its nature."<sup>152</sup> He goes on to apply the same line of reasoning to the human being.

The same general principle applies also to man. He, too, must be governed and directed by a law in harmony with his nature. Man, however, possesses a nature composed of matter and spirit. In so far as his nature is material, it is, of course, subject to physical laws. [...] But we know that man also possesses a spiritual soul which can progress toward its eternal destiny only through the observance of a law suited to itself. In other words, the development of man's spiritual nature hinges upon his observance of what we may call a spiritual or moral law.<sup>153</sup>

McFadden applies this law to particular instances when he is treating various topics. When considering sex, he writes: "Sex within domestic society was instituted by the Creator for a basic purpose (procreation and rearing of offspring) [...]."<sup>154</sup> This purpose is not mysterious or difficult to discern. For McFadden this

is something which any intelligent person would be able to understand.<sup>155</sup> When discussing polygamy, he appeals to various arguments to show why it is not permissible, but the first reason stated is that it is opposed to natural law.<sup>156</sup>

McFadden offers a summary statement on the nature of natural law:

It is in this way that the intellect of man can build up a body of moral ideals. This moral code is commonly called the Natural Law and has been defined as "the participation in the eternal law (Divine Wisdom guiding all creatures to their proper ends) by a rational creature inclining the rational creature toward the end and actions proper to its nature."

The Natural Law is universal because, being based on human nature, it binds all men. It is immutable, because it is not subject to change, abrogation, or dispensation. It is absolute because man must observe it at all costs.<sup>157</sup>

b. **Social Sciences.**--McFadden does not theorize on the use of the social sciences in ethics, nor does he refer to them when arriving at moral conclusions.

c. **Ecclesial Context.**--For McFadden, within the ecclesial context the role of the magisterium is not particularly emphasized. He makes it very clear that ethics, the process of discovering the moral law, is "[...] based neither on the revealed word of God nor on the traditional teachings of Christ's infallible Church."<sup>158</sup>

Nonetheless, the Church has a role to play.

It is admittedly true that the infallible teaching of Christ's Church is of indirect value to the student of Ethics. Such teachings serve as an excellent guide and constant "check-up" on the accuracy of our reasoning process.<sup>159</sup>

Another role that the Church plays is in making available to all individuals the precise content of the moral law. In some cases individuals are unable to understand some of the more complex and abstract truths. McFadden holds that all individuals should have the complete understanding of these truths, since they are

necessary for each to fulfill his or her God-given destiny. To facilitate this fulfillment God reveals

[...] in a complete and accurate manner all of the moral truths which he must observe. The Moral Law possessed by the Christian is therefore most perfect. It is to be found in tradition, in Sacred Scripture, and in the teaching of Christ's infallible Church. It is this law known both by reason and Divine Revelation which should be cherished [...] as the source and basis of [...] moral ideals.<sup>160</sup>

The ecclesial context, then, provides a certitude for individuals; though it would be possible to come to the same truths without such a context.

**d. Scripture.**—McFadden does not elaborate on the use of Scripture in ethics. As will be seen below, when he uses Scripture the complexity of the cited passages is not acknowledged nor is any exegesis offered.

**e. Summary of Ethical Theory.**—According to McFadden the basis of ethics is the moral law given by the Creator. It is the role of ethics to discover this law. The primary tool of ethics is the individual's intelligence and rationality, but the infallible teaching Church also plays a role in clearly presenting the various elements of the moral law to all individuals. The law itself is unchanging, since it comes from the creative act of God.

## 2. Theory of Sexuality

McFadden has three books dealing with ethics. His primary concern is in the area of medical ethics, but he treats certain topics of sexuality in each of the three works. His first book, Medical Ethics, was published in 1946; and the latest edition of this book, the third, was published in 1953. The second book dealing with

ethics was published in 1976, entitled The Dignity of Life. Over the thirty years since his first work, the argumentation has remained substantially unchanged. His third work, Challenge to Morality: Life Issues--Moral Answers,<sup>161</sup> published in 1978, is a restatement of much of the content from The Dignity of Life in question-and-answer form to make it more accessible to the general public.

In considering sexual ethics, McFadden discusses only a few topics. Due to his definition of sexuality there is little need to examine any of the various forms of sexual activity which are possible. He spends most of his efforts considering the topics of birth control, artificial insemination, and elaborating on the nature of marriage. In the course of these considerations he makes mention of his evaluation of homosexuality. His arguments are brief in all of these areas and merely repeat the traditional Roman Catholic position. For the purpose of this section, how he applies his ethical theory to the issue of homosexuality will be examined.

**a. Plan of God for Sex.**--Consistent with his theory which holds that the Creator has laid out a plan for the universe, it is with this plan that McFadden begins his theory of sexuality.

Marriage was instituted by God soon after the creation of man, when He joined our first parents in a sacred union. From that moment on, matrimony was the divinely-appointed means for the propagation and conservation of the human race. As established by God, marriage has a physical, spiritual and moral basis.<sup>162</sup>

The physical basis, according to McFadden, is the way that the female and male bodies come together. The spiritual basis is the unselfish love that each has for the other. The moral basis is the foundation for sexual ethics. McFadden states:

The moral basis of marriage is the fundamental ethical principle that sexual intercourse is permissible only to those who have been wed to each

other by some type of formal and mutual agreement sanctioned by proper public authority.<sup>163</sup>

In McFadden's argument he does not offer a basis to defend the claim that sexual intercourse is only permissible within the context of marriage. He uses very few footnotes in his works and does not offer many cross references. McFadden believes that the meaning of sexual intercourse is established through the laws of nature.<sup>164</sup> He does not see the need to explain the meaning of sexual intercourse any further. The laws of nature come from God. These laws indicate what an individual is to do. Consistent with his ethical theory, McFadden maintains that it is the responsibility of the individual to understand these laws of nature, not to change them. McFadden applies this line of thinking to marriage. "The precise character of marriage, with all of its inherent rights and duties, is specified by the Creator. Man is free to enter this contract, or to refrain from it, but he has no power to alter its nature."<sup>165</sup>

Later in this same work McFadden offers a summary statement on the purpose of marriage. While the language which is used seems dated, he does not change the language or the argumentation in his later works, as demonstrated in the following quote.

As an institution of nature, the primary purpose of marriage is the generation and rearing of children. It has already been stated that the very essence of the marriage contract is the mutual right to conjugal relations, and to all that is normally associated with them, such as love, assistance, and cohabitation. And every intelligent person realizes that the sexual powers are chiefly ordained for the procreation of new life. The personal pleasure involved in the marital act is merely nature's enticement to man and woman to assure a use of these powers in a manner sufficiently widespread and frequent as to guarantee the conservation of the race.<sup>166</sup>

To merely claim in the above quote that "every intelligent person" maintains the primacy of procreation, is not an argument. McFadden merely

assumes that his conclusion regarding the primacy of procreation is true, and he assumes that others agree with him.

**b. Application of Theory: Homosexuality.**--In his 1946 publication there is no mention of homosexuality. Neither is it added to third edition in 1953. It is not until his 1976 publication, The Dignity of Life, that he considers it and then only in relation to the validity of marriage. He still does not consider homosexuality in itself, only within the context of the "marriage" of two homosexuals.

To begin with, McFadden states what he will not consider. He recognizes that there is a disagreement among various schools of thought within the medical, psychological, and sociological professions as to exactly what homosexuality is and how it begins. However, he will not consider any of those theories.<sup>167</sup> Interestingly, McFadden states his conclusion at the very beginning of his consideration: "Just as an impotent person is incapable of marriage because of the impossibility of a natural sex relationship with his or her spouse, it is equally evident that two persons of the same sex cannot marry."<sup>168</sup>

It is only in his third work that McFadden considers the morality of homosexual relations themselves. He begins with a consideration of certain scriptural texts. The ones which he cites are Chapter 19 of Genesis; Chapter 18 of Leviticus; Romans 1:24, 26-27; and I Corinthians 6:9.<sup>169</sup> In considering these passages he acknowledges no differing opinions among Scripture scholars, nor does he himself offer any exegesis on the passages. He merely states the conclusion that Scripture condemns homosexuality.

He quotes a passage from the "Declaration on Certain Questions Concerning Sexual Ethics"<sup>170</sup> to express the stand of the magisterium. He refers

to Article 8 which restates the traditional Roman Catholic teaching against homosexual activity.<sup>171</sup> Once again, there is no critical evaluation of the text itself, nor is there any allowance for development in the teaching. McFadden does make it a point to indicate that the homosexual person should not be condemned, and he urges understanding and concern for the individual. He offers this advice to the homosexual: "Spiritual grace, modern endocrinology and advanced psychiatry may help him. But if natural sex within marriage still is impossible, let him at least enjoy the calm conscience that a chaste life will bestow upon him."<sup>172</sup>

McFadden maintains that procreation is the primary end of sex in marriage and that sex outside of marriage can never be justified. Even within marriage the expression of love between the spouses is secondary to the procreative aspect. McFadden even interprets the Vatican II document, Gaudium et Spes, as rejecting the attempt to "[...] redefine the ends of marriage to include both procreation and conjugal love."<sup>173</sup> He does not acknowledge that many authors would interpret Articles 49-51 of that document in a different light.

**c. Summary of Theory of Sexuality.**---According to McFadden, God has established a plan for sex. The plan is for heterosexual marriage. Also involved in God's plan is the issue of procreation. With this beginning McFadden's application to homosexuality is quite straightforward--homosexual activity goes against God's plan and is therefore immoral.

Underneath his arguments McFadden is still concerned to show that rationality, the highest faculty, has maintained control. This rationality is important even in the way McFadden defines ethics. Yet, when he applies his theory to the issue of homosexuality he does not seem to offer systematic, rational

reflections. When considering sexuality he does not attempt to integrate the power of love with the ability to procreate. When evaluating homosexual activity, all he considers is the act of sex which is performed without an ability to procreate. On this basis homosexual activity is immoral, going against the law which has been placed in creation by God, and this law has been found in Scripture and constantly has been taught by the magisterium. He applies his ethical theory with rigid precision.

#### D. SUMMATION

There are definite similarities among the three Roman Catholic Classicists. Both Harvey and McFadden base their ethical theory on the moral law. Both maintain that reason can come to an understanding of the law, although for Harvey the revelation of Scripture and the proclamation of the teaching Church is necessary for this understanding. McFadden also sees the roles of Scripture and of the Church as important, but only in that some individuals are unable to sort out the moral law for themselves. McFadden is more willing to trust reason itself to come to an understanding of what must be done.

The third author, May, is somewhat different in his understanding of law. Rather than appeal to a moral law as such, May appeals to what he calls the "truth-making factors" in the act. These truth-making factors are found in the very structure of the act and at times include the intent of the agent. However, these factors are such that the intent of the agent is not able to change the nature of the act itself. Thus, for May the truth-making factors remain objective, indicating even to the agent performing the action whether something is right or wrong. In

one sense these truth-making factors function as a "law" in the way that Harvey and McFadden use that term. These factors are neither placed in the act by the agent nor can they be removed from the act. The factors are present and have always been present, even though it may have taken individuals a long time to discover their presence. In all three authors' thinking either the law or the truth-making factors have always existed.

In May's thinking the on-going searching for these various elements is more prominent than in McFadden's or Harvey's writings. The latter two seem to place more emphasis on the immutable character of the law. It is within May's writings, then, that one finds the most tolerance for theological diversity, though no tolerance for dissent. May demonstrates more acceptance of the possibility of a development in dogma, than do either Harvey or McFadden.

All three would agree that there are certain actions which could never be moral; that is, negative moral absolutes do exist. Harvey and McFadden agree that it is the moral law itself which indicates which actions are to be always avoided. For May, the truth-making factors found in the act itself are the indicators.

While there is some difference among the three authors when their ethical theories are considered, there is much agreement when these theories are applied to different questions of sexual ethics. May differs from the other two in his theory; however, May does sexual ethics in the same manner as do Harvey and McFadden. Harvey and McFadden remain consistent with their theories; it is May who strays from his theory.

There is also a consistency in the way the three attempt to ground their ethical theories. There is an appeal to human intelligence, yet one has the impression that this appeal is but a nod in that direction. The arguments in sexual

ethics all begin with the inseparable connection of sex and procreation. Not only is this assumption left unexplored but the authors themselves end up in a number of logical contradictions when appealing to authoritative sources to ground this assumption. (For example, admitting that Scripture reveals what is and does not make it to be so; however, the assumption of the inseparable connection of sex and procreation is simply attributed to Scripture.) Not one of the three makes any attempt to explain why the assumption is true. At various places in their writings there is the admittance that if this assumption were false, there would be no other argument to prohibit all sorts of sexual activity which have traditionally been forbidden. This line of reasoning leaves one with a strong suspicion that the authors begin with a conclusion; then their arguments are developed to support that conclusion. There is no indication that an inquiry is taking place with the conclusion still to be decided.

This may also explain the way Scripture, magisterial statements, and social science findings are used. There is no attempt to do exegesis or explain hermeneutical principles when Scripture is used. When critiquing the writings of other authors both May and Harvey refer to Scripture scholars without acknowledging the wide range of differing opinion in the field of Scripture studies. A similar approach is used with magisterial statements. While in theory these authors admit that something does not become morally good merely because it is declared to be so, yet the magisterial statements are used in the argumentation without an attempt to demonstrate the truth of the statement itself. No serious mention is made of the social sciences. Some studies are quoted by Harvey and May, however, no critical appraisal is offered, nor is there an appreciation of widespread disagreement within the particular field.

There is little evidence of development in any of these three authors' works. In their writings there is an acknowledgement that there is new evidence available, however, they choose to maintain their original position. May shows development in his ethical theory, though his own theory does not influence his conclusions in sexual ethics. In the area of development, all three make a definite issue of the consistency and perdurability of the teaching by the Roman Catholic Church.

An advantage to this approach in sexual ethics is that the conclusions are very clear. There seems to be a concern with clarifying which sexual acts are immoral, and the approach offered by these three authors offers that clarity.

The main weakness is that if one does not accept the initial assumption, namely, that sex and procreation are inseparable, one could not accept the argumentation, even if one wanted to believe the conclusions that these authors hold. The approach is further weakened by a lack of awareness in several areas: the role of the individual in the ethical quest, the development of Church teaching, the cultural limitations of both Scripture and magisterial statements, and recent developments in the social sciences.

## CHAPTER II

### ROMAN CATHOLIC HISTORICISTS

This chapter will consider the three Roman Catholic historicists, Charles E. Curran, John F. Dedek, and John G. Milhaven. Their ethical theories will be considered and then how each author applies his theory to the question of homosexuality.

#### A. CHARLES E. CURRAN

Charles E. Curran has written extensively on various matters of Christian ethics and pastoral concerns for almost the past two decades. Not only has he discussed particular questions in his writings, but he has also reflected on his ethical theory at great length. In addition, he has written two articles on the progression in his own thinking.<sup>1</sup> Detailed consideration of his theory would require a separate study; only his more pertinent points will be considered here.

##### 1. Ethical Theory

Within his ethical theory he reflects on the different elements which are important when a Christian is engaged in ethical deliberations. Curran is able to clearly articulate his own ethical foundation and operative philosophy. He considers such topics as natural law, the appreciation of both historical and contemporary experience, and he explains the elements of his own ethical stance. In addition he theorizes on the role of the social sciences in moral theology, the

relationship of moral theology to the wider ecclesial body, and the use of Scripture in moral theology.

**a. Ethical Foundation and Operative Philosophy.**--An important element for Curran's ethical foundation is a proper understanding of natural law. In considering natural law, Curran proceeds in two different ways. He not only develops and elaborates on the theory itself, but also points out some of the abuses of the theory as it was used in Roman Catholic theology in the past. He sees the need to distinguish between primary and secondary natural law. This distinction, however, can only be understood when considered in the light of the prior distinction between absolute and relative natural law. "Absolute natural law is based on the ontological, abstract human nature viewed in itself. As such this human nature has never existed."<sup>2</sup> However, this absolute law can be applied to different situations throughout history.

[...] The absolute natural law is not modified or truly changed in the different historical situations. The formal demands of the absolute natural law remain the same, but they are abstractions which are then applied differently in different situations. The principles of the absolute natural law do not formally change in the changing situations of salvation history; they are changed materially in accord with the accidental changes in the different situations of salvation history.<sup>3</sup>

Secondary, relative natural law would involve the application of such notions as society, family, and marriage to the reality in the world after sin. Society, for example, takes on a different form due to the presence of sin in the world. There is a need for force in a society influenced by sin. This view of natural law has immediate implications for the study of moral theology. "Moral theology as the study of Christian man and his actions is constantly in dialogue

with the empirical and social sciences in an attempt to understand better man and his actions."<sup>4</sup>

Curran sees himself remaining consistent with the natural law tradition in Catholic moral theology, and he projects how this tradition can continue to provide the moral theologian with a framework to handle ethical concerns.<sup>5</sup> However, he also wishes to separate himself from the abuses which have occurred in applying natural law theory. For Curran, one of the most dangerous abuses occurs when immutability is attributed to the theory. Discussing the distinction between the understanding of natural law as found in St. Thomas and the way it was interpreted in the manuals of moral theology, Curran writes: "The concept of natural law as a deductive methodology based on eternal and immutable essences and resulting in specific absolute norms is no longer acceptable to the majority of Catholic moral theologians."<sup>6</sup> Curran places himself among those who no longer hold the concept of negative moral absolutes.<sup>7</sup>

In the past, different interpretations of the natural law theory have tended to equate the human moral act with the physical structure of the act. This type of reasoning is often found in ethical theories dealing with sexuality.<sup>8</sup> The abuses in the natural law theory which worked out of a deductive method, applying immutable principles to specific circumstances, and which defined the moral act in terms of the physical structure of the act itself are not consistent with the way the human being perceives himself or herself. Curran notes that the vision the individual has of himself or herself has changed.

The dimensions of our understanding of man today include artificiality rather than nature, the experimental state of man rather than the fixed essence, relational rather than substantialist understandings. These new emphases do not call for newer applications of older methodologies and principles, but they call for a more radical change in the methodology

itself. No a priori models of man can exist today. Morality concerns practical reason which involves a pragmatic calculus.<sup>9</sup>

For Curran natural law implies that the individual is actively searching out what it means to be human and, for the Christian, what it means to respond to God in the world.<sup>10</sup> In contrast to some of the abuses found in the application of the natural law theory, Curran's understanding of natural law would reflect

[...] the contemporary philosophical emphasis on subjectivity and historicity so that man does not merely conform in a passive manner to already existing laws and structures without seriously questioning their meaning and existence.<sup>11</sup>

Out of such an understanding of natural law Curran recognizes the basis for the Christian to fully appreciate both historical and contemporary experiences. Such a realization surfaced in moral theology as a result of the scriptural renewal. It was the renewal in Scripture which indicated that the Word of God was subject to cultural and historical limitations.<sup>12</sup> To adopt an historical perspective, however, has substantial implications.

A more historically conscious theology will tend to have a different concept of man himself—a concept that is more open than closed. Man is not totally determined by a fixed nature existing within him. The genius of modern man is his ability toward self-creation and self-direction. Man is constantly open to a tremendous variety of actions and options. Any theological position based on a closed concept of human nature as being something already within man to which he must conform himself and his actions will be an inaccurate understanding of human reality and tend to result in unacceptable moral conclusions. Thus the predominate concept can no longer be an immutable and unchanging nature, but rather the concept of historicity. Notice that historicity provides both for continuity and discontinuity, thus avoiding the extremes of an immobile classicism or the complete discontinuity of sheer existentialism.<sup>13</sup>

Curran is here building his ethical theory on his perception of the nature of the human person, and he admits that the development in the understanding of the human person has demanded a change in the way that ethics is done. The methodology must now be more inductive than deductive. Curran sees the

inductive approach being used within the Pastoral Constitution on the Church in the Modern World where an appeal to the "signs of the times" is constantly made.<sup>14</sup>

This inductive approach will give added importance to the contemporary experience of the community, to the dialogue not only with Christians, but with

[..] all men of good will. The morality of particular actions cannot be judged apart from human experience. History seems to show that the changes which have occurred in Catholic morality have come about through the experience of all the people of the community. The fact that older norms did not come to grips with reality was first noticed in the experience of people.<sup>15</sup>

Since there is only the one historical order in which all human beings live and since it is in that same order that ethical reflection takes place, Curran concludes:

[..] Non-Christians can and do arrive at the same ethical conclusions and prize the same proximate attitudes, goals and dispositions such as self-sacrificing love and concern for the needy and unfortunate which Christians have too often claimed only for themselves.<sup>16</sup>

This inductive method would also imply that dialogue would take place with other sciences, since all of these sciences are reflecting on the one common reality of the human person working out his or her existence in the one historical order.<sup>17</sup> At the same time, Curran cautions against merely adopting the present situation as the criteria for the moral life. For one thing, human progress cannot be identified with mere technological progress.<sup>18</sup> In addition, once the information and consequences are gathered from the empirical sciences, there is still a need for

[..] a creative and practical intelligence to direct things to a better future than is now existing. All human morality needs this transcendent and creative aspect which is stressed in transcendental approaches. From a Christian perspective the limitations and sinfulness of the present call for us to work in the direction of an eschatological future which must transcend the present.<sup>19</sup>

Moral theology, according to Curran, must pay close attention to the contemporary experience of the community while at the same time striving to create a community which is more human and which will seek to overcome the present sinfulness.

With a nuanced view of natural law and a deep appreciation of both historical and contemporary experiences, Curran develops his own ethical stance. To begin, Curran clarifies what he means by an ethical stance:

It [the ethical stance] is the logically prior first question in ethics which is comprehensive enough to include all that should be included and yet gives some direction and guidance in terms of developing other ethical criteria. There will never be the perfect stance, but some seem more adequate than others in terms of the function the stance should fulfill in moral theology. To adequately judge any stance it is necessary to see precisely how it does function in practice.<sup>20</sup>

To this notion of stance Curran also adds the concept of "horizon." Curran writes: "Horizon indicates that what we are talking about is not necessarily in terms primarily of content or of object, but rather a formal structuring of the way in which the individual views reality."<sup>21</sup> He then goes on to draw out the particulars of his own stance. These particulars come from the consideration of the general orientation found in Scripture, as was mentioned above.

Christian ethics and the Christian in my judgment must view reality in terms of the Christian mysteries of creation, sin, incarnation, redemption and resurrection destiny.

The stance or horizon must be comprehensive enough to include all the elements which enter into the way in which the Christian understands reality and the world in which he lives.<sup>22</sup>

How each of these Christian mysteries influences Christian ethics will now be considered.

The first mystery is creation. In one of his earliest publications Curran developed the thought that God's will was mediated to the individual through the

world. "God speaks to us through the very existence he has given us: creation, salvation, our talents, abilities [..]."23 The fact that the Christian reflects on the one creation, shared by all, in the ethical quest has definite implications.

The Christian believes that God has created this world and that creation is good. The work of creation then serves as a basis for ethical wisdom and knowledge for the Christian. All men share the same humanity and world created by God, and by reflecting on the work of God they can arrive at some ethical wisdom and knowledge. The Christian who accepts the basic goodness of creation and its continuing validity has a source of ethical wisdom which exists outside the pale of explicit Christianity and which he thus shares with all mankind. In Roman Catholic theology, the theological presuppositions of the natural law theory accepted such an understanding of creation.<sup>24</sup>

Not only was creation seen to be a common source for ethical wisdom in the natural law tradition, but also it was human reason which came to the ethical decision. Curran links all of these statements together in the following: "The natural law tradition, from the theological perspective, acknowledged the fact that creation is good and that on the basis of creation human reason can arrive at ethical wisdom and knowledge."<sup>25</sup>

The second element in Curran's stance is sin. For him, "[..] sin is the reality of man's breaking his relationship of love with God."<sup>26</sup> In the past there was a tendency to define sin merely in terms of certain acts. Curran shows how the personalist influence in moral theology as well as the renewal of scriptural studies brought about a different emphasis.

Sin is not primarily an act in violation of a law, but the fundamental option theory views sin in terms of the basic personal decision directing and guiding one's life. The fundamental option gives meaning and intelligibility to the whole life of the person.<sup>27</sup>

At the same time, Curran cautions that the newer personalist approach has the tendency of not giving the particular act enough importance.<sup>28</sup> He sees the proper approach somewhere between the two extremes. Demonstrating the link between

sin and his first point, creation, Curran maintains that while sin does affect creation, the distinction between right and wrong based on creation itself still exists and these categories are available to human reason.<sup>29</sup>

Curran expands the notion of sin to include much more than just an individual human act. There is also present in creation an evil which results from the very finitude and limitation of what it means to be human.

Finitude affects all in a more comprehensive way than sin when it is not the universal sin of the world. The Christian must try to limit all evil, but evil resulting from finitude and limitation will always exist together with the human.<sup>30</sup>

Such an understanding of evil is open to many misinterpretations. Since the person is finite, is there evil associated with each individual in some manner? Or is evil merely a consequence of personal choices, personal choices necessarily made within a finite context? Josef Fuchs' criticism seems to be appropriate here:

Since the reality of man in his situation of concupiscence is the one and only actual reality, it is difficult to understand a theory based on the incompatibility of two levels, a level which is feasible for man as he is and therefore binding, and a level which is ideal, but impossible for man as he is, and therefore not binding. It should be noted again here that such an approach seems to operate covertly in terms of two moral orders, both binding and yet irreconcilable with each other, an order which is abstract and ideal, and an order which is concrete and possible.<sup>31</sup>

Along with evil Curran also considers the particular situation of sin. For Curran, sin "[...] incarnates itself in the structures, customs and institutions of his environment [...]."<sup>32</sup> This understanding of sin is seen as a recent development in Roman Catholic moral theology. When considering this aspect of sin Curran refers to a work by Piet Schoonenberg, Man and Sin.<sup>33</sup> However, there seems to be a difference between the way Curran sees the notion of sin and the way Schoonenberg views it. This must be considered in some detail since it is the notion of sin which has become the basis of Curran's Theory of Compromise.<sup>34</sup>

Schoonenberg distinguishes between two different types of sin--sinful actions and the sinful situation in the world. The sinful situation is broken down into four categories: (a) bad example, (b) bad example with pressure, (c) obscuration of values and norms, and (d) total obscuring of values and norms.<sup>35</sup> At the root of all of Schoonenberg's notions concerning sin is the individual action which causes the sin. This is certainly different from Curran's understanding of an evil which results from the finitude of individuals. In fairness, Curran does not say here that sin is a result of finitude, only evil is a result of that.

Though Curran maintains that Roman Catholic theology in the past has not sufficiently taken into account the presence of sin in the world and while he himself seeks to counter this omission, he does not sink into despair in the face of so much evil. Curran maintains that the Christian must realize two things with regard to sin. On the one hand, the Christian is called to unite with Christ and to strive to overcome sin and evil in this world. The biblical notion of conversion calls the individual to a continuous renewal. On the other hand, the Christian must realize that it is an imperfect world. The fullness of grace is not yet present, and the reality of sin and evil will remain until this fullness is realized.<sup>36</sup> Specifically, in relation to ethical deliberations, Curran concludes: "Sometimes the presence of sin in the world will force one to do something which, if there were no sin present, should not be done."<sup>37</sup> This is the basis of what has become known as Curran's Theory of Compromise. More will be said of this particular aspect of his theory when the application is made to sexuality.

Curran's third aspect in his basic stance is the Christian mystery of the incarnation.

The incarnation by proclaiming that God has united himself to humanity in the person of Jesus Christ gives a value and an importance to all that is human and material in this world. The very fact God has joined himself to humanity argues against any depreciation of the material, the corporeal and the worldly.<sup>38</sup>

Curran believes that a full appreciation of the implications of the incarnation would prevent some of the dualistic tendencies which have been present in past theories of theology. Concerning these dualistic tendencies, he cautions: "Any attempt to belittle or condemn the material or earthly as being evil or a total obstacle to the higher calling of man fails to appreciate the reality and meaning of the incarnation."<sup>39</sup>

The last two points of his ethical stance, redemption and resurrection destiny, Curran considers together, with the clarification that they are distinct and should not be collapsed one into the other. Still, redemption is only completed in its fullness with the resurrection destiny of all beings. These two final points have many implications in his theory.

Redemption and resurrection destiny in the Christian ethical horizon serve to point to the danger of absolutizing any present structures, institutions or ideals. Resurrection destiny and the future serve as a negative critique on everything existing at the present time. The presence of sin and the limited aspects of creation reinforce the same relativizing tendency. As a result the Christian can never absolutize the present, but his critical assessment calls to mind the need for constant change and development with the realization that the eschatological perfection will never be arrived at in this world, and it will always be necessary to live with imperfections and limitations.<sup>40</sup>

Curran attempts to maintain the position that the world is moving toward the resurrection destiny, and it is the responsibility of every Christian to actively seek to bring about the transformation in cooperation with the saving actions of Jesus Christ. However, Curran maintains that the fullness of the Kingdom can never be realized by the work of human beings alone. Rather, it is a gift of God.

"Man's cooperation is absolutely essential but not sufficient for bringing about the new heaven and the new earth."<sup>41</sup> Recognizing the distinction between what is to come and what is here and now, and aware of the danger in absolutizing any of the present structures, Curran writes: "In the times in between the comings of Jesus, the Christian lives in hope and struggle as he cooperates in the joyful work of redemption and resurrection destiny."<sup>42</sup>

To maintain the continuity between Christian ethics and other forms of ethics, recognizing the problems that an appeal to redemption and resurrection destiny might pose, Curran points to the realization of contemporary theology which holds that in actuality there is no sharp distinction between creation and redemption. This is found in the attempts of contemporary Roman Catholic theology to overcome the older dichotomy between the natural and the supernatural.<sup>43</sup> However, Curran himself does not elaborate on this.

Curran considers other issues which would be examined in an extensive analysis of his ethical foundation. The three which have been considered--natural law, historical and contemporary experiences, and his ethical stance--are central to his thinking and important when studying his sexual ethics.

**b. Social Sciences.**--Both on a theoretical and a practical level Curran sees the need for dialogue between Christian ethics and the social sciences. His own understanding of natural law is influential in his appreciation of the social sciences.

In the Catholic tradition the general thrust of the natural law teaching maintains that by his reason man can know the purpose and order which God has put into the world. The judgments of reason do depend upon sense data as a starting point so that empirical data should enter into the final intellectual judgment about the order implanted by God in the universe.<sup>44</sup>

At the basis of the Roman Catholic appreciation of the social sciences is the ontological understanding of human nature which is characteristic of Catholic moral theology. The social sciences, then, help in discovering this human nature, reflecting on the very same reality as is moral theology. Curran believes there is a distinction between the way Roman Catholics and Protestants approach the role of the social sciences. "Protestant theology generally places less emphasis on an ontological understanding of man and thus formulates a slightly different methodological approach to the place of the sciences in the moral judgment."<sup>45</sup>

Though Curran sees the necessity for a dialogue between the social sciences and moral theology he is not willing to accept the findings of the social sciences uncritically. Based on two elements of his ethical stance, the reality of sin and the constant critique of the present by the future destiny, Curran maintains the distinction between "is" and "ought." He writes:

The limitations of the sciences in contributing to moral judgments stand out in the light of the total Christian mystery. As a result one can never make morally normative what is de facto present in any one moment of existence. The ethical is not the same as the statistical norm. The Christian vision sees the present in the light of the full Christian mystery which also embraces the future. The eschatological pull of the future is a negative critique of every existing reality and structure.<sup>46</sup>

In addition to his theoretical consideration of the role of the social sciences in Christian ethics he demonstrates his appreciation by drawing extensively on their findings when considering a particular topic in ethics. This will be more evident when his treatment of homosexuality is examined.

c. **Ecclesial Context.**--When explaining the relationship between moral theology and the broader ecclesial community Curran remains consistent with his own ethical foundation and operative philosophy. The historical consciousness which is

central to his ethical stance also provides the framework for considering particular moral teachings.<sup>47</sup> Furthermore, the manner in which these teachings are presented, most particularly, the way the magisterium presents these teachings, is also viewed within his historical perspective.

Some of Curran's earliest writings deal with the question of authority in the Church. In the following quote he points out the disposition of the one in authority, as well as where the ultimate authority resides.

The legislator in the Church must always see his role as the servant of the community trying to order the life of the community according to its own needs and purposes. In addition, the legislator in the Church is the servant of the Spirit. The Spirit and the law of the Spirit must always remain supreme in the Church. The legislator must always conform himself to the call of the Spirit. The legislator can never proceed arbitrarily as if his will makes something right or wrong.<sup>48</sup>

Flowing from the inductive method which Curran advocates, he recognizes that at times there will be varying opinions within the Church on particular issues, and he considers several matters in relation to this. First, in the midst of pluralism in theological opinions, a juridical and authoritarian statement by the teaching authority of the Church is "[...] the worst kind of juridical and voluntaristic notion of a true teacher."<sup>49</sup> Second, referring to Aquinas' understanding of natural law,<sup>50</sup> Curran points out that "on specific moral questions one cannot have a certitude which excludes the possibility of error."<sup>51</sup> This inability to arrive at certitude is what sets the stage for his third point, the theological reason for the possibility of dissent in specific moral matters from the authoritative teaching of the Church.<sup>52</sup> Since there is a lack of certitude in specific matters, it is possible to have a plurality of opinions on a particular question. A definitive, authoritative statement by the magisterium does not eliminate plurality. With regard to specific pronouncements from the magisterium,

he points out the tendency to identify the teaching function of the Church with the hierarchical teaching office. In this area, simplistic approaches must be avoided.

The magisterial function of the Church can never be reduced to a mere consensus or majority rule, since the criteria for discussing the Spirit are much more complex than that. Likewise, one cannot merely dismiss papal teaching. Religious assent is the technical term used by the theologians in the past to indicate the respect that must be given to such teaching with the realization, however, that such teaching could be wrong and not call for an intellectual assent. Precisely because the teaching function of the Church is not perfectly identical with the hierarchical teaching office there will always remain this tension which cannot be resolved in an overly simplistic fashion either by maintaining that the pope can never be wrong or by saying that the pope is just another theological voice in the Church.<sup>53</sup>

In considering the role of the magisterium, Curran is clearer on what the magisterium should not do. Placed in the context of what was said above on the necessity for an inductive method stemming from an historical consciousness, and a concept of natural law which admits of more than mere absolute abstractions, the magisterium would then be a part of the search for what it means to be a moral individual. This is distinct from the deontological approach which sees the role of the magisterium as maintaining and protecting the moral absolutes.

**d. Scripture.**--The final point in Curran's ethical theory is his understanding of Scripture. He considers two different aspects: (1) How should Scripture be used in the field of Christian ethics, and (2) What are the basic teachings of Scripture in the field of Christian ethics. Curran points out that moral theology before Vatican II had a very limited use of Scripture. "At best Scripture was employed in a proof text fashion to corroborate arguments that were based on other reasons."<sup>54</sup> While the renewal of scriptural studies has greatly enhanced the considerations of the Christian ethicists, there are some obvious pitfalls which must be avoided. There

are definite limitations to what can be found in Scripture. There are moral problems in the contemporary world which were unimagined at the time when Scripture was written.<sup>55</sup> Concretely, the biblical renewal has provided the moralist with the insight which emphasizes "[...] the primacy of the saving intervention of God [...]".<sup>56</sup> He offers the following summary statement to explain the use of Scripture in ethics:

Roman Catholic theology with its traditional emphasis on scripture and tradition and not merely scripture alone, together with its understanding of the role and function of the Church, possesses the theoretical basis for appreciating that the Church must always strive to understand the scriptures in the light of the present reality and the total historical tradition. In other words, one cannot always solve a moral question for the Christian today by just citing a scriptural passage.<sup>57</sup>

In addition to the general considerations of how Scripture should be used in ethics and how Scripture has been misused, Curran also points out that there are teachings in Scripture which would indicate which methods are more appropriate for the Christian ethicist. He characterizes ethical reasoning in the past as coming out of a predominantly deontological model in which law and obedience were primary. For Curran, "the biblical renewal with its emphasis on covenant and the love of God runs somewhat counter to the supremacy of the deontological model."<sup>58</sup> Further studies of the basic themes found in Scripture highlight other elements in the individual. "Growth, development, and creativity became important ideas for contemporary moral theology. The Christian life no longer could be viewed in terms of passive conformity to minimalistic laws obliging all."<sup>59</sup> Even beyond the different elements within the individual is the position of the total individual in counterdistinction to the acts of that person. The scriptural renewal demonstrated the emphasis on conversion in Scripture, on a complete change of

heart, with a lesser emphasis on the individual act which the person might be performing.<sup>60</sup>

Curran is not willing to look for specific solutions within Scripture in answer to individual moral problems. The teachings which are found in Scripture provide a framework within which the theologian works. From Scripture the ethicist "[...] derives his general orientation [...] and realizes the importance of particular attitudes and ways of life [...]."<sup>61</sup> Curran's own orientation will be considered below.

**e. Summary of Ethical Theory.**—In developing his ethics Curran makes a deliberate attempt to elaborate an ethical theory as such. Though he accepts the basic realities of natural law, he rejects the abuses of the past. At the core of his nuanced appreciation of natural law theology is an appreciation of contemporary human experiences. While his own ethical stance takes these historical and contemporary experiences into account, his stance is greatly influenced by other factors as well. He consciously refers to the five-fold Christian mysteries of creation, sin, incarnation, redemption, and resurrection destiny which are factors in his theory.

Central to Curran's ethical theory is the individual's active search for meaning. According to Curran human existence does not merely conform to preexisting structures or principles. Such an understanding of human existence is the basis for the need for dialogue between moral theology and the social sciences. Both are reflecting on the one, human reality, and both should be enhancing each other.

Working within his Roman Catholic background Curran acknowledges the important role of the community in searching for the moral good. However, Curran is acutely aware that the renewal which is taking place in moral theology is a source of serious conflict between theologians and the magisterium. Much of Curran's writings on the ecclesial context deal with various aspects of this confrontation.

Curran's treatment of the use of the Scripture in Christian ethics is consistent with the other elements of his theory. Respecting the Word of God and admitting that Scripture contains general themes which are important in discovering the fullness of human reality, nonetheless, Curran rejects any form of positivism which would ground an ethics on Scripture passages used in a "proof-text" method.

## **2. Theory of Sexuality**

Having looked at some of the more significant elements in Curran's ethical theory, his understanding of sexuality will now be examined. Curran has written on many different topics in the field of Christian ethics.<sup>62</sup> Within the field of sexual ethics itself he has published many articles and books on various issues. This study will focus on his approach to homosexuality. He begins with a critique of the way sexual ethics in general is considered in contemporary writings. He then moves to a consideration of a theory of homosexuality drawn from Scripture and science. He critiques three different approaches to homosexuality; and, finally, offers his own evaluation through an application of his Theory of Compromise.

**a. Methodology.**—Curran begins his consideration of sexuality with a critique of the way sexual ethics has been done in the past. Much of the older method leaned heavily on the manualist tradition. This tradition focused on the application of principles and definitions to particular moral instances. Such an application was conducted in an a priori, deductive manner, allowing for clear and precise evaluations. Curran examines some of the abuses which resulted from such a method. He points to the importance of natural law in the Roman Catholic approach and considers how the natural law tradition was applied to sexual ethics. "In the natural law understanding of sins against chastity, nature does not mean right reason. In this context nature means the physical, biological, or natural processes which are common to man and all the animals."<sup>63</sup> The natural law approach in Roman Catholic theology also lead to the "[...] over-emphasis on procreation as the primary end of marriage and also of sexuality."<sup>64</sup> Curran considers the unwillingness on the part of moral theologians in the past to admit of parvity of matter in matters of sexuality.<sup>65</sup> In addition, he points out that "there is no other moral virtue in Christian moral theology whose violation always involves grave matter."<sup>66</sup>

Referring to the various theological arguments which have been made against the older moral theology, he offers the following summary statement:

These major points of disagreement have one thing in common. In these cases, the manuals of Catholic moral theology have tended to define the moral action in terms of the physical structure of the act considered in itself apart from the person placing the act and the community of persons within which he lives. A certain action defined in terms of its physical structure or consequences [...] is considered to be always wrong. [...] Thus the central point of disagreement in moral theology today centers on these prohibited actions which are described primarily in terms of their physical structure.<sup>67</sup>

After critiquing the methodology which was used in the "Declaration on Certain Questions concerning Sexual Ethics,"<sup>68</sup> Curran offers the following base for the development of a new approach to sexuality. For Curran it is necessary

[...] to discuss sexuality in terms of the basic Christian vision which affirms the goodness of sexuality and all creation, the redemptive transformation of human sexuality in the light of the mystery of Christ, but also the fragility and tragic aspect of human sexuality which is always threatened by human limitations and sinfulness.<sup>69</sup>

In developing his theory Curran cautions against a simplistic use of Scripture.<sup>70</sup> Nonetheless, there are general norms which can be gleaned, indicating that human sexuality should be seen within the context of the male and female relationship and that there is a connection between sexuality and procreation.<sup>71</sup> This connection is a constant theme in Curran's writings. There is evidence of some development in his thinking over the years, though he has never done away with at least some connection between sex and procreation.

The issue was first raised in 1966. At that time Curran was still defending the Roman Catholic Church's position condemning artificial means of birth control. Pointing to some general themes found in Scripture, Curran states that "the connection between sex and procreation is obvious."<sup>72</sup> In a following chapter in the same work Curran admits that in some cases artificial contraceptives could be used.<sup>73</sup> Writing in 1968, he maintains the connection between procreation and sex, but not in each and every act of sexual intercourse.<sup>74</sup> Also, in a book he edited in 1968, he states that procreation may take place through artificial insemination, thus separating procreation from the physical act of intercourse. Nevertheless, insemination should only take place within the broader context of a relationship of committed love.<sup>75</sup> It is also in the 1968 article that he considers the normativeness of the male/female relationship for

sexuality, a theme which is repeated often.<sup>76</sup> Unfortunately Curran does not develop either of these two points at length—the male/female relationship being normative nor the connection between sexuality and procreation.

[...] In general sexuality should be seen in the context of a loving relationship of male and female. There is also a relationship between sexuality and the procreation of new life as the fruit of sexual love, but even within marriage there are times when procreation either cannot or should not occur.<sup>77</sup>

What is needed is a clear explanation of why he sees both of these relationships as normative. Further explanation is needed for two reasons. First, Curran maintains that most Protestant and Roman Catholic theologians view sexuality within the context of the male/female relationship.<sup>78</sup> However, as will be shown below, all three Protestant Historicists seen in this study reject that starting point for human sexuality. Second, this claim for the male/female relationship seems to play a key part in Curran's evaluation of homosexuality. This aspect will be taken up in the section below dealing with homosexuality as such.

Curran's acceptance of both of these relationships stands in sharp contrast to his critical approach in other areas of sexuality. In many of the topics he shows a deliberate effort to consider various viewpoints and admits where there are still confusion and unanswered questions. This surfaces in the area of sexuality as well. While moving away from the physicalism that he sees in the older approaches, he cautions against a naive approach to sexuality. He is able to recognize the tensions and attempts to hold each in balance. The following quote demonstrates his concern:

[...] Sexuality must be seen as basically something good, a vehicle of love and fulfillment; but one can never forget the fragile character of human sexuality, its effect on society and the institution of marriage as well as the possibility of sinful exploitation of one another.<sup>79</sup>

Again, he makes the same point, referring more specifically to the tensions within the Christian vision of the world:

An overly optimistic theology which has flourished in the last few years has tended in general to forget the aspect of the total Christian vision which reminds us of imperfection, sin and death. That is why one must insist today on the total vision. The imperfections of human sexuality stem from the creaturely limitations of space and time; the full sexual union lasts but a fleeting moment and cannot overcome the limitations of space and time. There is a rhythm of life and death in sexual actuation itself which is a constant reminder of limitation and incompleteness.<sup>80</sup>

It would be helpful to his readers if Curran would articulate a theory of sexuality as such. The lack of clarity in his understanding of evil and sin along with the absence of substantive reasons for his continued insistence on the unity of sex and procreation as well as the normativeness of the male/female relationship become problematic in his treatment of homosexuality.

**b. Application of Theory: Homosexuality.**--Curran considers the issue of homosexuality several times in his publications, with his most extensive treatment appearing in the chapter entitled, "Dialogue with the Homophile Movement: The Morality of Homosexuality," published in 1972 in his book, Catholic Moral Theology in Dialogue. Curran considers two distinct issues in his chapter. The first is the methodological question, dealing with the place of Scripture in ethical reasoning, as well as the place of the empirical sciences. The second issue is the ethical approaches to the evaluation of homosexual acts.

**1) Scripture and Homosexuality.**--In his discussion on method he refers to his own extensive treatment of the role of Scripture in moral theology in various writings. He then highlights those particular problems which come into focus in the

discussion on homosexuality. He begins with a few cautions. First, he reminds his readers that "the Scriptures do not have a monopoly on ethical wisdom and thus do not constitute the sole way into the ethical problem for the Christian ethicist."<sup>81</sup> Second, he admits that the biblical data has been given various interpretations.<sup>82</sup>

After these general observations Curran then proceeds to consider the various texts which have traditionally been used by moralists in the past, and he evaluates the different interpretations which Scripture scholars have given these texts. He begins with the interpretations given to Genesis 19:4-11, offering substantial footnotes to indicate precisely which opinions he is comparing. He likewise considers the two texts from Leviticus, 18:22 and 20:13, as well as the three texts from the New Testament, Romans 1:27; I Corinthians 6:9-10; and I Timothy 1:9-10. Curran offers the following summary statement:

Thus the biblical data indicates that the biblical authors in their cultural and historical circumstances deemed homosexual acts wrong and attached a generic gravity to such acts, but there appears to be no reason for attaching a special heinousness or gravity to these acts.<sup>83</sup>

**2) Science and Homosexuality.**--The second of the methodological considerations is the role of the empirical sciences in moral theology. Curran contrasts the approach taken by Karl Barth<sup>84</sup> with that taken by John Giles Milhaven.<sup>85</sup> Curran sees Barth acknowledging the empirical sciences but not using them in the ethical consideration.

Barth's position represents a confident and straightforward theological position based on the divine command, although he does remind one counseling homosexuals to be aware of God's command and also his forgiving grace.<sup>86</sup>

While Milhaven reaches the same conclusion on homosexuality as does Barth, his method is different; and it is Milhaven's method which Curran considers.

Milhaven follows a method which has the ultimate criterion of love. Curran quotes Milhaven's definition of what it means to love. For Milhaven this would include "free determination, commitment, of a man or woman to further the good of a certain person."<sup>87</sup>

To determine this good Milhaven draws on the experience of the community, most especially on those who study this community in the empirical sciences. When it comes to the consideration of homosexuality, while he acknowledges differing opinions among the experts, Milhaven claims that the common opinion is that homosexuality is a mental sickness. Again, Curran quotes him directly, "Thus a Christian moving in the spirit of the new morality condemns homosexual behavior more severely than one using traditional arguments."<sup>88</sup>

Curran then criticizes the two approaches of Barth and Milhaven:

The theological approach of Barth in general does not give enough importance or place to human knowledge in general, let alone the specific empirical sciences of psychology and psychiatry. [...]

Milhaven's method of relying exclusively on experience, which in this case is preeminently the findings of psychology and psychiatry, also appears too one-sided.<sup>89</sup>

Directing himself particularly toward Milhaven, but taking the occasion to draw in more explicitly some of the elements of his own stance, Curran points out some of the theological problems involved with relying exclusively on the empirical sciences. He writes:

The Christian realizes that existing man is beset with the limitations of creatureliness and sinfulness. Likewise, resurrection destiny and Christian eschatology introduce a transcendent aspect by which man is always called upon to go beyond the present. What is presently existing can never become totally normative for Christian ethics with its horizon which includes creatureliness and sinfulness as well as the eschatological pull of the future.<sup>90</sup>

It is precisely this lack of transcendence which Curran criticizes in Milhaven's approach.

Curran goes on in his consideration of the methodological question of the role of the empirical sciences in moral theology and considers the various opinions offered by science on the etiology of homosexuality.<sup>91</sup> Once again he offers considerable references representing the various viewpoints which are offered on the subject, and he concludes with the following statement:

The theologian is not competent to judge between the conflicting opinions of the various scientists within their own disciplines. However, a review of the literature plus personal experience would seem to indicate that homosexuality does not make every individual a neurotic or emotionally disturbed person.<sup>92</sup>

Curran's wording in the above quote seems significant as an insight into his own methodology. After the review of the literature he is admitting that there are various points of view. He does not attempt to draw a conclusive position, forcing the literature to say more than it is actually saying. Nonetheless, Curran moves on to draw a conclusion based on "a review of the literature plus personal experience." These two elements seem to indicate that homosexuality is not necessarily neurotic. Curran acknowledges the dubiety of his own argument.

**3) Three Approaches to Moral Evaluation.**--After his consideration of the two methodological questions, Curran then presents three different approaches to the question of the morality of homosexual acts. The first position is that homosexual acts are wrong. Commenting on the methodology used in this position, Curran writes:

Roman Catholic theology in its treatment of theology in general and homosexuality in particular follows the approach and the conclusions of Thomas Aquinas. Right reason is the ultimate moral norm, but right

reason builds on the order of nature. In sexual matters, Thomas accepted Ulpian's understanding of the natural as that which is common to man and all the animals.<sup>93</sup>

Curran reviews the writings of John F. Harvey as an example of this form of reasoning. The condemnation of homosexual acts is based on the interpretation of natural law which maintains that procreation is the primary end of sexuality. Since homosexual acts cannot transmit life, God's will has been violated, according to Harvey, and therefore they must be immoral.<sup>94</sup> Curran sees this type of thinking being typical of the older position in Roman Catholic theology. In that way of thinking great emphasis was placed on the biological and the physical aspect of the sexual act. The procreative dimension at times became the only purpose of human sexuality.<sup>95</sup>

The second position with regard to homosexual acts is that they are neutral. This position would hold that a moral decision cannot be made merely on the object of sexual behavior. Once again, in this context Curran draws together many of the elements within his own theory:

The Christian tradition has constantly accepted the view that homosexuality goes against the Christian understanding of human sexuality and its meaning. I would agree that historical circumstances could have influenced the condemnation of a particular form of behavior. Likewise, it is possible that the Christian tradition could have been wrong at a particular point. However, there seems to be no sufficient evidence for such a judgment in the case of homosexuality.<sup>96</sup>

He then goes on to handle the natural law position which he has already considered in terms of the shortcomings within such an approach. "Despite all the methodological shortcomings and one-sidedness of the natural law approach proposed by Aquinas, it still seems to correspond to a certain human connaturality condemning homosexuality as wrong."<sup>97</sup> Unfortunately for his readers, Curran

does not explain what the term "a certain human connaturality" means within the discussion of homosexuality. This will be taken up below.

He also points out to those who would maintain that homosexual acts are neutral that in fact most homosexual liaisons are "one night stands." Also, he is not willing to do away with the union between the procreative and unitive aspects of sexuality. When considering some of the suggestions made by modern genetics that procreation should be separated from the sexual union, Curran acknowledges that "[...] neither Scripture nor Christian tradition could respond to the questions raised by the new biology."<sup>98</sup> Nonetheless, Curran maintains that one would need "grave reasons" to separate the two.<sup>99</sup>

Curran's argument then shifts into the philosophical realm to argue against the concept that human acts are neutral. For him

[...] there is a certain structuring or meaning to human existence which contributes to an ethical criterion so that humanity does not appear as something which is morally neutral and capable of doing or becoming anything under certain conditions.<sup>100</sup>

He returns to his own considerations of the image of the human as "self-creator," taken from Rahner.<sup>101</sup> For Curran there are definite limitations to the human, and the individual is not capable of transcending whatever he or she wishes. Curran draws on his own theory to point out that "in general, Christian theology constantly reminds us of two very important human limitations: creatureliness and sinfulness."<sup>102</sup>

In a general critique against this method of moral reasoning, Curran writes: "An unnuanced acceptance of the concept of man as self-creator and a unilateral emphasis of freedom cohere with a totally extrinsic approach to morality."<sup>103</sup> Curran himself seeks to maintain an intrinsic approach in that the

individual, the individual's actions, and the individual's relationships have a meaning which is not neutral. Curran tries to hold this in tension with his reluctance to absolutize the meaning which is found in the elements of the human act itself, a tendency which was present in the older moral theology.

Curran calls the third approach to the morality of homosexual acts a mediating position. He states: "In general, a mediating approach recognizes that homosexual acts are wrong but also acknowledges that homosexual behavior for some people might not fall under the total condemnation proposed in the first opinion."<sup>104</sup> He sees Helmut Thielicke<sup>105</sup> and H. Kimball Jones<sup>106</sup> as being representative of this approach. Curran's critique of both of these authors is that in their writings "[...] the effect of sin appears to be too total and unnuanced."<sup>107</sup> Curran maintains that both of them hold that the order of creation has been broken so completely that the distinctions between right and wrong which were based on creation are also broken. In opposition to their stance, Curran writes: "However, there is a basic meaning of human sexuality in terms of maleness and femaleness which sin neither eradicates, neutralizes nor reduces to the same ethical significance as homosexual relations."<sup>108</sup>

What is not clear in Curran's writing are the reasons why the traditional understanding that homosexuality is not normal remains valid. He uses terms such as "basic meaning" and a "certain human connaturality" without explaining them in detail. There are indications in his writing that Scripture sheds light on this, though why these general themes in Scripture are still applicable within the present understanding of human sexuality is not spelled out. These problems become more acute when he applies his Theory of Compromise to the issue of homosexuality.

**4) Theory of Compromise.**--Within the mediating position there is also a consideration of those approaches which consider the older Catholic moral principle of the "lesser of two evils." It is here where Curran offers his own position on the question. Referring to the lesser-of-two-evils approach he writes:

In this opinion the act is still objectively wrong, although [..] it might not be grave, objective sin.

The theory of compromise tries to add a new dimension to the theoretical solution. Catholic theology has neglected the reality of sin in its moral teaching based on the natural law. Precisely because sin forms a part of the objective reality, our moral judgments must give more importance to sin. The presence of sin means that at times one might not be able to do what would be done if there were no sin present.<sup>109</sup>

In the above quote Curran exposes some of the central elements in his theory of compromise. He acknowledges the presence of sin in the world. However, he sees sin influencing more than just the subjective order. Distinct from the views of Thieliicke and Jones, Curran holds that the presence of sin does not do away with the order of creation; therefore, the basic structures of right and wrong found in creation continue to exist. The presence of sin in the order of creation makes one aware of the presence of secondary natural law as distinct from primary natural law, as was mentioned in his ethical theory above.

Curran offers the following conclusion on the morality of homosexual acts:

The homosexual is generally not responsible for his condition. Heterosexual marital relations remains [sic] the ideal. [..]

In many ways homosexuality exists as a result of sin. Those who accept an etiology of homosexuality in terms of relationships and environment can easily see the reality of sin in those poor relationships which contribute to this condition in the individual. In this situation, which reflects the human sinfulness in which all participate in differing ways, the individual homosexual may morally come to the conclusion that a somewhat permanent homosexual union is the best, and sometimes the only, way for him to achieve some humanity.<sup>110</sup>

He goes on to say that homosexuality cannot be considered an ideal and that if there is a way to overcome the condition, this should be pursued.<sup>111</sup> This he bases on the meaning of human existence which is present in the male/female structure of existence which remains even after sin.

In the final section of his chapter on homosexuality, Curran points out some of the limitations which would be present in his theory of compromise. "In general, such limits are the rights of other innocent persons or the rights of society, but even these values may be somewhat infringed upon for the sake of the values preserved through the compromise."<sup>112</sup>

For Curran conflict situations arise due to sin.

Sinfulness as the origin of conflict situations might be understood in three different ways—the universal sinfulness existing in the world which was the basis for Thomas Aquinas' teaching on the ownership of private property; the sinfulness incarnate in the human situation which in my judgment affects the person who is an irreversible homosexual; and the sinful action as illustrated in the case of the captain threatening to shoot a large number of innocent villagers unless I shoot one of them myself.<sup>113</sup>

Unfortunately Curran never explains how sinfulness incarnated in the human situation affects the homosexual.<sup>114</sup> The sinfulness which is incarnate in the human situation affects all human situations. It affects homosexuality as well as heterosexuality. What seems to be necessary in Curran's work is a further explanation as to how this sinfulness influences homosexuality. On the other hand, if homosexuality is affected by the sinful actions of individuals, then there is the implication that personal choice is involved. The role of sin in the issue of homosexuality is not clear in Curran. He clearly states that sin is involved in some manner: "Since many experts trace homosexuality to psychological roots springing from the lack of love in early development, the application of compromise (because

of the existence of sin) seems most appropriate in these cases."<sup>115</sup> However, he also writes that personal choice is not involved in the homosexual condition.

This presupposition accepts the general understanding that the homosexual has no control over one's own sexual orientation. There is no personal fault or guilt whatsoever which brings about the homosexual condition. An individual has the psychic structure of inversion independently of one's own willing and doing.<sup>116</sup>

If there is no personal choice, then Curran is not referring to individual sinful actions as the basis for the application of his Theory of Compromise.

**c. Summary of Theory of Sexuality.**--Curran deliberately lays out for his readers his own ethical stance based on the Christian mysteries. These mysteries set the context for the ethical discourse; Curran does not derive the content of his ethics from these mysteries in a deductive manner. The content is found in the ethical dialogue, a dialogue which takes place with many different branches of human wisdom and theology. The content itself is based on a nuanced understanding of natural law.

Some problems arise when his approach to homosexuality is considered. It becomes clear that his sexual ethic is greatly influenced by two basic premises: the inseparableness of procreation and sex (though his understanding has developed from every act of intercourse being open to procreation to a much broader understanding which sees intercourse within a procreative context), and the male/female relationship as normative for human sexuality. However, the arguments supporting these premises are not developed.

Approaching homosexuality from these two premises, homosexuality must be viewed as less than the ideal, the ideal being heterosexuality. Since it is less than the ideal, Curran sees homosexuality as a result of evil or sin, though here he

is not clear. He seems to be implying that homosexuality is a result of a bad environment, a social condition which is influenced by sin. Curran makes it clear, however, that the individual homosexual is not making a choice about his or her orientation, therefore the individual may lead a full sexual life as a homosexual.

Curran has some definite strengths in his theory. He maps out for his readers his own personal journey through a tumultuous career as a moral theologian indicating those elements which have been most influential in his thinking. He describes a movement from a traditional understanding of moral theology in the Roman Catholic tradition to a position of responsible dissent within that same tradition. Another of his strengths is his systematic elaboration of his own Christian stance which attempts to keep in harmony the various fields of theology, the findings of scriptural research, and the empirical sciences. Finally, Curran demonstrates an awareness and appreciation of other Christian traditions and advocates an even greater ecumenical dialogue in ethics.

His weaknesses become noticeable when he considers the topic of homosexuality. Curran seems unwilling to bring his own critical method, so obvious in his analysis of other authors, to bear on his two basic premises in sexual ethics. Also, there is some confusion in his treatment of the notions of finite evil and sin of the world in the context of homosexuality. Since these concepts are determinative in his conclusion it would be helpful if there were more clarification.

He seems to be an author still in process. Within his approach to sexuality he admits that much work still needs to take place and admits to those specific areas where there are uncertainties. Some of the lack of clarity may be removed in his future work.

**B. JOHN F. DEDEK**

John F. Dedek is the second of the Roman Catholic Historicists to be considered. He has written in the areas of pastoral theology, medical ethics, and sexual ethics since 1966. Much of what he has published has appeared in the periodical Chicago Studies, with a few publications in other more scholarly journals. His style is dictated by the journal itself. Therefore, those which appear in Chicago Studies are more of a pastoral bent, written usually with the parish priest as the intended audience. Those articles which appear in The Thomist and in Theological Studies are directed more to the theological community and make use of footnotes and cross references to a much greater degree than do the articles in Chicago Studies.

His more scholarly articles deal with some of the fundamental questions in moral theology. These same questions are also handled in some of his pastoral writings. However, when he deals with specific questions, either of sexual ethics or of medical ethics, his style is always more pastoral. While his arguments are substantive, there are very few references offered.

This study will consider first his basic ethical theory through the writings he has published in fundamental ethics. Then, his understanding of human sexuality will be examined. Finally, how Dedek deals with the question of homosexuality will be studied.

## 1. Ethical Theory

a. **Ethical Foundation and Operative Philosophy.**—In establishing his own ethical foundation for his theory Dedek is not very precise. The foundation surfaces within his writings on particular topics in moral theology. In an article published in 1972, he considers the question of what norms the physician has at his or her disposal to decide which patient will live and which will die. Within this context Dedek rejects the concept that God will intervene and that the individual should not interfere with something as serious as this.

Most men do not like to play God. But man cannot abdicate the responsibility that is his under God's providence. We cannot leave important human decisions about life and death to fate or the natural course of things under the pretense of leaving them in the hands of God. God cannot be counted on to intervene miraculously in human affairs, even the most important ones. The solemn fact is that man must play God. Otherwise that role will not be played.<sup>117</sup>

In this quote Dedek establishes some of the parameters for his own writings. They are rather all-encompassing, placing any important human decision within the realm of consideration by the moralist.

Some of Dedek's thinking on the ethical foundations is found in his consideration of Jesus as the model for Christian life. Dedek's consideration of the role of Jesus in the ethical life of the Christian is set forth in an article entitled "The Moral Law" published in Chicago Studies. The entire issue is written in a question-and-answer form in an attempt to provide for the readers some of the current moral theology. There are no footnotes used in Dedek's article, although there are some scriptural references.

In answer to the question, Did Jesus come to teach morality? Dedek writes:

It would be a fundamental misunderstanding of the gospel to interpret the mission of Christ moralistically, as if Jesus came primarily to teach men a moral code and to help them to live good lives. Jesus did teach us that we must respond to God's love by doing his will and living moral lives. But Jesus' moral teaching was secondary. Jesus did not come as an ethical teacher but as our redeemer.<sup>118</sup>

In this text Dedek is beginning to develop his own position which holds that it is the role of human beings to work out what the moral life is. This will become more obvious in the way that he actually sets about doing ethics.

He maintains that Jesus is the norm of morality for the individual Christian, but he nuances his position with this statement: "Since Christ is the exemplar of all reality, he is the exemplar of all goodness. Therefore whenever one conforms to the objective moral good in any situation, he is in fact conforming to Christ its exemplar."<sup>119</sup> This understanding of Christ as the model is distinguished from Christ being seen as one to be imitated. Dedek recognizes that Jesus Christ was a unique person and was required to act in ways that were consistent with his own vocation. The Christian, according to Dedek, does not live a moral life just because he or she does what Jesus did.

In establishing his ethical foundations Dedek is more concerned to point out those things which are not foundational. He maintains that it is the individual's responsibility to search for the moral good, and that the Christian has the life of Jesus as a model. Though he remains somewhat general in his thinking on the ethical foundations he is more specific when he considers one particular element which would greatly influence one's ethical foundation--the existence of negative moral absolutes.

In one of his articles published in Chicago Studies he considers briefly the teaching of Thomas Aquinas and then summarizes contemporary theological opinion:

[..] Many Catholic moralists argue that concrete moral norms are not absolutely binding. They say that these actions are morally wrong in general but not in all possible circumstances. Concrete moral norms, therefore, are usually and presumably binding. In fact, in some cases it may be difficult to imagine any practical circumstances in which they are not binding. But one cannot exclude a priori the possibility that the generally forbidden actions may be morally permissible in some circumstances.<sup>120</sup>

The above conclusion stems in part from Dedek's understanding of human nature. It is this nature which is the basis of the natural law. When considered metaphysically, human nature is immutable. However, when viewed historically, it is in progression.<sup>121</sup>

Dedek considers the understanding of intrinsically evil acts in the mind of St. Thomas in a scholarly article published in The Thomist. The article focuses on the controversy between the Roman Catholic magisterium's position which maintains "[..] that there are certain physical actions which are morally evil ex objecto [..]"<sup>122</sup> and contemporary theologians who would hold "[..] that, while such actions are in themselves prima facie evil (pre-moral, non-moral, physical, ontic evil), they cannot be declared morally evil prior to a consideration of circumstances and end."<sup>123</sup>

In order to shed light on the issue Dedek returns to the thinking of Thomas himself. In his analysis Dedek reveals his own appreciation of historical development in that for him Thomas can properly be understood only after Thomas' predecessors are examined. Therefore, Dedek not only considers the writings of Aquinas, but beginning with Peter of Poitiers and ending with Saints Albert and Bonaventure he considers the meaning that various writers gave the concept of intrinsically evil acts. Dedek concludes that Thomas remained true to the tradition of his own time.

In Thomas' day there was much discussion on the two tablets of the decalogue, and thinking developed on the question whether or not God could dispense from the precepts of both tablets. The consensus of the time seemed to be that with respect to the first tablet God was not able to dispense since the first tablet directly ordered the individual to God. When the second tablet was considered, a distinction was made between the formal aspect and the moral aspect of the actions which were forbidden. The formal sense of the second tablet was the unjust element, for example, Thou shalt not unjustly kill, or Thou shalt not unjustly steal. There was agreement that God could not dispense from the order of justice since He Himself is justice. However, when it came to the material actions themselves, dispensation was possible.

[...] Thomas admitted that God can authorize by dispensation the material actions (homicide, adultery, stealing) forbidden in the second tablet of the decalogue. God cannot authorize injustice; but what material actions are in fact just or unjust remains to be decided. It is up to the competent authorities, Thomas said, to make this determination.<sup>124</sup>

Dedek also makes mention of the fact that Thomas approaches the question of intrinsic evil in his writings from several different starting points. Dedek refers to the distinction between the primary and the secondary precepts of natural law which Thomas used and the amount of criticism Thomas has received due to the lack of clarity in this area.<sup>125</sup>

Aside from these specific comments on negative moral absolutes, Dedek's own ethical foundation remains somewhat unarticulated. Generally speaking, he holds that the individual's role in the ethical quest is important; the individual is involved in searching for the good, implying that creativity and subjectivity are

important; and Dedek does not accept a positivist foundation for ethics, even if such a positivist foundation were to be based on the particulars of the life of Jesus.

**b. Social Sciences.**--Dedek makes use of the findings of the social sciences when he is considering specific topics in ethics. In his article "Remaking Man"<sup>126</sup> he considers some of the recent developments in the life sciences and he reflects on the issue of genetic engineering. Also, when considering various topics in sexuality in his book Contemporary Sexual Morality<sup>127</sup> he uses the findings of various psychological and sociological studies. In his writings, however, he does not theorize on the relationship between the social sciences and moral theology. In the light of his ethical foundations, he would seem to be open to a harmonious relationship between the social sciences and ethics.

**c. Ecclesial Context.**--Dedek deals with the notion of an ecclesial context within his treatment of the freedom of the individual conscience. He admits that there is still much work to be done in this area in articulating a theology of Christian freedom. What he points to are some of the extremes which are to be avoided.

Referring to the conscience itself he writes:

While it [the conscience] is not formed in the individual by ecclesiastical authority or by any other person than himself, neither is it a law unto itself, a creator of the moral good. God's will is always normative for it, and this will is not found solipsistically but in a Christian context, that is to say, in a *koinonia*, a community engaged in conversation.

Catholics will agree that God's will can more safely be found in an ecclesial context. But at this point the Catholic notion of Church gives rise to a difference, because for a Catholic the ecclesial context includes a juridical authority.<sup>128</sup>

The first part of the above quote is consistent with his attempt elsewhere to maintain the objectivity of the moral order. Referring to the natural law, he

states: "Man does not create or arbitrarily decide what is right or wrong. Rather he discovers what is truly good or bad in the objective moral order."<sup>129</sup>

Dedek goes on to point out that at times the idea of the juridical authority within the Roman Catholic tradition can be exaggerated. In some cases this has caused individuals to be afraid to make decisions for themselves, and an appeal to an authoritative position is made. Dedek rightly points out that there are many areas in one's life where no law will indicate what should be done. As an example, he presents some of the many career choices that an individual might have. While the choices are neutral, as far as a mandate of law is concerned, in that there is no law indicating which career should be chosen, nonetheless, the choice is not neutral to the person who must decide.<sup>130</sup>

The same type of sensitivity to the historical context which was evident in his appeal to the life of Jesus as the moral norm is also present in Dedek's consideration of laws and norms which are promulgated by authority.

[..] The individual in giving obedience to legitimate authority cannot abstain from judging about his actions. He cannot mechanically obey the law made by legitimate authority as if the law will always and necessarily prescribe the true moral good and proscribe the genuine moral evil.<sup>131</sup>

For Dedek the laws and norms of the legitimate authority are normative for the individual. However, it is the responsibility of the individual to decide for himself or herself whether the law is binding and relevant in this particular situation.<sup>132</sup>

Dedek explicitly applies this understanding to the Christian in relation to the authority of the Church.

Dedek then sets about considering the particular situation of the freedom of the Catholic conscience in relation to the doctrinal authority of the magisterial Church. He distinguishes two different questions: (1) the freedom of conscience in

relation to authentic non-infallible teaching of the magisterium; and, (2) the freedom of conscience in relation to infallible dogmas of faith.<sup>133</sup>

In answer to the first question, after tracing the continuous reiteration of the magisterium's position on this matter, Dedek concludes:

The individual Christian conscience has the same kind of freedom before authentic non-infallible teaching as it does before Church law. This is not the kind of teaching that escapes external objective norms. [...] To decide on other objective grounds the situational validity of authentic fallible teaching is again the burden and freedom of conscience.<sup>134</sup>

In like manner, he answers the second question by studying the declarations of Vatican I, maintaining that a Catholic may have "[...]an erroneous conscience which is invincible and inculpable even in matters of faith."<sup>135</sup> When this is the case the objective moral order itself dictates that he or she follow his or her subjective conscience.

Here again Dedek is attempting to steer a path between legalistic positivism, which would view morality as based on the law itself, and absolute subjectivism, which would view morality as whatever the individual determines it to be. Dedek holds to an objective moral order and maintains that it is this very order which establishes the place of the individual conscience. The objective order determines that the individual conscience is to be the final norm in the relevancy and binding nature of any external norm. In the conclusion to his treatment of the freedom of conscience Dedek states: "Like everyone else, Catholics must do only and always what they themselves think is right, and they must think only and always what they themselves think is true."<sup>136</sup>

The issue of the freedom of conscience is treated in the journal Chicago Studies. Consequently, the style of the journal itself did not allow for footnotes or scholarly cross-references. His conclusion that it is the objective order itself

which calls for the individual conscience to be the final norm could be further developed in his writings. Also, he briefly makes the statement that the will of God for the individual is found within the community; however, he does not elaborate how this community is to determine God's will and how the individual conscience operates within that context. One of his strengths is that he himself is able to acknowledge that more work needs to be done here.<sup>137</sup>

**d. Scripture.**--Dedek deals with Scripture in the same manner that he deals with the social sciences. He uses Scripture in the ethical discussions, however he does not elaborate on the theoretical aspects of the use of Scripture in ethics. While Dedek does not say so explicitly, from what he maintains about the role of Jesus as model and the fact that Jesus is in a particular time and context, one can deduce that Dedek would not allow for the lifting of texts from Scripture in a proof-text fashion without attention being given to the context of the texts.

In a similar manner he considers the many regulations which are found in the Old Testament, often referred to as the Old Law. Referring to this law, as well as to the decalogue, Dedek writes: "Israel's law was culture bound, limited in its moral insightfulness, and reflected a particular moment in history."<sup>138</sup>

He contrasts the New Law with the Old Law.

It is a common mistake to describe the New Law as the law of love. The New Law is much more than any external precept, even the precept to love God above all things and one's neighbor as oneself. The New Law is primarily an inner law: it is the grace of the Holy Spirit. Any external law, including the precept of charity, is only secondary.<sup>139</sup>

Beyond these remarks Dedek does not consider the use of Scripture as such in the ethical quest.

**e. Summary of Ethical Theory.**--There are several definite threads running through Dedek's ethical theory. His theory is situated within the framework of the dignity of the individual, and he insists that the individual not renege on his or her responsibility to make the moral choice. Dedek's ethical foundation is indicative of his own understanding of the creative intent of God, as well as the purpose of the incarnation; however, Dedek's reflections on these elements in Christian ethics are not spelled out in his writings.

He does reflect on the role that Jesus Christ plays in the ethical life of the Christian. While Dedek maintains that Jesus is the norm of the moral life, Jesus does not provide the individual with particular guidelines. Dedek does not seem to draw anything specific from the life of Christ, even in the realm of general principles.

The individual conscience remains the final norm in the ethical struggle. It is the responsibility of the conscience to apply the external norms to the particular situation. The individual conscience must decide even in the face of specific mandates from the magisterium and even in the light of formal dogmas. He cautions that the conscience seeks the truth, which is objective, within a community and not in isolation. He concludes that there can be no negative moral absolutes, since the decision must ultimately rest with a particular conscience.

## **2. Theory of Sexuality**

When proceeding from his ethical theory to his understanding of human sexuality, Dedek does not have a smooth transition. Within his theory he considers various notions which would be central in Christian ethics. From there he moves

immediately into a consideration of specific questions with very little effort spent in developing a theory of sexuality as such nor in developing a method.

He published a book entitled Contemporary Sexual Morality in 1971. Most of the content was previously published as articles in Chicago Studies. A consistent method is used throughout the book, but a justification of the method itself is never offered. He published another book in 1975, entitled Contemporary Medical Ethics,<sup>140</sup> which contains some of his thinking on human sexuality. The points which will be considered here in his theory of sexuality are his understanding of the nature of the human, the nature of sexuality itself, the methodology which he actually uses, his theory of homosexuality, which finally leads to his moral evaluation of homosexual sex.

a. **Nature of the Human.**—In his considerations of sexual ethics Dedek attempts to maintain the basic unity of the individual, avoiding the tendency of the past to evaluate sexual activity merely on the physical structure of the act itself. He sees his own position as being more in line with the personalist philosophies.

As modern metaphysical anthropology tells us, corporeity is intersubjectivity. That is to say, I am my body; I am my sexuality. Coition is not just genital commingling with one endocrine system calling out to another. Coition is expressive of the person, and to be authentic and not a lie it must correspond to the existing relationship of the person.<sup>141</sup>

Consistent with his ethical theory as stated above in which he maintained that human nature was always expressed in a particular context, he does not limit the human expression to a fixed, nondevelopmental, physical entity. He sees even the very notions of gender identification progressing in history.

Our sexuality is not primarily a biological condition given at birth but a condition in process, developing in interaction with cultural forces and

the opposite sex. Men define their own maleness in interaction with females and vice versa, under the guidance and direction of the norms, mores and expectations of their culture.<sup>142</sup>

However, Dedek maintains an essential connection between the person and his maleness or her femaleness. Sexuality is developing, as is the entire person; for it is always the person that is acting, not a person's body, or a person's sex organs. For Dedek, to maintain a distinction between the biological functions and the human function of a person is to hold to a dualistic anthropology.<sup>143</sup>

**b. Nature of Sexuality.**--Since most of his work in the area of sexuality was originally written for Chicago Studies, there are very few substantiating references offered. Also, when the book was published, the articles were not rewritten in order to present a more comprehensive theory of sexuality. His theory is still only a treatment of specific questions. Occasionally he attempts to link his understanding of sexuality with the Christian mysteries, but he does not develop these mysteries very clearly. One example of this is his understanding of the union between the procreative and the unitive aspects of sexual intercourse. He discusses this in the context of contraception and sterilization, pointing out that contemporary theological opinion rejects the teaching found in Humanae Vitae. He concludes:

The new consensus does not deny that there is an essential connection between the procreative and love-union aspects of sexual intercourse. It affirms that these two aspects must be maintained in principle. Sexual intercourse is not only lovemaking; it is also life-giving. God's creative love is mirrored in human procreative loving. [...] To separate in principle the lovemaking and life-giving aspects of sexual intercourse is to refuse the image of God's creative love in human procreative loving.<sup>144</sup>

He does not develop any further the connection between God's creative love and the way that human beings should express their love. No scriptural texts or

theological opinions are cited by way of substantiating his claim. Since he is attempting to offer a position which is against the official teaching of the magisterium on birth control, and since his own theory held that doing such a thing would require very good reasons, it would seem that he should be more deliberate in pointing out the "good reasons" themselves. What appears to be at stake here is an essential part of the theory of sexuality which is underdeveloped. This becomes even more evident when he handles specific issues in sexuality.

Immediately following the above quote, Dedek draws into the discussion a point which was made previously in the consideration of his ethical theory. It was shown above that Dedek insists that the individual must assume the responsibility for the moral decision and that this cannot be left in the hands of God. The same is held in the area of sexuality. He writes: "The link between sex and parenthood is to be maintained. But it is not to be maintained blindly, with the decision of whether or not to procreate new life left entirely in the hands of chance or divine providence."<sup>145</sup>

Many of the concerns which Dedek develops in his ethical theory are evident in his consideration of sexuality. He does not draw directly on what was considered above as his first point, that is, the role of Jesus as the norm for the moral life. Dedek draws from Scripture the general connection between procreation and the love-giving function of sexuality; however, the connection itself is not critically evaluated. Beyond this general consideration he does not attempt to ground his theory of sexuality on Jesus Christ. He maintains the ultimate position of the individual conscience, even when in opposition to the magisterium. Finally, consistent with his own understanding of human nature as being in process, and the nature of moral imperatives, both on the universal level

and in particular circumstances, he holds that there are no negative moral absolutes when defined in terms of the physical structure of the act. One ethical principle which remains for him is the connection between sex and procreation, even though he does not maintain the connection in the restrictive manner that was characteristic of the manualist tradition.

**c. Methodology.**—In his book Contemporary Sexual Morality Dedek treats of several specific questions within the area of sexual ethics. While he does not develop a theory of sexuality as such, nor does he elaborate a method, he does demonstrate a method which he consistently applies to each topic. In most topics he begins with a description of the situation, indicating the findings of the social and the empirical sciences. He then considers the relevant texts of Sacred Scripture, going into a critical analysis where necessary. Since no references are offered, he does not draw on the professional opinions of Scripture scholars to a great extent. From Scripture he considers those texts within the Roman Catholic magisterium which deal with the topic, followed by theological opinions which may or may not agree with the magisterial position. He then concludes with some practical, pastoral advice.

**d. Application of Theory: Homosexuality.**—Unfortunately, the topic of homosexuality is not considered in his book on sexuality. Nor does he use the method found in Contemporary Sexual Morality when he does treat homosexuality. The first time his treatment of the topic was published was in the 1974 issue of Chicago Studies.<sup>146</sup> This was followed by a short section in his book Contemporary Medical Ethics. In neither of these treatments is a particular method established.

Dedek begins his consideration of homosexuality in the Chicago Studies article by proposing a pastoral case: A gay male asks the parish priest whether or not one must be straight to be a practicing Catholic. Even the way this case is proposed is somewhat strange. The proposed question is not a moral dilemma of any type. The response of the pastor could be a simple "no." What is being asked is whether a homosexual person can be a practicing Catholic. No mention is made in the question that any sexual activity is involved. In considering the case Dedek in fact answers a different question—Can a sexually active homosexual be a practicing Catholic?

Dedek, in offering a solution to this case, starts with the intimate connection between one's body, one's sexuality, and one's self, consistent with his understanding of sexuality as was stated above. He writes:

[...] One who believes that man is his body, that he is the body of his soul as well as the soul of his body, will be more inclined to see the use of sex as expressive of his person. Sex is the way that he, who is his body, does the two most important things in life—love and create other beings like himself.<sup>147</sup>

He offers no argument to establish his claim that follows the above statement, namely, that human sexuality is both love-making and life-giving. He merely states that this is what Christians hold. However, this is the basis of his evaluation of homosexual acts. Right at the beginning of his consideration of homosexuality he states the following: "Homosexual acts are not life-giving acts of love. They separate in principle the love-union and procreative acts of human sexuality. That is why Christians always condemned them."<sup>148</sup>

Further in the same article he points out that contemporary theological opinion "[...] no longer says that procreation is the principal purpose of sex [...]."<sup>149</sup> Still, it is Dedek's understanding that sex is not just for love-giving and

must always have a creative dimension. Since homosexual acts are not procreative, they necessarily diminish the full meaning of human sexuality.

In his evaluation of homosexuality up to this point Dedek maintains that he is considering homosexuality on the objective level. He distinguishes the objective level from the personal level. However, when he considers homosexuality on the personal level, his evaluation varies very little.

What is more, on the personal level, homosexuality can and frequently does depreciate the meaning of human sexuality in a further way. Often it is not even an expression of love. Not only is it not life-giving; neither is it love-making. If so, then it is simply the selfish taking of veneral [sic] pleasure through the use of another person's body with the concomitant depersonalization of the other.<sup>150</sup>

He attempts to soften his position by stating that his analysis is merely attempting to state what is morally wrong on the level of ethical theory. He does not want to say "[...] that homosexuality is perverse or rotten or that anyone who engages in it is evil."<sup>151</sup> He then makes a statement which he does not repeat in the book published one year later. In the article he says: "It is also important to be clear about another fact. Homosexuals are not born; they are made. And sometimes they can be unmade."<sup>152</sup> He offers nothing to substantiate this claim.

Dedek goes back to his ethical theory and attempts to maintain that the individual must be responsible for the decisions which are made. With regard to the homosexual he writes:

[...] It should be noted that while the homosexual frequently is not free in determining his basic psychic response, he is usually free and in control of his actual behavior. His homosexual acts are not compulsive acts. Normally he has the same degree of personal control over his overt sexual behavior as a heterosexual person has over his.<sup>153</sup>

In this quote Dedek is merely referring to the control an individual has over his or her actions. This is somewhat different from what was stated above, namely, that

the individual conscience is the ultimate norm. In fact, Dedek is unable to maintain this position, as will be seen in his moral evaluation of homosexual activity.

As a solution to the pastoral problem which is posed by Dedek, he cautions the hypothetical pastor to determine exactly what the individual means when he says "I am homosexual." If there is a chance that this person might be able to function heterosexually or if there is a chance that the orientation itself might be changed, Dedek says that either of these must be pursued, since, "to freely chose [sic] homosexuality as a way of life when it is possible to do other is a serious depreciation and mock of the full human and Christian meaning of sex."<sup>154</sup> This conclusion seems to stem from his contention that there is an essential connection between sex and procreation.

He then goes on to consider the case where an individual could not in any way change. Here Dedek admits that there is no theological consensus.<sup>155</sup> As one approach to this case, he considers the theological position which holds that for the homosexual, homosexual activity is the lesser of two evils. His evaluation of this position is as follows:

The weakness in this analysis is that it does not provide any solution for the many homosexuals who are unable to establish any permanent homosexual relationship built on mutual love and whose only choice therefore is between celibacy and casual promiscuity.<sup>156</sup>

The second position he considers is one which is based on a principle of compromise. He interprets this position as saying the homosexual would not be objectively wrong in homosexual activity where there is no viable alternative. Dedek himself can accept such a position, but he recognizes "[...] a certain amount

of haziness in the theoretical principle that grounds it."<sup>157</sup> He does not elaborate on what precisely is unclear.

Dedek then offers a third approach which he identifies as his own preference.

[...] Premoral evil becomes moral evil only when done without a proportionate reason. In themselves homosexual acts represent human values in a premoral sense. They become moral evil in those circumstances in which there is no proportionate reason for placing such acts, they remain premoral disvalues but not immoral even on the objective level. I would think that very often an individual's inability ever to engage in normal heterosexual acts would count as such a proportionate reason.<sup>158</sup>

To conclude his article, Dedek returns to the problem which had been proposed at the beginning. If the pastor is unable to accept any of the theological opinions which have been offered, he still has one other option. The solution which Dedek offers at this point is as follows: If the individual in the case

[...] is irreformably homosexual and tries with ordinary diligence to abstain from homosexual behaviour, he can be treated pastorally in much the same way as an adolescent masturbator. For if he has not freely chosen homosexuality as a way of life and yet periodically fails because of his limited options, these single acts of homosexuality probably would not be gravely sinful. And even if they were, his effort to resist them would evidence sufficient disposition for sacramental absolution.<sup>159</sup>

In Dedek's own treatment of masturbation he maintains the distinction between objective and subjective morality. His final solution to masturbation and to homosexuality rests on this distinction. In his earlier treatment of masturbation he states: "All that can be said is that masturbation is objectively immoral to the extent that it in fact impedes intersubjective and heterosexual growth, and to the extent that it is an inversion of the human meaning of sexuality."<sup>160</sup> It is not clear how one could make a judgement at the objective level on the basis of whether or not intersubjectivity is impeded. It is not immediately obvious how

intersubjectivity can be considered apart from the subjective level. Dedek's own lack of method seems to push through to the surface here. He returns to a two-level order of reality while he has been attempting to deal with the human person as a unity, possibly because he has not been able to ground his theory of sexuality on anything more substantial.

In his pastoral solution in the case of masturbation he states:

[...] The adolescent should be told this plainly. It should be explained to him that every act is not a mortal sin for him because of his habit and that he may receive the Eucharist without confessing it. Secondly, he should be told that although his acts are not mortally sinful, they are a serious challenge to his growth and so demand in response a serious effort on his part to rid himself of them.<sup>161</sup>

It is not clear whether Dedek is able to deal with masturbation as being premoral evil or whether he holds that it is objective evil which might be subjectively not grave. The same conflict is found in his solution in homosexuality in that he himself offers his own theological opinion based on the concept of premoral evil, yet his advice to the pastor seems to hold to the objective-subjective distinction. Referring to homosexuality he claims that some actions might not be "gravely sinful," which would seem to imply that they would still be sinful. It is merely the gravity which is in question. This line of reasoning seems to be closer to the objective-subjective distinction than it is to a consideration of premoral evil.

**e. Summary of Theory of Sexuality.**--Dedek's treatment of homosexuality is disappointing. When he considers some of the fundamental questions in his ethical theory, he uses a critical historical method. He draws this together and applies it to the conflict between the individual conscience and the teaching authority of the Roman Catholic Church. When the individual conscience is in conflict with the

magisterium, Dedek maintains that there are objective reasons which indicate that the conscience must be followed. These objective reasons however are not very clear in his writings.

When he considered the writings of Thomas Aquinas, he situated them in their historical context and analyzed the writings of his predecessors as well. When he considers sexuality, he merely offers rather sweeping statements without the same critical method. Referring to the continuous condemnation of homosexual acts in Christianity, there is no mention of the context. He does not consider the cultural understandings of the times, even in the case of Scripture. He uses the expression "contemporary theologians" without naming most of them or indicating those points where there is a wide range of opinions. It is difficult to see how he can claim that there is a consensus that procreation is no longer the principal purpose of sex. Nor does he elaborate on exactly how and why the connection between sex and procreation is to be maintained.

Similar sweeping conclusions are offered in his treatment of homosexuality. While pointing out that homosexual activity is often nothing more than depersonalized sex, he offers no statistical evidence to corroborate his position, nor does he allude to the existence of relatively permanent homosexual unions. When introducing his consideration of homosexuality, he maintains a strong connection between the life-giving and love-giving aspects of sex, yet does not nuance either in his consideration of homosexuality. While he is able to excuse the occasional homosexual act on the basis of the objective-subjective distinction, he is not able to tolerate the permanent union of two homosexuals.

Throughout his writings Dedek seeks to maintain the inviolable conscience. This seems to be his main concern. His treatment of Scripture merely

establishes the absence of specific moral imperatives. He does not consider Scripture as a ground for a Christian ethic. When attempting to protect himself from possible accusations of solipsism, he states that the Christian comes to know God's will in the communal dialogue. Yet he offers no method as to how this dialogue is to take place. In protecting the individual conscience, no guidelines have been offered for the community to assist the individual. Dedek has not been able to solve the case through the mind set of the individual gay person. It is the pastor who makes the moral judgment.

Dedek critically evaluates the Scripture texts which are used in the specific topics he considers. However, in his treatment of homosexuality there is no treatment of the texts from Scripture. When magisterial statements are handled, they are not treated in depth as were the writings of Thomas and his predecessors on the topic of intrinsically evil acts. Theological opinions which are offered by Dedek to support a position against the magisterium are not nuanced.

Dedek grounds his theory in human nature, a nature which is in process and which is constantly being defined. This concept speaks against a deductive approach to ethics which would assume that there are immutable principles grounded in an immutable nature, even though he maintains the distinction between the objective and subjective orders of morality.

Some of Dedek's strengths are that he seeks to maintain the responsibility of the individual Christian. Central to his way of thinking is the importance of the individual taking full responsibility for his or her own decisions. The outlines of an ethical method are present in his writings though these need to be developed at some length. He clearly demonstrates an appreciation for the historical context of both Scripture and theological opinions.

The weaknesses of his arguments and conclusions seem to outweigh his strengths. The connection between sex and procreation remains normative for Dedek, a connection which is not defended in his writings. When he moves beyond that connection he seems to slip back into the subjective-objective distinction. His writings merely consider specific questions in sexual ethics and what seems to be lacking is a consistent theory and method.

### C. JOHN G. MILHAVEN

John G. Milhaven has been publishing for the past twenty years. Most of his writing has been in the form of articles; however, he did publish one book in which a number of articles were reprinted. The title of the book itself indicates the direction he is taking: Toward a New Catholic Morality.<sup>162</sup> In the course of his career he has attempted to ground the new morality in some of the stronger traditions of the older Roman Catholic theology and has then applied his theory to different aspects of sexuality.

#### 1. Ethical Theory

a. **Ethical Foundation and Operative Philosophy.**--Much of Milhaven's writings on his own ethical foundation is situated within the discussion on the contrast between the old morality and the new morality. When considering the new morality he identifies the starting point of the new method and the various elements within the method.

Milhaven sees a new moral theology emerging which is quite different from that which went before. He contrasts the new with the old in the opening chapter of his book:

Just as there are men who think out their problems of practical ethics along the lines of "the new morality," perhaps instinctively and spontaneously without having heard the term or formulated a precise ethical theory, so there are men who think out their practical ethical problems along certain lines of thought which are radically opposed to those of the new morality. I call the latter approach that of the "citizen."<sup>163</sup>

Milhaven's understanding of the "citizen" is one who looks for laws and norms which indicate what is to be done, the concern being to remain within the law. On the other hand, the individual operating out of the new morality tries to ascertain what would be the experienced consequences of the proposed action.<sup>164</sup>

One of the points of conflict between the two positions is the existence of moral absolutes. The conflict is real only in the case of a relatively small number of moral absolutes. Where the negative moral absolutes are tautological, there is no problem; both the old and new morality would agree. The conflict is with "[...]the principles which clearly identify an external action and affirm that it is always wrong."<sup>165</sup> These principles exist mostly in the area of sexual morality and in certain types of direct killing.

In an article outlining the direction of the new morality, Milhaven begins by assuming the connection between ethics and faith. He writes: "Christian ethics is the attempt to understand what Christian faith means in action."<sup>166</sup> He indicates that many of the contemporary writers would probably agree with that connection, though they might not agree on many other points within the new morality. Milhaven then offers three criteria with which to judge those elements within the new morality which will remain and which elements will die out.

First, in analyzing the kind of reasoning used in current publications on moral theology, we observe the emergence of a new approach, or methodology, for reaching a moral decision. [...]

Another criterion in this forecast is that the new approach is not a phenomenon restricted to moral theology. Rather, it corresponds to a new way of thinking by Americans in general as they enter the last third of the twentieth century. [...]

A final criterion [...] is the strong popular response to this new ethical approach. [...] Popular interest is a valid criterion for those of us who believe that developments in theology are, at their origin, new ways of understanding one's faith which come into existence among the people of God dimly and confusedly.<sup>167</sup>

In merely establishing these three criteria, Milhaven already exposes some of his points of emphasis: the methodology is not peculiar to theology, even though, as Milhaven himself admits, the methodology has not yet been clearly enunciated; the method itself along with the awareness of the community asking what is good and bad is developing, not static; and the results which this method provides will not always be as clear as were those offered by an older moral method.

In one of his later articles entitled "The Voice of Lay Experience in Christian Ethics," published in 1978 in Proceedings of the Catholic Theological Society of America, he outlines what the methodology of the new morality should look like. While he himself attempts to use this method, he admits that there is much work to be done in it. He summarizes the method in the following quote:

I hope the flow of this paper is clear. We first distinguished two tasks of Christian ethics. In the first task, the judgmental one, we noted three different methods of proceeding: that of determining with certainty the moral nature of the activity questioned, that of determining the probability concerning the moral nature of the activity questioned, and that of reasoning from this probability to the certain responsibility of the Christian at the present time. We then narrowed our perspective to a second task, the critical-exploratory. This task draws on the same sources of evidence as the first one, but we soon centered on a single source: experience. We have just now compared the uses of two kinds of experience, one, direct and individual, the other, indirect, inductive and long-range. Let us concern ourselves now, in concluding, with the former

use: the tracing out of concrete values directly disclosed in experience.<sup>168</sup>

This final task in his method is the most difficult one for him to work with. It is in this area that he sees a weakness with most of the moral reasoning which is currently being carried out, even among those who would claim membership in the new morality.

According to Milhaven the method itself in the new morality has a different starting point than did the older morality. The starting point for the new morality is the individual. He grounds this on the dignity which was given to the human race by the Creator. In an article dealing with the extent of the dominion which was given to humans, Milhaven writes:

According to contemporary interpretation, God's giving man dominion means that he gives man sole responsibility for what goes on in the world. Responsibility has to be, of course, being there for others, as was Jesus Christ. But man alone decides what this means specifically in actions.<sup>169</sup>

Since this dominion is given to all individuals, whether they are Christian or not, the question as to the distinctiveness of Christian ethics arises. For Milhaven, Christian ethics is secular in content. He writes: "It would be difficult--to my mind, impossible--to find a single human value or obligation that the Church endorses which has not been also fostered independently in a non-Christian milieu."<sup>170</sup>

For Milhaven the newer methodology not only begins with the individual, but, in particular, with the individual's secular experience.<sup>171</sup> This secular experience is what confronts the individual in the world, and this experience is not changed or altered by theological reflection or by faith. For Milhaven the experience remains an experience.<sup>172</sup> Milhaven makes it clear that the point of departure of the new morality from the older morality is that the individual

assumes the responsibility given by God, not because of God's command to do so, rather, it is because of "[...] the dignity of life on earth. The first reason for a man to love is not because human love is from God, but because human love, no matter how imperfectly realized, is good in itself."<sup>173</sup>

The emphasis on love is central to the method of the new morality. Milhaven defends the new trends against accusations that the emphasis on love does not permit an objective morality:

It [the new morality] is not a passage from a morality of loveless law to one of lawless love. The tradition always accorded a central role to love in Christian living. Most of the moralists of the new stamp admit that laws often have weight in moral decisions. What is taking place is a change in proportion: love is given much more importance, law much less.<sup>174</sup>

In Milhaven's thinking, however, love itself has changed. The new morality sees love differently than did the older moral theology. Milhaven characterizes the older way of viewing love as a submission to God, which then led to the discovery of the laws God has instilled in the universe. The understanding in the past was that if one followed these laws, all would work out in the end. The new way of viewing love is different.

[...] The new trend sees God leaving it completely up to man as to how things turn out. Christian "love," therefore, comes to mean that a man takes from God into his own hands all responsibility for what happens. It is up to him, not God, to figure out what will be good for those concerned and how this good can be realized, just as it is up to him, not God, to act and make the good a reality. In this sense, it can be said that the new Christian love proceeds as it would etsi deus non daretur, even if there were no God.<sup>175</sup>

Here Milhaven sees the American context influencing the theological methodology. For him this form of ethical reasoning is a natural consequence of the pragmatism of American philosophy and the importance that is placed on the findings of the empirical sciences. An implication of the above quote would be

that if God leaves the direction and progress of the universe in the hands of the human race, then it would make little sense to claim that there existed, even in the mind of God, a master plan for the universe. Nor would it make sense for individuals to attempt to discover this plan. This same underlying thread can be traced through some of his other quotes, emphasizing the value of human love, in and of itself, individuals having dominion over creation, and the absence of a priori norms for ethics.

**b. Social Sciences.**—Both theoretically and practically Milhaven relies heavily on the findings of the social sciences. The starting point of ethics is the human experience, clarified and quantified by the empirical sciences. Within the empirical sciences, however, one can distinguish between the physical sciences which rely heavily, though not exclusively, on the deductive method, and the social sciences with their preference for the inductive method. It is the model of the social sciences that is adopted by Milhaven for ethics.

Even with a new understanding of love and a methodology which is characterized by pragmatism, Milhaven believes that the new morality remains objective. He maintains "[...]that the lived love of the individual gives him objective insight into the respective worth of values that he has experienced."<sup>176</sup> It is the lived experience of the community which the empirical sciences can make clear and available to the ethicist. However, it does not provide the ethicist with some form of knowledge which is not possessed by the rest of the community. For Milhaven this is the central distinction between the physical sciences and the social sciences: the physicist has information that most others do not understand; the social scientist must work from the common experiences of all.

The inductive approach itself will provide an entirely different form of method than the older moral theology which was deductive; thus, the objectivity of the newer morality will be different than the objectivity of the old. Admitting that there is still work to be done in this area, Milhaven maintains, nonetheless, that the new morality is objective. He points to further development in the method in the following quote:

Premising a love epistemology and a new concept of the science of Christian ethics, the movement would be the formation of comparative assessments of values through a direct sharing of action and experience, particularly in group interaction, as well as through a philosophical or scientific description of what emerges as significant in experience.<sup>177</sup>

The objectivity which is a part of this method is not based on a priori laws. It is based on those who are to be loved and what experience tells the individual what ought to be done.<sup>178</sup>

On closer examination of his theory, Milhaven does not say that morality begins with an examination of the particular act which is to be performed or avoided. He begins one step beyond that, in the goods which are contained in the act itself. He develops this line of thought in an article critiquing Grisez's book, Contraception and the Natural Law.<sup>179</sup> Milhaven writes: "One can well accept from the start that immorality is determined and grounded only as violations of those goods which, each with a certain irreducible value, constitute the full possibilities of man's development."<sup>180</sup> The individual comes to the awareness of these goods in an inductive manner, which is again grounded in the shared experience organized by the social scientists. When introducing his discussion on homosexuality Milhaven states: "To understand what is good for a person, he, a man of the twentieth century, relies exclusively on experience."<sup>181</sup>

When discussing the process of examining the contemporary experience to discover the goods which are to be fostered by morality, two items surface which are significant for his theory. Both of these items are found in the following quote, one more obvious than the other.

It is true that to study this experience [contemporary experience of conjugal sexuality], one can turn to the Christian tradition inasmuch as it reflects the experience the Christian community has had of sexual love over the centuries. But one needs to recall once more the limits of the tradition in regard to the values of eros as well as the profound evolution of sexual ideals, attitudes, and experiences that has gone on among Western men and women in our time.<sup>182</sup>

The more obvious item in this quote is that while the past is significant in ethics, the norms of the past are applicable to the present situation only if they continue to be enlightening, only if they are still able to contain the insights of contemporary experience. Past norms are judged against the present experience of the community and not in the opposite order. In the above quote Milhaven uses the example of the good of sexuality and how the understanding of the community has developed in its appreciation. The second, less obvious, implication is that what the community now understands may change with new insights in the future. Hence, there is a certain relativity and uncertainty contained in the moral decisions which result from this methodology.<sup>183</sup>

c. **Ecclesial Context.**—Milhaven's main concern with the ecclesial context is the role of the magisterium within that context. In an article published as a reflection on "Humanae Vitae," he offers the following summary statement:

Obviously, the mere fact that one does not find convincing the argumentation of an encyclical does not justify disobedience or even disagreement. The authority of Church teaching is independent of its effectiveness in persuading or convincing by the reasons it gives. One of the purposes of the magisterium is to bring the faithful to accept truths

that for one reason or another they cannot come to by themselves, even after listening respectfully to the teaching. An example could be the authoritative teaching of the immorality of racial segregation. To outweigh the authority of the encyclical, powerful, positive reasons must be found showing it to be in error.<sup>184</sup>

What is being considered in the above quote is the role of the magisterium to make prophetic statements, going beyond what is, pointing to what ought to be. It seems as though Milhaven would ground this thinking in his belief that the goods within persons will indicate the direction to which the community, or the human race, ought to be moving. How this comes about, what role the empirical sciences play in this struggle, and the process of discernment used by the magisterium need to be further clarified in Milhaven's theory.

When treating the question of opposition to the teaching on birth control for a Roman Catholic, Milhaven distinguishes the objective teaching of the encyclical "Humanae Vitae" and the subjective good conscience of the individual. Milhaven holds that the individual following his or her conscience is not the issue. What is at stake is the objective basis for dissent.<sup>185</sup> Throughout the remainder of the article he points out the arguments which are given by theologians, considers statements of national hierarchies which affirm the right of individuals to follow their consciences, and considers the problems which could arise in the lives of some married couples who would choose to be obedient to the encyclical. However, in concluding the article he does not seem willing to state that the encyclical itself is objectively wrong, though he has given sufficient evidence to support such a conclusion. After summarizing the grounds of the opposition to "Humanae Vitae" he concludes:

And since the opposition is well known, the individual Catholic has to give his verdict. Do the grounds of the opposition fit in with the reality of the Catholic Church, in which he believes? Whatever his decision be, he will

be judging not only opposition to the encyclical, but the Church and himself.<sup>186</sup>

In the above quote Milhaven seems to stop with the subjective decision of the individual, something that he wanted to go beyond when he started the article. He might be able to come to a more precise conclusion on the objective level if he were to develop the relationship between the teaching function of the Church and the individual Catholic.

**d. Scripture.**--Though Milhaven uses Scripture in his ethical writings he does not treat at length the theoretical questions involved in the relationship between Scripture and ethics. One of the few places where he considers the use of Scripture in ethics is in the introductory remarks to his article on homosexuality. He points out that there are those who, in trying to decide the ethical question of homosexuality, merely read in the Bible that homosexuality is condemned. Dismissing this approach as too simplistic, Milhaven offers the following cautions:

The Christian, facing an ethical decision, must turn to God's Word as recorded in the Bible, and he must turn to God's purpose as manifested in the realities He created. They are the two sources of light in which a Christian lives. [..] To listen to God's Word, it is not enough to read sentences out of the Bible, especially if we understand them without a twentieth century mentality and take them as direct answers to our twentieth century questions. If nothing else, the Christian biblical scholars of our time would tell us this.<sup>187</sup>

Apart from this rather general statement on the use of Scripture in ethics, Milhaven offers little more reflection on the matter. In one sense, his treatment of Scripture is consistent with what has already been seen above: there is no distinctive Christian ethic, there are no a priori laws, and there are no negative moral absolutes defined in terms of the physical structure of the act. What is lacking in his theory is an explanation of how Scripture is to be used if, in

fact, one is to take seriously the claim that Scripture is one of the sources of light for the Christian. Milhaven seems to stop at merely saying how Scripture should not be used. When developing his theory, he does not go to Scripture to draw on any of the general themes which may be found there. Scripture is not part of his ethical theory. He concludes his remarks on the use of Scripture in the discussion on homosexuality with the following statement:

The Christians who live according to the new morality do not, it is true, base their moral judgments on any absolute, specific prohibitions laid down by God. But neither do they feel free to do as they please. They base all their moral judgments and their lives on something else, something positive, though general: the absolute, Divine, command to love.<sup>188</sup>

**e. Summary of Ethical Theory.**—In his ethical theory Milhaven acknowledges the emergence of a new morality, distinct from the old. Much of his theoretical writing elaborates on the different elements within the new morality, attempting to develop the methodology itself. The new morality begins with the individual, taking seriously the contemporary, secular experience within which the individual functions. The emphasis is on love, rather than on law as was the case in the old morality. By elaborating on the method itself Milhaven hopes to show the objectivity of the newer method. Finally, he considers the roles of Scripture and the magisterium in this new method.

There is evidence of development in Milhaven's thinking, particularly in the articulation of the ethical method itself. His initial writings attempted to show that the newer morality was consistent with some of the basic tenets of the traditional Roman Catholic moral theology. He tries to show that the newer morality will also provide the individual with an objective morality. However, it is

not clear in his writings just how the new morality remains objective. Would not the notion of objectivity draw into consideration the ethical questioning of others; whereas the subjective realm is the particular individual dealing with this ethical question, here and now? It is one thing to say that the objectivity of the inductive method is different from the objectivity of the deductive method; it is another thing to explain what the objectivity in the inductive method will look like. Basing oneself on an empirical model does not necessarily provide one with objectivity.

Another point which is unclear in his earlier writings seems to stem from the starting point itself of the new morality. Milhaven develops his understanding of the individual having dominion over this creation; yet the Christian tradition has viewed the individual as part of a community, and it is the community which has dominion. What then is the relationship between the individual and the community, between the community and Scripture, and between the community and the magisterium?

In his later writings he does attempt to grapple with the problem of the method itself and attempts to explain the objectivity as grounded in the experience of the individual. His most succinct elaboration of the method is in his 1978 article "The Voice of Lay Experience in Christian Ethics." He is able to narrow down those areas where further work needs to be done, particularly, the systematic uncovering from direct experience of those values which are determinative of moral principles.<sup>189</sup> It is here that the objectivity would rest, and it is here that more investigation must take place.

What does not develop in his writings is his incorporation of Scripture and the magisterium in the ethical dialogue. Both the development and the imprecision

are highlighted in his writings on sexuality, specifically in his treatment of homosexuality.

## 2. Theory of Sexuality

Milhaven presents some very interesting considerations in his theory of sexuality. Unfortunately, he treats the topic of homosexuality before he exposes his theory of sexuality and does not go back to revise his treatment of homosexuality. In his theory Milhaven develops questions which are not often treated by other theologians. The question which seems to be primary to him is: "[...] How important is sex for loving commitment? That is, how important is it that lovers committed to each other have sex?"<sup>190</sup> His concern is to go beyond the Church's teaching on love and sex, since this teaching seems to him to be too abstract and removed from the experience of married people. Commenting on a survey which he himself sent to about thirty married couples, he writes:

The Church teaching has left out those aspects of married sexual love which married people, particularly those who have been married for some time, are most conscious of as they make love.

To sum up my thesis in one phrase: the Church description of married sexual love is incomplete and not easily recognizable in experience because the teaching leaves out the body.<sup>191</sup>

This section will begin, then, with Milhaven's understanding of the role of physical pleasure in sexual activity; this leads him to describe the elements of sexual love. Next, his understanding of homosexuality along with the moral evaluation of homosexual acts.

**a. Role of Physical Pleasure.**--Beginning with his survey article published in 1974, Milhaven has eight articles dealing with the body's role in sex, the role of physical pleasure in human love. In the survey article Milhaven examines the writings of theologians publishing during a six-year span, 1968-1973. His concern is that while the new morality maintains that the meaning of human sexuality is to express human love,<sup>192</sup> there is little proof or reflection offered to substantiate this position. There is much work which must be done in developing a new theory of sexuality.

In Milhaven's survey of the literature he found

[...] that the new meaning attributed to human sexuality does not explain how sexual expression of love differs significantly from other expressions of love. And this question is basic to any moral application of the new meaning. Particularly to the point of the present article, the question is basic to any clear understanding and appreciation of the specific values of conjugal sexual love.<sup>193</sup>

He found that the official Church statements were in keeping with the theological speculations, and that the official magisterial statements offered very little positive commentaries on erotic love. Offering words of caution about searching for the "values of conjugal love" in theological speculations, magisterial statements, or biblical teachings, Milhaven writes:

But one needs to recall once more the limits of the tradition in regard to the values of eros as well as the profound evolution of sexual ideals, attitudes, and experiences that has gone on among Western men and women in our time. It is, above all, the experience of today's Christians that has to be the point of departure for theological reflection.<sup>194</sup>

Thus, Milhaven returns to the starting point which he articulated in his ethical theory: the individual experience. When dealing with sexuality, Milhaven seems to limit himself rather rigidly to this source of knowledge. In his ethical theory he has also appealed to the empirical sciences; however, he uses them much less in his

consideration of sexuality. At one point he deliberately excludes a consideration of the sciences: "I make no use here of psychology, sociology, anthropology or other human sciences."<sup>195</sup>

When he drew on the individual, personal experience of sexual pleasure, Milhaven discovered two things:

First, like any bodily drive of a human being (e.g., to breathe), the sexual drive is always, at least in part, for the good of the being itself. The bodily drive always moves to meet the being's own needs. [..]

Secondly, like certain bodily drives of the human being (e.g., to eat), the sexual drive is always, at least in part, for the pleasure of the being.<sup>196</sup>

These two elements in conjugal erotic love are neglected in the writings of theologians and in the official statements of the magisterium. Milhaven noticed that the writers tended to emphasize the self-giving aspect of love. However, this was not the experience of married people. It was in examining the experience of married couples that Milhaven came to the two elements noted above.

In a short article published in American Society of Christian Ethics Selected Papers 1976 he begins to develop some of the values which are found in conjugal sexual love. He points out that sensual, physical love: (1) can be authentically personal, and (2) can spontaneously become authentically interpersonal.<sup>197</sup> The sensual pleasures are personal because they give the person a touchstone of reality, they peel off the outer crust of the person. "In other words, if one is open to these pleasures, one experiences one's recovery of self; in these pleasures, one's real self is disclosed to one's self."<sup>198</sup> It can become interpersonal since this kind of pleasure is capable of dissolving the

[..] confines of its solitariness and opens me to another person, not as mere object or source of my pleasure, but as another person like myself. This kind of pleasure, without losing any of its sensualness or bodiliness or self-satisfying nature, often grows into a personal communion of the two of us.<sup>199</sup>

**b. Elements of Sexual Love.**--In a newspaper article published two years after his article in the American Society of Christian Ethics publication, Milhaven spells out four elements in sexual love. In this article he is drawing exclusively on the direct experience of married couples, and it is in this article that he states he is not considering the findings of the empirical sciences. The first element of sex is the ability of the individual to feel, to experience strong feelings. The second is the feeling of pleasure and the giving of oneself up to this pleasure. The third is that the experience of the pleasure opens the individual up to the other. On this third point he writes:

As my desire stirs, I sense yours quickening, too. Your desire puts new flame to mine; I know mine does the same to you. Your pleasure rejoices me, and mine you. Sweet, aching desire and joy flow back and forth between us while our bodied selves intertwine and press each other.

We feel together our mounting swirl of passion which is ourselves at this moment. Confident in each other, we open ourselves to our excitement, feeling it as fully and freely as we can.<sup>200</sup>

His fourth element is that sex is an overpowering drive in the lives of men and women.

A man and woman reach a stage in their relationship when desires to touch each other rampage at will throughout their consciousness. No matter what they are talking about, their clothes seem to be in the way. Sex may be only one of the ways they can be together. But whichever way they turn, the way of sex opens before them.<sup>201</sup>

And it is this fourth element which "[...] is the most important fact about the importance of sex."<sup>202</sup>

At the conclusion of the article elaborating the four elements of sex, Milhaven writes:

These [the four elements], at least, the theologians can put into the scale when they undertake to weigh values and conclude to moral principles of sexual ethics.

The theologians will then have some solid evidence of how important sex is for committed love. If they are inclined to prohibit sex for this or

that committed couple, the burden of proof is on these theologians. They need powerful reasons that will outweigh the importance of sex. It is not sex that needs to be justified, but its prohibition.<sup>203</sup>

At several places in the article Milhaven describes the "committed couple" that he is referring to. This could be the engaged couple, the married couple with too many children, divorced and remarried couples, celibate couples, and homosexual couples. His explicit mention of homosexuals in this context will be important when the topic of homosexuality itself is considered below.

When outlining his theory of sexuality Milhaven varies somewhat from his ethical theory. In his ethical theory there was an insistence that the empirical sciences were to be consulted in that they provided accurate descriptions of the lived experience of the community and of the individual within that community. When working out his theory of sexuality, Milhaven is content to deal with the individual experience itself. He maintains that the empirical sciences would substantiate his claims, but in this case it is not necessary to consult them. He made little reference either to Scripture or to statements of the magisterium in his ethical theory, and the same tack is followed in his treatment of sexuality.

**c. Application of Theory: Homosexuality.**—Attention will now be focused on Milhaven's treatment of homosexuality. He has three articles published on the topic: "Homosexuality and the Christian," in Homiletic and Pastoral Review, 1968;<sup>204</sup> "Homosexuality and Love," in Toward a New Catholic Morality, 1970;<sup>205</sup> and "Homosexuality and Love," in Homosexuality and Ethics, 1980.<sup>206</sup> Unfortunately, there is only one article, since the second and third are reprints of the first. The fact that he did not change the article, even in the 1980 publication, is even more disturbing when the findings of the article are compared with some of

the writing, already noted above, indicating the importance of sex in the committed couple which included homosexuals.

In addition to the three articles he also has a book review of John J. McNeill's The Church and the Homosexual.<sup>207</sup> This review was published under the title "What If the Church Admitted Lacking Gay Answer?"<sup>208</sup> In this review article Milhaven seems to take a position which is accepting of homosexuality. Referring to the constant condemnation of homosexual activity by the Roman Catholic Church, Milhaven writes: "But, as McNeill easily shows, its [the Church's] two main reasons--the Bible and the unnaturalness of the homosexual act--do not hold."<sup>209</sup> At the conclusion of the review article Milhaven points out that with regard to the homosexual issue, "if the church does not know, the individual is free and obliged to muster all the honesty and care he or she can to draw practical conclusions for himself or herself."<sup>210</sup>

It is important to note the date of the review article, 1976. Four years later Milhaven's original article on homosexuality was reprinted with no substantial changes. As will be seen, two opposing views are found in Milhaven's writings. This study will consider the opinion found in Milhaven's own articles, and not the one found in the review article.

In his treatment of the question Milhaven admits that there are some Christians who will go to Scripture and simply state that the Bible condemns homosexual activity. In contrast to this approach is that of the new morality. The new morality does not recognize the existence of negative moral absolutes. However, it does recognize the moral absolute "Live a life of love." For Milhaven love "[...] is the free determination, commitment, of a man or woman to further the good of a certain person."<sup>211</sup>

In addition to this command to love, this command to further the good of the other, the person in the new morality relies on experience to determine what this good is. "For him, love knows no a priori laws, sees only the ones loved and what experience shows is happening or likely to happen to them. Love is, therefore, pragmatic, hard-headed, often unromantic."<sup>212</sup>

At this point in his presentation Milhaven admits that the experience of an individual in the area of homosexuality may be extremely limited. For this reason the individual consults the experience of the larger community. However, most of the community do not have experience in this area either. Therefore, the individual "[...] must turn to those who have extensive, critical experience, preeminently the psychologists, psychiatrists and analysts."<sup>213</sup> For Milhaven, the conclusion from this consultation is that the homosexual is fixated at an immature state of development.<sup>214</sup>

Having surveyed the data from the scientific community, Milhaven offers the following caution:

These conclusions of the community's experience are not apodictically certain. There are psychologists who dissent and see little cause for alarm in many cases of homosexual behavior. Unquestionably, there is need for more acquiring and analyzing of data. Now [sic] evidence coming in may compel a nuancing or even a revision of the above conclusions. Nevertheless, the conclusions, as they stand, represent the most reliable experience in our community at the present time.<sup>215</sup>

This paragraph is reprinted, with minor changes, in the 1980 publication. The substance and the conclusion remain the same.

Milhaven then offers his conclusion based on the analysis of the scientific findings: "[...] Homosexual behavior is wrong in that it frustrates the man himself."<sup>216</sup> Milhaven goes on to restate his conclusion in a surprisingly distasteful analogy:

If I act in a particular way basically because I am afraid to look a woman in the eye, to relate with her independently as one grown person with another, if, for example, the affection I am seeking by my homosexual actions—though I may not realize it, but as psychological analysis finds—is mummy's love for her little boy, then I must say to myself that I am not acting out of love. I am fleeing from love. Which is the greatest sin and the greatest failure for any man and, in a special way, for any Christian.<sup>217</sup>

In addition to this method of analyzing the scientific findings, Milhaven offers a second way for the Christian to approach the ethical question on homosexual activity. In this context Milhaven quotes St. Paul's letter to the Ephesians 4:11-15. Commenting on this passage Milhaven writes:

In different ways, but always in some way, the man who believes in Christ, as he faces concrete questions of living, such as that of homosexuality, knows that the "pastors and teachers" of Christ's body play their part in helping him "hold lovingly to the truth." For many mature Christians, this is a better way than relying on the evidence of the psychiatrists and psychologists of our secular community.<sup>218</sup>

**d. Summary of Theory of Sexuality.**—Milhaven's approach to the issue of homosexuality, in the light of his own understanding of the nature of sex, is puzzling. The fact that the article would be reprinted in 1980, twelve years after the original, and after his work on the nature of sex had been published, is difficult to understand.

In his consideration of the role of physical pleasure in human sexuality Milhaven points out that the sex drive is for the good of the individual and for pleasure. He then goes on to establish the tendency toward interpersonal communication which is contained within the sex drive. Finally, he lists four elements of sexual love, noting that sex is not what needs to be justified—it is a good in its own right.

To this point Milhaven seems to be consistent with his theory. In line with his understanding of the new morality he begins with the individual, asking the question: What is sexual love for the person? He does not begin, as the old morality tended to do, with a law, or definition, and evaluate everything according to this norm. He does use the contemporary secular experience, but only in a general way. He has a survey which he himself drew up, admittedly based on a very small sample.

Once he begins to consider the issue of homosexuality his own method is no longer discernible. Milhaven now does not begin with the individual. While it is probably true that most individuals do not have immediate experience of homosexual behavior, there are those who do. There are homosexuals who are living out their lives. These are never consulted in Milhaven's treatment of the topic. Ironically, he himself severely criticizes the work done by André Guindon<sup>219</sup> and Philip Keane<sup>220</sup> in the area of homosexuality. In an address given to the 1978 Theological Society of America convention, Milhaven states:

One needs no experience to recognize that homosexual relations lack the complementarity of the two sexes. It's part of the definition. Whether this factual lack is always a lack of value essential to being human and being a person, that is the issue. Guindon takes a negative stand on the issue. So, too does Philip Keane, when he declares the homosexual act to be at least "an ontic evil." But what exactly in direct experience is found to support this negative stand? Neither Guindon or Keane give me any idea.<sup>221</sup>

Two years later after this address was given, his chapter was reprinted with practically no changes; and still no homosexuals were consulted in his own work for their direct and immediate experience of living out the homosexual life style.

Milhaven's analysis of the scientific data on homosexuality must also be questioned. Much has developed within the psychological community since 1968

with regard to homosexuality. Yet, there is no evidence of a development in the 1980 reprint, not even a mention of the removal of homosexuality from the listing of mental disorders in 1973 by the American Psychiatric Association. Nor does it seem consistent with the growing awareness and sensitivity within the psychological community to simplistically refer to homosexual love as "mummy's love for her little boy."

Milhaven does not apply the first two points of his theory of sexuality (that is, the role of physical pleasure and the elements of sexual love) to the homosexual situation. If, as was noted above, the sex drive is for the good of the being itself, what is the homosexual to do with this drive? And if sexual love is both personal and interpersonal, what are the reasons why the homosexual may not experience it? Does not the homosexual also experience the "confines of solitariness," as noted above for the heterosexual? And are not the four elements of sex which he developed in his theory of sexuality equally applicable to homosexual love, including the fourth element, the fact that sex is an overpowering drive? It would appear that his own theory indicts him, for he writes:

If they /theologians/ are inclined to prohibit sex for this or that committed couple, the burden of proof is on these theologians. They need powerful reasons that will outweigh the importance of sex. It is not sex that needs to be justified, but its prohibition.<sup>222</sup>

Milhaven seems unable to provide the "powerful reasons" why sex would be prohibited for the homosexual couple.

His final argument seems to indicate an uneasiness even within his own thinking on the matter. Milhaven offers a second avenue of recourse, aside from the immediate experience. This in itself is not consistent with what he has been presenting as his ethical theory, the new morality, nor in the way that he has

approached other questions. This second avenue is to simply follow the leadership of the Church's pastors and teachers. Milhaven offers no explanation for this change in method. He does not explain that there needs to be reasons to follow the pastors as well, particularly since he himself has already treated the topic of dissent from these very same pastors.<sup>223</sup>

One might suspect that there is another element in his argumentation which has not been made explicit. Everything he exposes in his theory of sexuality could lead to the conclusion that the permanent homosexual union was the moral course of action. Milhaven even establishes the possibility of reaching specific conclusions which are different from both magisterial teachings and scriptural norms. What this "other element" in his argument is Milhaven does not reveal. Its strength is obvious in that it skews the rest of his argumentation.

Milhaven's strength lies in his exploration of the nature of sex. In fact, he is offering insights which few theologians have dealt with. His broader theory of sexuality could provide a basis for resolving some of the more difficult issues in sexual ethics. However, it is precisely when he considers one of these difficult issues, namely, homosexuality, that his weaknesses appear.

#### D. SUMMATION

While there is much agreement among these three authors, there is considerable disagreement as well. Within the ethical foundation and operative philosophy of each author there is agreement on the need for an inductive method in ethics. The starting point for each is the particular individual as part of a community, situated in a particular time and culture. With the individual as a

starting point there is a recognition that both the individual's and the community's understanding of the moral law grows and progresses. With such an open-ended approach to ethics it is not surprising that all three deny the existence of negative moral absolutes defined in terms of the physical structure of the act. Though there is general agreement on the ethical foundation and operative philosophy there is considerable difference in each author's ability to articulate his own position.

There is also general agreement on the need to include the findings of the social sciences in the ethical discourse, though, here again, a difference exists in the articulation of that need. When considering the ecclesial context all attempt to show that their ethical theories remain consistent with the dominant traditions of Roman Catholic theology. Also, while the role of the magisterium is affirmed, none of these authors would accept a teaching simply on the weight of the authority. Furthermore, there is considerable attention given to the right of an individual to dissent from a particular teaching of the magisterium. Scripture is also recognized as an important element in the Christian community's ethical discourse. However, there is agreement among these authors that an ethic cannot be based on particular statements taken from Scripture in a proof-text fashion.

There seems to be another common element in this group which is not positive. Serious methodological problems arise in all three authors. In Curran there is the continued insistence on the normative nature of the male/female polarity, as well as the connection between sex and procreation, though with regard to the latter Curran has nuanced his position considerably over the years. The methodological difficulties surface in that little argumentation is offered by him why these premises are fundamental to sexual ethics.

## CHAPTER III

### PROTESTANT CLASSICISTS

This chapter will consider the Protestant Classicist authors Greg L. Bahnsen, Paul Ramsey, and Dwight Hervey Small. There is similarity among all three authors in their fundamental approach to Christian ethics. All maintain that the Christian responds in obedience to the law which is set forth in the Scriptures. In answer to the question, How should the Christian act?, they would respond, "Obediently." The three differ on their meaning of obedience as well as on what precisely is contained in Scripture.

This chapter will study the ethical theory of each author. Then, how the author develops a theory of sexuality will be considered, along with the author's application of his thinking to a particular question in the area of sexual ethics.

#### A. GREG L. BAHNSEN

Greg L. Bahnsen is the first author in the category of Protestant Classicists. In his two major works most of his argumentation attempts to demonstrate the relevancy of God's law as it is applied to every aspect of the human condition. His interpretation of the nature of the human gives an indication why the law is so important for his ethical framework. In his second book, Homosexuality: A Biblical View, published in 1978, he describes the nature of the person after the Fall.

Every man inherits a general depravity of heart, a fundamental disinclination to good, a pervasive misdirection, which affects every aspect of his person without discriminating emphases; there is a wholesale, general pollution operating in everything he is and does.<sup>1</sup>

Even though this depravity exists in the human, it is the very nature of the person, being a creature of God, to imitate the Creator, as is indicated in Matthew 5:48.<sup>2</sup> One of the things which Bahnsen never does in either of his two works is to reconcile this depravity in the human person with the fact that the same person is created in the image of God. The author seems content to allow the two to reside side-by-side within the person.

### 1. Ethical Theory

**a. Ethical Foundation and Operative Philosophy.**--Bahnsen's entire ethical theory must be viewed within the relationship between the individual and God. Such a relationship might be considered by other authors within the dimension of the ecclesial context. However, with Bahnsen this relationship is central to his ethical theory. For Bahnsen the Creator-creature relationship establishes the pattern of response of the human being to God. Because the human person is a creature each one of the individual's actions should be characterized by obedience, since this is what is due to the Creator. Because of the loving kindness of God, and through nothing which the human being could merit, God reveals what must be done in order to be obedient; hence, the revealed law of God. In his introduction to his first work, Theonomy in Christian Ethics, Bahnsen makes clear that this law which is revealed is much more than vague general principles. This law is specific because God cares for his creatures.

Because God does not merely love us in some vague and general way He has delivered to us more than simply a few general and vague moral principles; instead He has set down specific and extensive commands since He cares for every specific of our lives as His people. Because He has first loved us we must love Him--by keeping His commandments.<sup>3</sup>

The fact that God chooses to reveal detailed laws to the community is a sign of his favor for the chosen. In Bahnsen's view this gives the believing community a distinct advantage over other groups trying to discern what is the morally right thing to do. The author criticizes a number of his contemporaries who do not agree that Christian ethics consists of detailed laws. In arguing against Reinhold Niebuhr, Paul Ramsey, Roger Mehl, and Rudolf Bultmann, Bahnsen points out that if the Christian did not have precise laws revealed by God, then the believer could not "[...] expect to be any better off than the modern secularist when it comes to the complex and concrete moral questions of history and politics."<sup>4</sup> Bahnsen does not explain why the believer should have this advantage. The implication is that God chooses to show his favor on this particular group of people, and the way that this favor is manifested is through the revelation of a detailed code of conduct.

Even though the Christian may have an advantage over the nonbeliever, the demands of the law apply to everyone,<sup>5</sup> and everyone knows the law.

[...] It is incorrect to think that only Christians are aware of those moral standards by which the effects of homosexuality are evaluated. The law of God by which the Christian judges these matters is known, although not explicitly acknowledged, by all men whether they are Christian or not, as Paul teaches in Romans 1:32 and 2:14,15. God's standards reflect His moral character, and every man lives in an environment through which God is continually, silently, clearly revealed.<sup>6</sup>

For Bahnsen the way that this law is known is by thinking God's thoughts after him.<sup>7</sup> One comes to know God's thoughts only because God has chosen to reveal them in Scripture. Furthermore, what is contained in Scripture is not to be questioned or replaced by the secular sciences. This is a constant theme of Bahnsen, particularly when he is considering the question of homosexuality.<sup>8</sup> The secular sciences are to interpret their own findings in the light of the revealed

word of God in Scripture, since there is only the one Creator for all. Nor is this revealed word of God to be influenced by popular opinion or majority opinion.

By rejecting the objective, absolute, living God, modern Romanism has found the source of direction and morality in the polis just as did the ancient world. A humanistic eschatology has replaced the normative law revealed by God so that we are ushered into the threat of secularized statism again. The law of man has replaced the law of God.<sup>9</sup>

For Bahnsen there is no possibility that what is natural might conflict with what is revealed in God's law. Since there is only the one Creator of all, there can be no dichotomy; and it is in Scripture, the word of the Creator, that one should look for what is natural. Bahnsen makes this explicit in his discussion on homosexuality. "[...] We need simply observe that God, the creator of man, who establishes the essence of all things and ordained man's normal functions, is certainly in a position to reveal what is natural to sexual relations."<sup>10</sup>

In the light of all these detailed revelations from God the proper response from the faithful is obedience. Several subsidiary notions are constellated around the dominant theme of obedience in Bahnsen's writings. Viewing God as Creator with the human person responding as creature, Bahnsen sees the relationship itself demanding obedience. Why this is the case, he never fully explains.

To be the creature of the sovereign Creator directly implies the necessity of obedience; hence, for God to require obedience of man, that is, to be man's Creator (even before the fall into sin) is an expression of undeserved favor.<sup>11</sup>

The stated assumption in this idea is that to be creature means that one should be obedient to the Creature. Bahnsen does not consider any of the other responses which might be possible or any others which are considered by different religious thinkers who reflect on the same reality. He understands even Christ's response to the Father as a response of obedience and nothing more.

The whole of Christ's life--His behavior, teaching, and saving work--was patterned after God's holy commandments. He willingly humbled Himself by becoming obedient even to the very point of suffering the penalty prescribed by the law for sin, indeed death as a criminal (Phil. 2:8). Christ obeyed the fullest intention of the law in the fullest extension of his life.<sup>12</sup>

With this understanding of Christ, it is easy to understand why the individual Christian would be expected to respond in obedience to the Father.

Still another notion which Bahnsen draws into relationship with obedience is the concept of love. However, love to Bahnsen is not a free response stemming from appreciation, gratitude, awe before the Wholly Other--it is an obligation. To show one's love for God, the individual must fulfill the law.<sup>13</sup>

Consistent with his approach, emphasizing the importance of obedience to the law, Bahnsen goes on to state very clearly that the law includes everything in the Scriptures, with the exception of some of the ceremonial laws out of the Old Testament. "The Christian is morally obligated to observe every jot and tittle of the Older Testament law (Matt. 5:17-19); to disobey any point is to violate the whole law (James 2:10)."<sup>14</sup>

In one of the final chapters of his book, Theonomy in Christian Ethics, he considers the concept of punishment related to obedience. For Bahnsen the threat of punishment is necessary as an impetus to action.

The binding force and authority of any particular commandment always lies in its penal threat; if no punishment is to follow the violation of a law, then the law is merely a suggestion. A person is not demanded to act in a certain way unless his disobedience is followed by the application of a penal sanction.<sup>15</sup>

In some situations in the society, when considering the social or the public order, there would certainly be a necessity for sanctions to insure compliance. However, there seems to be a confusion on the part of Bahnsen. There is an unwillingness to

differentiate between the need for obedience in the public order and the demand for love as an obedient response from the creature to the Creator. Bahnsen seems to be saying that the same type of obedience is at stake. If love is something which is demanded, how is the response love? Is this not a radically different way of understanding the nature of love than is the accepted use of the term?

**b. Social Sciences.**—Bahnsen neither theorizes about the role of the social sciences in ethics, nor does he use their findings in his ethical investigations.

**c. Ecclesial Context.**—The community does play a role in Bahnsen's ethical theory. However, the role is not significant. As will be seen in his treatment of homosexuality, the community is expected to live out the Gospel demands. The community is not involved, according to Bahnsen, in interpreting the scriptural texts or in adapting the Christian message to the present times.

**d. Scripture.**—Without a doubt, Scripture is the central element in Bahnsen's theory as was seen in his ethical foundation and operative philosophy. The centrality will be reinforced when his treatment of homosexuality is dealt with.

**e. Summary of Ethical Theory.**—Bahnsen's view of the human person is in the context of the Creator-creature relationship. This relationship demands obedience on the part of the creature. The obedience must be uncompromising and unquestioning. Through this form of obedience to the law of God, one expresses love, and there is no love in disobedience. His final point is that punishment is a necessary element within such a relationship as an impetus to fulfill the law.

Bahnsen is consistent here. If obedience is the primary motivation, then punishment would be essential to secure obedience.

The individual is able to know what the law of God is because this law is clearly spelled out in Scripture. Bahnsen is not willing to accept theological or scriptural opinion which would seek to reinterpret the message found in Scripture. Unfortunately, when considering the proper interpretation of a passage of Scripture, he offers no guide to determine which of the two different opinions should be held. For Bahnsen moral absolutes exist as a result of the unchanging nature of the will of God. Due to the sinful state of the individual, however, God graciously chooses to show his love for human beings by spelling out in detail those actions which are pleasing to Him, the Creator.

Ethical reasoning, then, is of an a priori manner. The role of human intelligence is to fully understand what God tells the individual to do. Contextualizing the ethical process or rationalizing in any way that may smack of situationism is to be avoided at all costs. Bahnsen's understanding of sexuality and his evaluation of homosexuality will now be considered.

## **2. Theory of Sexuality**

Bahnsen has one entire book dedicated to the topic of homosexuality. He considers other topics of sexuality only in passing, using these others to enhance his argument against homosexuality. For the purpose of this study only his arguments against homosexuality will be considered. Four points are developed in his theory of sexuality. He begins with a consideration of the scriptural norms against homosexuality; from there he moves to the moral evaluation; and then offers

guidelines for the Christian to respond to the homosexual, as well as for the heterosexual to respond to the homosexual.

**a. Scriptural Norms.**--Consistent with his theory, Bahnsen turns to Scripture to establish the normative criteria for sexuality. Referring to the Genesis account of creation, he states in his book, Homosexuality:

This creation of sexual differentiation by God from the beginning established heterosexuality as the normative direction for the sexual impulse and act. God the Creator gives created things their essential identity and function and defines man's proper relationships. Man's sexual function has been defined by God as male-female behavior. This fact refutes the claims of homosexual apologists who say that all human beings have the right to self-definition. Such an existentialist rationale (existence preceding freely chosen essence) reflects an autonomous desire to replace God's intended distinctions and created designs for man with the relativistic will of the creature, who would be worshiped as his own creator.<sup>16</sup>

Later, in the same work, he makes it very clear that the ultimate norm of sexual expression will never be love. Rather, the norm is clearly spelled out in Scripture and it is to be followed in obedience.

The form that one's sexual gratification takes is also a moral matter, and deviation from heterosexual monogamy brings the condemnation of God. This is contrary to the current attitude that says there is nothing intrinsically good or evil in any sexual act as such--that one's situation and attitude make his behavior right or wrong. As important as love is, the Bible will not support or condone the view that love can validate whatever expression sex takes (e.g., adultery, homosexuality, bestiality).<sup>17</sup>

**b. Application of Theory: Homosexuality.**--Basing his theory on the statements drawn from Scripture, Bahnsen then applies this theory to homosexual activity. His arguments are brief and cutting; the moral evaluations are precise and consistent. Since God has revealed his own will in Scripture, the moral evaluation consists in

applying that will as expressed in the prohibitions of Scripture to the situations of homosexual activity. Bahnsen will not allow for anything else to sway the outcome. In the conclusion of his book on homosexuality, he states:

Homosexuality is not made wrong by a bad attitude, nor made right by a good attitude toward the object of one's homosexual desire or behavior. Homosexuality is not morally neutral. It is itself an abomination, totally apart from its circumstances.<sup>18</sup>

Bahnsen is aware of the different arguments which are put forth to justify homosexual behavior, but he dismisses these arguments quite easily since they all go against the evidence presented in Scripture.<sup>19</sup> The etiology of homosexuality is not an important consideration for Bahnsen.<sup>20</sup> He does not seem willing to accept the theories which hold that the homosexual's sexual orientation is grounded in one's being. When Bahnsen speaks of conversion or the change of the homosexual, he is referring to this very orientation.

Since the homosexual has obviously not been given the gift of sexual abstinence, his restoration by God should eventually bring conformity to the creational order and a regaining of heterosexual desires. His final goal is God's ordained context and direction for sexual gratification—heterosexual marriage.<sup>21</sup>

Bahnsen does not accept the distinction between sexual orientation and sexual activity. For him, Scripture clearly states that even the orientation of homosexuality is a perversion of the moral law.<sup>22</sup>

There are two other items which Bahnsen considers in relation to the homosexual: the Christian community's response to the individual homosexual, and the heterosexual's response in fighting the growing acceptance of homosexuality in the civil society.

1) **Response of Christians.**—In the case of the practicing homosexual there can be no admittance into the Church. Bahnsen likens the homosexual to the murderer; and just as the murderer would have to leave behind his or her violence, so too would the homosexual have to leave behind his or her life style, even the orientation itself.<sup>23</sup> Bahnsen offers the following summary statement:

The Church's two-fold responsibility toward the homosexual is this: (1) to proclaim God's just judgment on homosexual perversion, excluding the impenitent from the congregation; and (2) to announce the gospel as the power of God unto salvation, so that as repentant believers homosexuals may become fellow-members in the body of Christ. To this may be added a third obligation, to support and encourage them in a transformed lifestyle.<sup>24</sup>

2) **Response of Heterosexuals.**—When considering the reactions of the heterosexual community to the homosexual, Bahnsen applies the scriptural condemnation even to those who would view homosexuality with tolerance.<sup>25</sup> Taking his theory one step further, not only is it permissible for the civil government to pass laws which would discriminate against the homosexual, according to Bahnsen, but it is the responsibility of the government to do just that. According to Bahnsen, if the government does not pass such laws, then the God-fearing Christians who are attempting to live out the moral law are in fact the ones who are being discriminated against. Bahnsen spells out what would happen if civil governments accepted the legal status of homosexual activity. It would

[...] open a Pandora's box of sexual immorality and thereby destroy the integrity of the family. We can reasonably expect that these effects would foster in turn a degraded view of man and his sexual nature (which in itself has significant implications for how people relate to each other in society). It would erode the familial foundation of the social structure, with its indispensable, intermediate disciplinary effect.<sup>26</sup>

Bahnsen is aware that his own position is open for criticism and that he runs the risk of being viewed as an extremist. To counter this notion he calls for moderation on both sides. On the one hand he acknowledges that all homosexuals are not out to molest little children, while on the other he points out that all those who oppose homosexuality are not members of the Nazi movement.<sup>27</sup> Bahnsen is not willing to moderate anything more in his theory against homosexuality.

**c. Summary of Theory of Sexuality.**--The ethical theory which Bahnsen develops is applied consistently to the issue of homosexuality. The basic premises for sexuality are revealed by God. These premises are the inseparable connection between sex and procreation as well as the normativeness of the heterosexual marriage. According to Bahnsen, the purpose of sex is clearly revealed in Scripture. It is the individual's responsibility to respond in obedience to God's will.

Bahnsen provides a clear articulation of the Divine Will as he interprets it. Such an interpretation provides very exact directives for the individual, letting the person know exactly what it is that one may do. With such an approach there is little else that is considered as far as the individual is concerned. In the area of Scripture, even though he places such an emphasis on the word of God, Bahnsen never considers the various hermeneutic tools which are to be used to discover the true message of Scripture.

Bahnsen's view of the individual has certain stoic overtones, even when he considers sex in the heterosexual marriage. He does not demonstrate an appreciation of the historicity or the social context of Scripture. Nor does he allude to authoritative Church statements. The findings of the social sciences are not considered in his writings. Scripture is the only source of truth.

## B. PAUL RAMSEY

In Paul Ramsey's understanding of ethics the Christian responds in obedience to the rule of disinterested neighbor-love. In his first major work, Basic Christian Ethics, the only work in which he systematically elaborates his stance in Christian ethics, he writes, "Christian ethics constitutes a standing judgement upon all human conduct and upon every human culture, requiring of them absolute obedience to God and singleminded love for neighbor."<sup>28</sup>

Ramsey's ethical theory will be examined first. Since he does not comment at length on homosexuality, his treatment of premarital sex will be explored in order to discover his theory of sexuality.

### 1. Ethical Theory

In Ramsey's ethical theory the two concepts of obedience and love are central to the ethical framework. Each of these will be considered. However, since Ramsey's understanding of Christ is the starting point for his ethical reasoning, this study will begin with the importance that Ramsey places on the role of Christ.

a. **Ethical Foundation and Operative Philosophy.**—Central to Ramsey's thinking is the fact that "[...]Jesus' ethic gained an absolute validity transcending limitation to this or that place or time or civilization."<sup>29</sup> This transcending ethic of Jesus<sup>30</sup> is the key element for Ramsey when the individual Christian is attempting to decide what ought to be done here and now. Ramsey acknowledges that the

Christian attempts to foresee the consequences of his or her actions and gathers all the facts which could in any way help determine the ethical decision. Still, the starting point for the Christian is not what is found in the "here and now" or what is foreseen in the future; the starting point is the ethic of Jesus.

In its ideal for character, the Christian religion does not begin with man's natural capacities, suggesting merely how these may best be balanced and developed. It begins wholly outside of ordinary human nature itself and from beyond our general experience of moments of self-realization, and suggests that these be made to conform to the Christ-standard. It aims to cut man to fit the pattern, not the pattern to fit man. It organizes our notions of maturity around him as center.<sup>31</sup>

In looking more closely at the Christ-standard, Ramsey sees an intimate connection between love and obedience which greatly influences his interpretation of the foundation of Christian ethics. While commenting on Jesus' reinterpretation of the laws of the Sabbath, Ramsey writes:

Love for neighbor comprises the full meaning of absolute, unhesitating obedience to God. Instant obedience equals perfect love. [..] The expression "obedient love" points to the religious (eschatological) setting as well as to the ethical attitude fundamental in Jesus' outlook. This means that instantaneous, total obedience to the demands of God's reign and perfect love for man are in fact precisely the same thing. Obedience means no more than love and love fulfills every legitimate obedience.<sup>32</sup>

In an article published nearly twenty years after his book Basic Christian Ethics, Ramsey considers the fundamental norm of righteousness found in the teaching of Jesus. Ramsey asks: "But what about the commandment: 'Thou shalt love thy neighbor as thyself'? This takes the measure of what we should do from every person's love of himself."<sup>33</sup> For Ramsey, this is the basic norm of neighbor love. The norm is grounded in Christ, in the way Christ has saved each Christian, and in the words of Christ commanding each to love the neighbor. Further in the same article Ramsey writes:

[...] He who for himself remembers of himself that Jesus Christ actually saved him from the Egypt of sin and death becomes a man on exodus from any natural or human standard, a man whose conscience and life are destined to be formed in accordance with the saving righteousness and faithfulness of God. "Have this in mind in you which was also in Christ Jesus" becomes the measure: "love one another as I have loved you," one's ultimate commandment.<sup>34</sup>

Ramsey does not stop with ethics looking to the life of Christ, searching for the transcending elements which are applicable for all time and in all cultures. Ramsey uses the same methodology to understand the very nature of the human person. "[...] From knowledge of God in Christ we come to know ourselves. Precisely within this light we clearly see our shadows."<sup>35</sup> Exactly how one comes to know one's nature by knowing God in Christ is not clear. This point is not answered in Ramsey's writings. Nor is it clear just how the ethic of Jesus is the ultimate norm for Christian ethics.

Ramsey's understanding of what it means to love the neighbor is derived directly from the person of Jesus Christ.

Jesus' words: "Love one another as I have loved you!" are the commandment, the model, the organizing principle of all New Testament ethics. So if you want to know what to do or how to treat someone in need of help [...] the way to begin is to ask, How did God treat me when he sent his only Son to the rescue?<sup>36</sup>

The fact that "love of neighbor" is derived from the person of Christ adds a further complication when one attempts to determine just what is meant by some of the actions which Jesus does on earth when confronted with the needs of the neighbor. Ramsey takes into account Jesus' own awareness of the coming of the Kingdom, measuring all of Christ's actions within that awareness.

Preferential loves, even those justifiable in normal times, were supplanted by entirely non-preferential regard for whomever happened to be standing by, friend or enemy, bullying sergeant or indigent beggar. All that mattered was perfect obedience to God. All that mattered was complete readiness for the kingdom to come.<sup>37</sup>

The fact that Jesus was greatly influenced by the eschatological dimension does not in any way lessen the obligation for Christians of any time to respond to the needs of the neighbor. Because of the impending reign of God, the needs of the neighbor are given primacy.

Under such circumstances God's reign between a man and his neighbor clearly required that a person give the name of duty to the slightest momentary claim upon him, foregoing his own and also, in face of the kingdom, foregoing the claims of those to whom he has special obligations in the age now being liquidated.<sup>38</sup>

It was Christ's awareness of the kingdom which made his own teachings available to the human race. While the individual must be aware of this over-riding factor in Christ's life, the obligation to respond to the neighbor remains. Christ's understanding of the eschatological dimension brings certain elements of Christian ethics into sharper focus.

Eschatology has at least this significance for Christian ethics in all ages: that reliance on producing teloi or on doing good consequences or on goal-seeking has been decisively set aside. The meaning of obligation or of right actions is not to be derived from any of these ends in view in an age that is fast being liquidated. The Christian understanding of righteousness is therefore radically non-teleological. It means ready obedience to the present reign of God, the alignment of the human will with the Divine will that men should live together in covenant-love no matter what the morrow brings, or if it brings nothing.<sup>39</sup>

Here Ramsey indicates the source for the obligatory nature of the Christian's response in love to the needs of the neighbor. The response does not stem from some appreciation for the intrinsic worth of the other, nor is it in anticipation of reciprocal action, nor is it for the sake of a future kingdom. The Christian responds to the needs of the neighbor because he or she has been commanded to do so by Christ. In Ramsey's thinking, this command of Christ demands an obedient response on the part of the Christian.

It is through an examination of the mission of Jesus Christ that Ramsey comes to the notion of obedience in Christian ethics. The needs of the neighbor establish an obligatory response on the part of the Christian.

[...] Neighbor-love defines what is "right" or obligatory. Love for neighbor comprises "the meaning of obligation," which some philosophers suppose was disclosed by Rousseau and Kant, the founders of the philosophy of idealism and deontological ethics in the modern period.<sup>40</sup>

Just how this comes about, that there is an obligation on the part of the Christian viewing the need of the neighbor, is not clear in Ramsey's writings. He recognizes the need to offer an explanation and writes: "Christian ethics begins with a 'leap' by which alone Christian love gives the name of 'duty' to the claims of neighbor."<sup>41</sup> However, explaining it as a "leap" does little to clarify the mystery.

Ramsey draws three implications from his consideration of the command of Christ to love the neighbor: (1) the distinction between rule-agapism and act-agapism, (2) the existence of negative moral absolutes, and (3) the development of the rules of moral conduct. Each of these will now be considered.

In an article published in 1970 entitled, "The Biblical Norm of Righteousness," Ramsey distinguishes between rule-agapism and act-agapism. After considering the command of Christ to love one another in the first part of the article, Ramsey then asks the question: "What on earth does that entail? What, then, must we do? What directives for living can be implicated, produced, adduced, or amplified from Christian love?"<sup>42</sup> In answering these questions there are two possible ways of proceeding for Ramsey. The first school of thought which attempts to answer the questions is contextualism or situation ethics. This school of thought would ask the further question: "What singular deed will prove to be

most love-embodiment or love-fulfilling?"<sup>43</sup> Ramsey prefers the second school of thought which

[...] determine[s] what we ought to do, not only by asking which singular action is the most loving, but also by asking which principles of action or rules of practice will prove to be generally most love-embodiment or love-fulfilling.<sup>44</sup>

Ramsey adopts the terminology of William K. Frankena.<sup>45</sup> To merely collect the facts in any particular situation, to only focus on the present moment, that is what Frankena and Ramsey call act-agapism, "[...] 'circumstance' or 'situational' ethics in its purest form."<sup>46</sup> This is differentiated from rule-agapism which is that form of ethical thinking which looks for the similarities in each situation, asking what are the rules of action which are most love-embodiment. In rule-agapism the individual enters a particular situation referring to a set of rules that will indicate how he or she should operate.<sup>47</sup> Ramsey displays little tolerance for any form of act-agapism or act-personalism. For him, the only approach which is consistent with the Christian understanding of ethics is rule-agapism.<sup>48</sup>

The interpretation of Christ's approach to law, for Ramsey, is consistent with his condemnation of act-agapism. He contrasts Jesus' approach to law with that of the faithful Jew.

[...] A faithful Jew stayed as close as possible to observance of the law even when he had to depart from it. Jesus stayed as close as possible to fulfillment of human need, no matter how wide of the sabbath law this led him.<sup>49</sup>

The individual Christian is to follow Christ's example, but it is not the particular acts of Christ which are to be copied or even all of Christ's acts taken in their totality. Following Christ's example does involve imitating his life "/.../only because his life itself was a prolongation visible 'in the flesh' of the humility of

Christ and of the God who put him forward."<sup>50</sup> Following the example of Christ is a command, an obligation, but not a command to do certain acts in specific circumstances. The Christian brings to the particular situation general principles which transcend the individual moments in time. However, the Christian does not have a detailed list of prescribed actions which tells him or her exactly what should be done in every possible situation.

The second implication that Ramsey draws from his understanding of the command of Christ to love the neighbor is the existence of negative moral absolutes. At times it is difficult to discern precisely whether or not Ramsey is willing to admit that negative moral absolutes exist when considering some of his theoretical writings.

In a book which Ramsey edited with Gene Outka, entitled Norm and Context in Christian Ethics, Ramsey has a chapter which he himself wrote, "The Case of the Curious Exception." In this chapter he affirms the existence of negative moral absolutes.

I conclude, therefore, that there is no rational moral argument that can exclude the possibility that there are exceptionless moral rules, in some moral matters. The case for this seems especially strong in regard to rules of practice, whether these are warranted by agapeic or rule-utilitarian or other normative appeals.<sup>51</sup>

Later in the same article he restates his conclusion using the complex sentence structure for which he has consistently been criticized.<sup>52</sup>

[.] Whether one searches for the justifiable exception [.] from the point of view of societal practices which for the general good an individual should perform or, [.] from the point of view of answering with our lives the faithfulness-claims placed upon us by a particular individual in a specifiable sort of moral relation, it cannot be shown that Christian or just men should never say Never.<sup>53</sup>

In a book published three years before "Case of the Curious Exception," Ramsey states his position more clearly. Examining the position of J.A.T. Robinson in Christian Morals Today, Ramsey affirms the existence of negative moral absolutes.

Bishop Robinson states the thesis of pure rule-agapism when he writes, "In Christian ethics the only pure statement is the command to love: every other injunction depends on it and is an explication or application of it." For there are other injunctions, e.g. the proscription of cruelty to children or rape. These derivative rules are sufficient to show that "there are some things of which one can say that it is so inconceivable that they could ever be an expression of love...that they are for Christians always wrong." Such moral injunctions are simple corollaries or implications of covenant-love. They are as unconditionally wrong as love is unconditionally right.<sup>54</sup>

The final implication which Ramsey draws from his consideration of the command of Christ to love the neighbor is concerned with the development of the rules themselves. Commenting on the teachings of St. Paul, Ramsey notes that the concern for the neighbor allowed Paul to move

[...] significantly beyond the actual views of Jesus by nullifying laws which in all likelihood Jesus never thought of questioning, yet his ethical perspective and reasons for doing so were essentially the same as Jesus'.<sup>55</sup>

Ramsey sees several implications in this. As Paul went beyond Jesus, the Christian today may have to go beyond Paul. This eliminates blind allegiance to specific modes of conduct. All that the Christian does must be left open for reevaluation. Referring to the Roman Catholic positions on birth control and abortion and the Protestant positions on prohibition and total abstinence, he writes:

What surely "nature itself teaches," what is taught by our own special enlightenment or intelligence, and indeed what love once taught must always be held suspect enough for critical re-examination in the light of present neighbor-needs and the means available for meeting them.<sup>56</sup>

Ramsey is not only speaking here of a development in ethical thinking through history, he also acknowledges that at various points in history there will be different ways of interpreting the command to love one's neighbor. In his book, Who Speaks for the Church, a critique of the 1966 Geneva Conference on Church and Society, Ramsey explicitly acknowledges that different groups of Christians may hold contrary opinions. Ramsey calls for a sensitivity to this by Church leaders and those writing in the professional journals.<sup>57</sup>

Summarizing Ramsey's perception of obligation, it can be said that it is in response to the command of Christ to love the neighbor that the individual grounds the moral quest. In addition to the command to love the neighbor, there are also principles to help the Christian live out the daily obligations. Even these principles themselves need to be constantly reevaluated in the light of the needs of the neighbor who stands before the Christian.

Throughout his career Ramsey has been criticized for not sufficiently defining what he means by "love."<sup>58</sup> In a work which was published in 1965, entitled, Deeds and Rules in Christian Ethics, he contrasts his notion of love with other norms which are used by different writers in fundamental ethics. In this work he writes:

Christian ethics proposes that the basic norm and the distinctive character of the Christian life is Christian love (agapé). If other ethics rests [sic] upon a concept of moral duty (deontology) or upon a goal to be achieved (teleology), Christian ethics finds its basis in agapé.<sup>59</sup>

Ramsey makes it clear that he is not speaking of love in general, for love in general is a "selfish sociability."<sup>60</sup> Love for the particular neighbor, for her or his own sake, "[...] insists upon a single-minded orientation of a man's primary intention toward this individual neighbor with all his concrete needs."<sup>61</sup> Love for

the individual is also the basis of community; however, the love for the individual must be for his or her own sake and not for the sake of building a community.<sup>62</sup>

Ramsey is concerned that his concept of love will be confused with the popular understanding of what is meant by the same term. He spells out very clearly that love is not something emotional.

[...] It has nothing to do with feelings, emotions, taste, preferences, temperament, or any of the qualities in other people which arouse feelings of revulsion or attraction, negative or positive preferences, in us. Christian love depends on the direction of the will, the orientation of intention in an act, not on stirring emotion.<sup>63</sup>

Ramsey recognizes that more must be said in Christian ethics than that Christ has commanded the Christian to love the neighbor. What role does love play in the working out of the norms or principles by which the Christian decides what must be done in this particular situation? Is love able to offer direction in the ethical quest? In defense of his own position he states:

Nevertheless, such love, far from being directionless, lays down its own directions, internal self-regulations conformable only to the needs of neighbor. While love itself never submits to external rule and does not proportion its benefaction according to some rule, it never becomes unruly, since the needs of other persons are the rule of love and quickly teach such love what to do.<sup>64</sup>

In Ramsey's understanding, Christian love (agapé) is a definite norm which tells the Christian what ought to be done in a particular situation.

In summary, Ramsey's ethical foundation is thoroughly imbued with an appreciation of the Christian reality. Such an appreciation is central to his thinking. Over the years Ramsey has been able to clearly articulate his own theory based on the command of Christ to love the other. Unfortunately, in his sexual

ethics the connection between his conclusions and Christ's command on behalf of the neighbor is not developed.

**b. Social Sciences.**—Ramsey draws heavily on the findings of the medical profession in his numerous articles on various topics of medical ethics. In his treatment of sexual ethics Ramsey does not draw on the findings of the social sciences. Within his own ethical foundation, however, there does seem to be an openness to other fields of knowledge.

**c. Ecclesial Context.**—Aside from an acknowledgement of the tradition of the Christian community in sexual matters—and Ramsey takes this tradition very seriously—there is little mention of the community's role in the area of sexual ethics.

**d. Scripture.**—It is from Scripture that Ramsey draws his own ethical foundation. However, what he draws on are general themes, not specific texts. Ramsey rejects a rule-agapism which might be grounded on isolated statements in Scripture. When writing in sexual ethics he also draws on Scripture, as will be seen, but only in a very general manner.

**e. Summary of Ethical Theory.**—Ramsey's ethical theory begins with the person of Christ. Even the understanding of the human person is derived from a study of the nature of Christ and not from a study of human nature. In a similar a priori manner the moral imperative for the human person stems from the will of Christ, outside of the individual, stated in the command to love the neighbor.

This command of Christ establishes the base for the moral life. In answer to the question, "Why should I be good?" the individual would respond, according to Ramsey, "Because Jesus Christ so commanded it."

Within his consideration of the response in obedience, Ramsey searches for those rules of action which will help the individual respond to the neighbor in an appropriate manner. Ramsey rejects the position termed "act-agapism" since this denies that there are rules which can be discerned and which are applicable to many different situations. Some of these rules would prohibit certain actions in every set of circumstances. Ramsey does not wish to leave the Christian only responding obediently to a law. Rather, he attempts to show that it is out of love that the Christian is obedient. On this final point Ramsey is not clear. His theory of sexuality will now be considered.

## 2. Theory of Sexuality

Of the three authors considered in this chapter Ramsey takes the greatest effort to develop a theory of human sexuality as such. Unfortunately, there seems to be little connection between his ethical theory and his theory of sexuality. It will be seen below that the concern for neighbor-needs, which was so central in his ethical theory, is absent from his sexual ethics.

In his theory of sexuality Ramsey focuses on three main points: (a) the personal element in the individual transcends the physical, even though the physical sets definite limits; (b) sex is an expression of the one self to another self; and, (c) the sex act has two purposes. These points are laid out in his two famous articles "A Christian Approach to the Question of Sexual Relations outside of Marriage,"

published in 1965, and "Freedom and Responsibility in Medical and Sex Ethics: A Protestant View," published in 1956. He also considers different aspects of sexuality within two of his books, Deeds and Rules in Christian Ethics and Nine Modern Moralists. In addition, he has several shorter articles dealing with method and specific questions in sexual ethics.<sup>65</sup>

In his article, "A Christian Approach," he applies his theory of sexuality to the issues of premarital sex and contraception. In the second article, "Freedom and Responsibility," he considers artificial insemination and sterilization. Ramsey has but a passing reference to the topic of homosexuality. In a letter to the editor, printed in Christianity and Crisis, Ramsey refers to an earlier article by Tom. F. Driver. Ramsey replies:

Prof. Tom F. Driver's lively article on the theme of not taking sex too seriously (Oct. 14 issue) has benefited all his readers. This one among them believes that he is exactly right about homosexual acts: they are simply odd and laughable.<sup>66</sup>

This statement by Ramsey that homosexual acts are "odd and laughable" is consistent with the rest of his theory of sexuality. As will be seen below, with a theory of sexuality based on the connection between sex and procreation and the belief that God has willed that sex be between men and women only, there is no room for approving homosexual activity in such a theory. This section will consider Ramsey's treatment of premarital sex in which he exposes his basic premises.

**a. Transcendence of the Personal.**—Ramsey develops his thinking on the transcendence of the personal over the physical within his consideration of the issue of contraception, contrasting the Protestant approach to this issue with the Roman Catholic approach.

[...] Protestant moral theology [...] simply points out that there is also inscribed in nature, by nature's God, a transcendence and a freedom of the rational and the personal over the biological (which is still part of the reality to be taken into account). Not only are these two things together in nature, but the personal is by nature a freedom over the biological.<sup>67</sup>

Ramsey remains grounded in the physical, however, and does not allow this transcendence to be distinct from the embodied person. He points this out in a section of his book, Nine Modern Moralists. Commenting on the approach to sexuality which Sartre took, Ramsey writes:

"Flesh" means consciousness making itself body, it means the "incarnation" of transcendence; and if desire is to draw near to its goal, there must take place a reciprocal enfleshment by means of the caress, which at once calls consciousness down from aloft and strips the body of every orientation toward action.<sup>68</sup>

By maintaining the transcendence of the personal, Ramsey wishes to avoid "[...] stressing only the right of physical nature to hold sway and determine absolutely the limits in which freedom may choose [...]." <sup>69</sup> But he recognizes the importance of the physical and the restrictions this imposes on the individual's freedom.

**b. Sex as Self to Self.**—His second point evolves from his first. Sex is physical, but it is the way that two persons are attempting to communicate.

Human sexual passion and coitus is [*sic*] quite definitely a matter of ourselves, of our souls de profundis. It is no more sex organs that desire intercourse with sex organs than it is my vocal cords that speak or this hand that is writing. I speak with my vocal cords, I write with this hand, to you. So also the I-saying subject desires in all its desiring, and what is desired is no what, no body, no alter ego (a man's relation to all these things is to be alone), but a who, another I-saying one who is a presence in his or her body and therefore accessible for creaturely life-in-community.<sup>70</sup>

c. **Inseparable Purposes of Sex.**--In his third point Ramsey maintains this emphasis on human communication. For him there are two goods of sexual intercourse, the unitive and the procreative. But these two goods are not present at the same time. The intent to procreate may be present before intercourse, but during intercourse itself only the unitive factor is present.<sup>71</sup> It is through coitus that one can experience community in this life. Once again commenting on Sartre, Ramsey writes:

He [Sartre] provides us a way of seeing, and perhaps of saying, that precisely because in sexual desire the transcendence of a man or a woman are "clogged with facticity," and precisely because the self remains no longer aloft in deliberate action playing its various roles but has become incarnate in the "flesh," he or she for this very reason has become accessible to another in this world for communication and creaturely participation with the other.<sup>72</sup>

It is the physical which allows the individuals to enter this communion, and it is this same physicalness which provides for the good of procreation.

The two goods of marriage are joined together in the act of sexual intercourse by the will of the Creator.<sup>73</sup> Ramsey makes the following claim:

There is a reflection of God's love binding himself to the world and the world to himself to be found in the claim he has placed upon men and women when he bound the nurturing of marital love and procreation together in the nature of human sexuality.<sup>74</sup>

Ramsey offers the challenge that anyone who cannot agree with this claim may be drawing alien interpretations of the meaning of sexuality from biology, psychology, and other sources.<sup>75</sup> Ramsey places these other sources over and against Scripture.

Before Ramsey's evaluation of premarital sex is examined, some of the elements which were present in his ethical theory can already be seen in his theory on sexuality. Where Ramsey derived his ethical norms from the person of Christ,

Ramsey also sees Christ's relationship to the world as an indicator of sexuality. This claim is based on Ramsey's understanding of Scripture and is not clearly elaborated. In his theory the obedience of Christ is indicative for the individual Christian to respond to the neighbor-needs. These neighbor-needs, which were so important in the ethical theory, are conspicuously absent in his theory of sexuality. Obedience now is primarily in response to the norms or rules laid out in Scripture, rather than to the perceived neighbor-needs. Attention now will focus on Ramsey's application of his sexual ethic to the question of premarital sex, following introductory statements on extramarital sex in general.

**d. Application of Theory: Premarital Sex.**—Using the distinction which was pointed out in his ethical theory, Ramsey searches for rules of action in sexual ethics. He offers several methodological considerations defending his contention that it is possible to discern rules of action (rule-agapism or rule-responsibility) as distinct from merely considering each particular situation (act-agapism or act-responsibility) in order to determine the morality of the act.<sup>76</sup> Not only is such a stand possible for Ramsey, he points out that "[...] act-responsibility can be established only by arbitrarily rejecting rule-responsibility."<sup>77</sup>

He begins his consideration of which rules are involved in the question of premarital sex after he has considered the broader question of extramarital sex. Since there are two goods of sexual intercourse, and since both of these goods have been created by God, for one to attempt to separate the procreative and the unitive aspects of sex would be to act in an irresponsible manner. Referring to extramarital sex, he states:

[...] It still makes sense to say that there are responsibilities violated, to which men and women should be sensitive, when they engage in sexual relations with the intention of putting entirely asunder the act of sexual love from the procreative meaning of this very same act.<sup>78</sup>

Ramsey maintains that to be fully responsible the couple engaging in sexual relations should always demonstrate "[...] a willingness (but of course not the will) to have a child."<sup>79</sup>

If one chooses to separate the two goods, that is a different matter.

Ramsey makes the following summary statement:

They [husband and wife] will rather find in the strength of human sexual passion, beyond the obvious needs of procreation, an evident telos of acts of sexual love toward making real the meaning of man-womanhood, nurturing covenant-love between the parties, fostering their care for one another and a creaturely cure for loneliness. In this is prefigured Christ's love for the church. And in human procreativity out of the depths of human sexual love is prefigured God's act of creation out of the profound mystery of his love revealed in Jesus Christ. To put radically asunder what God joined together in making love procreative, to procreate without love or to attempt to establish a relation of sexual love beyond the sphere of marriage, means a refusal of the image of God's creation in our own.<sup>80</sup>

In the above quote Ramsey uses beautiful imagery, uses the unitive aspect of sexual love in the married couple as an example of Christ's love for the Church, and uses the procreative aspect as an example of God's continuing creative activity. The use of such imagery is enlightening; however, the image is not an argument which would bring one to the final sentence of the same quote. Ramsey's conclusion hinges on the premise that sex and procreation are destined by God to be the two goods of marriage. It is that precise premise which remains unproven, and this is a central element in Ramsey's thinking.

In moving from extramarital sex to a consideration of premarital sex, Ramsey makes two points. First, he maintains that it is necessary to more closely examine just what is meant by marriage, maintaining that in some cases the

engaged couple may in fact already be married. Second, if it is truly a question of premarital sex between two people who are in fact not married, then sexual intercourse is an irresponsible act because the procreative and unitive aspects have been separated.<sup>81</sup>

In developing his first point, Ramsey maintains that the understanding of marriage today is tainted with "bourgeois respectability." This was not the case, even in the Christian understanding of marriage, in the past. In the case of some engaged couples "[...] the presumption was that they were fully, responsibly married without the ceremony and before their acts of sexual love, which were then an expression and the nurturing of the bond between them."<sup>82</sup> For Ramsey, then, if the couple intends to accept all that is entailed in the act of sexual intercourse, which is a union of the two and an openness to the possibility of a child, it is impossible to speak of premarital sex, since the couple is already married.

With regard to his second point, when the couple does engage in actual premarital sex

[...] then they know that they are seeking to justify something that is not fully responsible. They know that they are not yet ready to accept all that is implied in their unity in one-flesh and into one flesh. [...] They know they would be taking more and offering less than love requires.<sup>83</sup>

Ramsey seems certain that the two individuals are able to realize that what they are doing in premarital sex is wrong. It would be helpful in understanding Ramsey's own reasoning if he would consider the arguments used by those couples who believe just as firmly that premarital sex is morally good for them. Where is their reasoning going astray?

Returning to Ramsey's main points in his general theory of sexuality, namely, (1) the transcendence of the personal over the physical, (2) sex as an expression of one self to another self, and (3) the two goods found in sexual intercourse, it is only the third aspect which is determinative when he considers the question of premarital relations. Ramsey appeals to the transcendence of the personal over the physical when he advocates the use of birth control methods.

[...] Protestant teaching is that, in face of perils to the mother in having more children, there is a right and a positive duty to continue the mutual nurturing of marital love through intercourse which employs contraceptives. This is within the law of nature or among the things to do or not to do which arise simply from reflection upon the nature of man, no other considerations of fact being taken into account.<sup>84</sup>

However, when Ramsey attempts to discern which rules of action are appropriate in premarital sex, the determining factor is whether or not the couple is willing to responsibly accept both goods which are present in sexual intercourse. Furthermore, Ramsey makes it very clear that these two goods are present through the creative act of God<sup>85</sup> and not through the intention of the couple.

Ramsey recognizes possible objections to his own theory. If birth control is sometimes necessary in a marriage, the question could be asked: If there were a foolproof contraceptive method, would extramarital sex then be permissible? Ramsey does not develop this point clearly. He is unwilling to allow for the separation of the two goods of sexuality, yet he will allow for contraception to actually separate the two goods in a marriage. If the personal can transcend the physical in the question of contraception, could it not also transcend the physical aspects of procreation when premarital or extramarital sex is involved? Ramsey has some well-developed concepts with regard to the personal aspects of love and

human communication;<sup>86</sup> however, he seems to restrict his moral evaluation to a consideration of the physical.

**e. Summary of Theory of Sexuality.**—Ramsey's first point in his theory of sexuality is the transcendence of the personal over the biological. Ramsey never forgets the corporeity of the individual, but the personal has a freedom over the biological. (This particular point is more influential in his consideration of birth control than in his evaluation of premarital sex.) It is precisely the personal element which seeks to communicate with another, even in the sexual encounter. Ramsey rejects the notion that sex is merely biological.

His ethic is based more directly on the understanding that there are two goods in marriage, the unitive good and the procreative good. These two are joined together in the act of sexual intercourse. That this is so is a result of the creative act of God. Ramsey draws on Scripture as the proof for this assertion, though he does not go into detailed exegesis. Rather, he sees both the complementarity of male and female as well as the connection between sex and procreation contained in general themes running throughout Scripture. It should be kept in mind that on the connection between sex and procreation Ramsey's position is nuanced, and he maintains that the married couple may use various birth control methods.

Scripture itself is seen as the final norm for judging other sources of wisdom, namely biology, psychology, and sociology. As a result, Ramsey does not draw on these other sciences. His efforts are in developing the rules of conduct which flow from his interpretation of the purpose of sex and of marriage.

In Ramsey's sexual ethics obedience still plays an important role, as it did in his ethical theory. Rules of action in sexual ethics are derived from the creative

actions of God, and it is the role of the individual to follow those rules. Absent from his consideration of sexual ethics is any link with neighbor-needs which were so evident in his ethical theory. His sexual ethic is not derived from the command of Jesus to love the neighbor. The sexual ethic is based directly on the created intent found within the act of sexual intercourse. One of Ramsey's weaknesses is that he does not spell out how this created intent is gleaned in the human situation. If the appeal is only to Scripture as a foundation, where would dialogue begin with groups of non-Christians, or even with other groups of Christians which may interpret Scripture in a different way?

### C. DWIGHT HERVEY SMALL

The third of the Protestant Classicist authors to be considered is Dwight Hervey Small. Like Bahnsen and Ramsey, Small also holds that the nature of the response of the individual Christian is a response of obedience to the law of God found in Scripture. Unlike Ramsey, Small does not examine in detail some of the more fundamental issues in ethics. His works are aimed at specific questions, mostly in the area of Christian marriage, and he considers only those questions in fundamental ethics which are necessary for his reasoning.

His ethical theory will be examined first; then, his understanding of sexual ethics will be considered. Since he does not develop a detailed approach to homosexuality, the issue of petting will serve as an example to demonstrate the application of his theory of sexuality.

## 1. Ethical Theory

There seem to be three main elements in Small's ethical theory. The first is an explanation of the successive stages of salvation and the relationship of the law to the individual within each stage. His second point of emphasis is the image of God used as a normative criterion for human relationships. Throughout his works is the third element, the role of Scripture in establishing moral guidelines.

**a. Ethical Foundation and Operative Philosophy.**—In a book published in 1975, The Right to Remarry, Small briefly exposes some of his own thinking with regard to more fundamental considerations of ethics. It is in this work that Small proposes three distinct stages of salvation History: (1) The Old Aeon, (2) Grace or The Church Age, and (3) The New Aeon. The Old Aeon begins with the Fall.

Inasmuch as the Old Aeon does not end until Christ comes to establish His Kingdom, yet because the Kingdom broke through in a partial manifestation with the First Coming of Christ, there is an overlapping of the two. Bridging the conditions of Old and New Aeons is the unique operation of God's redemptive grace.<sup>87</sup>

Life in the Old Aeon was characterized by the fulfillment of detailed legal prescriptions. Failure to fulfill the law, the Law of Moses, resulted in punishment. Small sees Christ as the fulfillment of the Mosaic Law, with all the legalistic aspects of the law ceasing with the coming of Christ. What remain are the moral precepts which were incorporated in the Law of Moses.<sup>88</sup> Small does not offer any guidelines or principles for the individual to distinguish which principles found in the Mosaic law are to be retained and which are to be discarded. One way of distinguishing is to look at the New Testament, particularly the Epistles, where the moral principles are repeated from the Mosaic law.<sup>89</sup> Small does not explain

how one comes to know these principles. He does point out one difference between the principles found in the Old Testament and those found in the New. When these same principles go unfulfilled in the Church Age, the response is no longer one of punishment but one of restoration due to the power of Christ's grace.<sup>90</sup>

It is the moral law which tells the individual what ought to be done. This law is necessary as a result of the fallen state of the human being. In the Church Age, where there is an overlapping of the unredeemed and the redeemed, there is still a necessity for a moral law to speak to the unredeemed in each person. In the eternal Kingdom there will be no law at all, since there will be nothing which is not redeemed. The response of the faithful individual to the law in any age is a response of obedience.

Accompanying the moral law in the present age is grace. While law directs that which is unredeemed in the individual, grace speaks to that which is redeemed. Small offers the following guidelines to distinguish those ethical directives stemming from law and those stemming from grace.

When human obligation is first required, with divine blessing made dependent upon the faithful discharge of that obligation, the ethical character is that of law. But when divine blessing is first offered, with the human obligation following in the form of an appeal, the ethical character is that of grace. The life of the Christian is distinguished by the offer of blessing on the basis of faith alone, with God appealing to the regenerate person to then live out his redeemed state in obedience through love.<sup>91</sup>

In the Church Age there is a continuous struggle between law and grace. Grace will only completely overtake law in the Eternal Age. For Small, the law does not bring salvation. Quite the contrary, "salvation is by grace without law; our ethical life develops as a matter of training in righteousness, not as a response to law."<sup>92</sup> Exactly how the Christian comes to know this way of righteousness

indicated by grace is not clearly developed in his work. The Christian still responds to commands which are given, but these commands no longer stem from specific rules but from general principles which are always valid. According to Small, it is the indwelling of the Holy Spirit which teaches the Christian what to do. "Now, since Pentecost, ethical guidance and the empowerment of the Holy Spirit are sufficient to direct the Christian in every life situation."<sup>93</sup> How the Holy Spirit guides an individual is not explained by Small. In the present age the individual no longer acts out of fear but in anticipation of the approval of Christ. It is the Spirit, then, who directs the individual Christian to a knowledge of what the ethical principles are, and it is the anticipation of the approval of Christ which commands the Christian to follow these principles. These ethical principles are found in Scripture, contained within what Small calls "Kingdom righteousness." "[...] A part of God's gracious provision is to declare what Kingdom righteousness is and what it demands, pointing us in the one proper ethical direction."<sup>94</sup> These declarations which God makes stem from His divine will.

Referring to God's will, Small finds it necessary to distinguish between God's unconditional will and God's conditional will.

God relates to the present fallen world by this incredible accommodation of His will which we call grace. In this accommodating grace God sustains this fallen world in the sphere of its remaining possibilities until the day of judgment. God acts toward mankind, not on the basis of His unconditional will, but on His conditional will—His will altered for the sake of man in his incapacity.<sup>95</sup>

Small does not explain just how these two wills function in God. One thing is certain, it is from God's will, and not His intellect, that the ethical principles which are normative for the individual come into being.

According to Small, when the Christian wants to know what he or she should do, the final norm is the set of ethical principles which has been revealed in Scripture. This set of principles is a result of God's will. The role of human reason in Small's works is to understand what is being revealed by God in Scripture. None of the other secular sciences are brought into the ethical discussion. As a consequence of the struggle between law and grace in this age, between the Old Aeon and the Eternal Kingdom, God deals with the individual out of His conditional will, making allowances for the unredeemed which is still present in each person.

Small develops some of his thinking on these fundamental questions of ethics when he considers a method for the evaluation of sexual activity. His book, Christian: Celebrate Your Sexuality, was published in 1974, one year before his The Right to Remarry. In Christian: Celebrate Your Sexuality he attempts to present a theory of sexuality, as such, and then applies that theory to different questions in sexual ethics.

He sees the question of sexuality within the larger question of the nature of the human person, attempting to better understand the nature of the individual by studying the image of God found within the person.<sup>96</sup> He chooses this question to begin with, since human nature is created by God. For Small, this means that it is through God's revelation that one comes to an appreciation of the reality and not by studying the reality itself apart from revelation.

While no passage of Scripture is more appropriate than Psalm 8 from which to begin our study, second to it is the Creation narrative which describes man as created in the image of God. And surely, if man is a "little less than God," can we not expect him to have been endowed with supremely unique and God-like attributes? Of this we are left in no doubt when Scripture records that man was created in the very image of God.<sup>97</sup>

Considering the image of the human in Scripture, Small interprets the mystery of the Trinity as revealing to the Christian community that God is a "Being-in-relation." He goes on to draw an analogy between the relationship of the Father-Son-Holy Spirit and the relationship between a husband and wife. "So all-embracing is this union [between husband and wife] that Scripture speaks of it as 'one flesh.' God's triune being is thus the original, the model over against which man is the image."<sup>98</sup> Summarizing his own thinking, Small states:

God and man have this in common, that they are both beings-in-relation. There is nothing in human personality, nothing in human sexual differentiation, nothing in the unity of the man-woman relation which does not image a corresponding reality in God.<sup>99</sup>

This aspect of relationship is considered in an earlier book when Small comes to the need for human community through a consideration of loneliness. He goes as far as saying that it is only in the interaction with others that true fulfillment can be found.<sup>100</sup> The difference here is that Small is approaching the issue from the point of view of an examination of loneliness, and not by beginning with the image of God.

From this basic premise that the individual is created in the image of God, Small elaborates six distinct conclusions. The first is the most significant for his theory on sexuality. He states that because God is a cognitive being, man has rationality. More significantly, this rationality is "[...] the first requisite for human community. Unity of mind is prerequisite to unity of persons and to a workable life-partnership."<sup>101</sup> Due to his emphasis on the rationality of the human person, one might expect that Small would then see human rationality searching for the norms of ethics, wherever these are to be found. If rationality is indeed of

such importance, would it not have its own norms of establishing truth? Small does not proceed in this direction.

Small continuously refers to the nature of God as an indication of what human relationships ought to be, drawing heavily on biblical imagery. He does not consider the other possibility, namely, the biblical imagery of the love between the husband and wife as an example of the way God loves human beings. The love between husband and wife is one example, but there may be many other examples which would be appropriate to point to the same reality. Small only considers the reverse: the relationship between husband and wife takes on a certain dignity because it is the mirroring of God's concern.

Small does not articulate an ethical foundation as such. In several of his works he makes explicit some of the suppositions in his ethical thinking, though there is little attempt on his part to justify or explain those assumptions. His ethical foundation is influenced by the Christian mysteries, particularly important is the relationship between Law and Grace. Here, too, how these two concepts relate, and how the relationship helps the individual Christian decide in the present age is vague in Small's work.

**b. Social Sciences.**—Small does not theorize on the use of the social sciences in ethics. On occasion he does draw on some of the findings when considering issues in sexual ethics. The findings of the social sciences are always to be judged against the norm of Scripture.

**c. Ecclesial Context.**—Small does not consider the ecclesial context in his ethics.

d. **Scripture.**--In Small's ethical theory Scripture is important. Even though rationality is central to understanding what the human person is, when the norms of ethics are sought, Small sees rationality turning to the revealed word of God. For Small, to understand what the nature of the human person is, and more specifically, to understand what sexuality means to the human person, one turns to what has been revealed in Scripture. In the introduction of Christian: Celebrate Your Sexuality, he states: "The Christian affirms that sexuality belongs to the mysteries of divine revelation. In consequence, its ultimate meanings can be known only by revelation."<sup>102</sup> It is questionable whether or not all Christians would assert that sexuality is one of the mysteries of divine revelation. Even those who would hold to such a claim would not necessarily interpret it in the same restricted manner as does Small. For Small this is an important assertion and undergirds all of his works.

In a later section of this same book on sexuality Small indicates explicitly where the Christian couple should look to discover the moral norms for their relationship.

For the Christian couple, the final answer is not what seems best to them, not what appears to be the most acceptable norm from the standpoint of their own reasoning. Neither is it the adoption of ethical values of humanistic psychology. It is solely a matter of God's declared purpose. The same faith that responded to the call of Jesus Christ, is now to pattern the sexual relationship in all of its dimensions on the biblical design.<sup>103</sup>

For Small, what is revealed in the area of marriage and sexuality is more than general norms or principles. Specific guidelines are laid out and are to be followed by the committed Christian. Referring to marriage, he makes the following statement:

As Christians, we must first suppose that the Divine Author would provide an order for the organization and functioning of any social institution such as marriage. Within that order we would expect explicit guidelines for the appropriate living out of the partnership. Moreover, that order with its means of implementation would then constitute a divine mandate for all Christian couples. We would expect, further, that the principles would be unchanging, although the implementation would change with the cultural settings of different times and places, and with the developing insights and abilities of both men and women.<sup>104</sup>

Small does not develop his opening statement. He does not consider why the Christian should suppose that God would in fact provide an order for a social institution. A second supposition which Small uses is that even if an order were necessary, he further supposes that the details of the order would be explicit. Since this order comes about through God's mandate, the principle response of the Christian couple must be one of obedience to the law of God. However, Small does recognize that in the present age where the New Aeon and the Old Aeon overlap an individual would be unable to perfectly fulfill all the laws.<sup>105</sup>

Small attempts to develop a consistent picture of the human person and the person's sexuality through a consideration of the image of God within the human being. Through a study of the nature of God, Small draws various analogies from which he discovers the nature of the human. At first glance one might think that this would provide a unified method of approaching the entire question. The result, however, is not a unity. In some concluding remarks on the married Christian couple, he makes the distinction between spirit and flesh, and between spiritual and physical. Spirit is higher than flesh, and it is only through a commitment to the Father through Christ that a Christian couple could achieve the desired position where the flesh serves the spirit. The same holds when he considers the spiritual over and against the physical. "A man is first and foremost

a spiritual creature, the spiritual is meant to transcend the physical and psychological aspects of sexual union."<sup>106</sup>

This dualism which is evident in Small's understanding of the human person is the same type of dualism which he sees present in the world after the Incarnation. While Christians wait for the Second Coming, there is an overlapping of the two Aeons, the Old and the New. Within society there is a further dualism in that it is the Christian who is able to know what is expected of him or her since it is the Christian who can correctly interpret the revealed word of God. All other men and women strive in vain to come to a true knowledge of what it means to be human and what norms of ethical conduct are to be followed. In Small's work there would be no basis for dialogue between the Christian community and others.

**e. Summary of Ethical Theory.**--In the beginning of his ethical theory Small divides the history of salvation into three distinct stages. This division allows Small to examine the relationship of the individual to the law. Small then sets forth his understanding of the normative quality of the relationships within the Trinity. In order to come to a fuller understanding of human relationships, (for example, husband and wife) one would look to the relationship among Father, Son, and Holy Spirit.

When considering norms for the ethical life, Small turns to Scripture. In Scripture God not only reveals these ethical norms along with the purpose of the human person, but also reveals specific laws of conduct which are eternally valid. While Scripture is a very important element in Small's ethical theory, he leaves some important questions unanswered. Since he does not consider any methods of interpreting Scripture, there are no concrete norms offered by Small to the

individual to determine which principles found in Scripture are still applicable. Small makes the claim that the Holy Spirit will guide the individual in such decisions. This may be true, but no explanation is offered as to how the Spirit works. Since Scripture is the ultimate norm in Small's ethical theory, information from other sources must be evaluated against that standard.

The laws found in Scripture are explicit and unchanging. Moral absolutes, therefore, do exist in Small's ethical system. He conducts ethics in an a priori manner with the individual searching for the norms and laws which already exist in God's revealed word. The faithful Christian is the one who responds in obedience to these demands. Small's understanding of sexuality will now be considered.

## 2. Theory of Sexuality

Though Small's audience is not the community of research theologians, he does develop at great length a theory of sexuality before he considers specific questions in the field of sexual ethics. He does not treat in any depth the issue of homosexuality;<sup>107</sup> therefore, this study will consider his treatment of petting, since some of the conflicts within his theory surface in that context.

**a. Sexuality in Scripture.**—Consistent with his ethical theory, Small begins his consideration of sexuality with an examination of Scripture. He recognizes that in theological ethics there can be a great deal of diversity due to the theological premises of the authors. With this in mind he puts forth his own intention:

Our concern is not with those ethical directions primarily, but with the fundamental teaching of Scripture on the nature and purpose of sexuality. When valid theological foundations are laid, then much of the ethical

discussion becomes unnecessary. Where essential agreement is sorely needed today is at the theological level, more so than at the ethical level.<sup>108</sup>

It is through the revelation of Scripture, then, that the individual comes to a true understanding of the meaning and purpose of sexuality. "The Biblical view of sex is based on the premise that man is a sinner, and that in his sex life as in other areas of his life he stands in need of God's forgiving [sic] love and transforming grace."<sup>109</sup> Small offers this reflection more as a caution than anything else. He maintains that sexuality is good, provided it is in keeping with God's purpose.<sup>110</sup>

In his book, The Right to Remarry, Small spells out what the purpose of sexuality is.

All through Scripture runs the theme of sexual exclusivity as the constitutive sign of the marital union. Not only is it constitutive, but it is symbolic of the total union of persons--mind, spirit, and body. So intimate is the sexual union when it is fused with love and commitment, that it is the unique carrier of emotional spiritual meanings of marriage. It symbolizes as nothing else can the exclusive commitment of two people to each other. The biblical perspective is that marriage needs sex and sex needs marriage, and both need to be fused in the bonds of man's spirit. God has appointed sexual intercourse within marriage to be the sign and symbol of intimate union. It is, after all, God's prerogative to appoint what He will, and this He has appointed.<sup>111</sup>

Along with the affirmation of sexuality in marriage which is found in Scripture, there is also a direct condemnation of sexuality outside of marriage, since this involves a "[...] robbing of another's sexual secret."<sup>112</sup> As an example of Scripture's treatment of sex outside of marriage Small considers the condemnation of homosexuality found in Scripture.

When Paul summarily condemns homosexuality in Romans 1:24-27, he speaks of it as being contrary to natural use. There Paul's use of the expression "natural relations" is far broader than what the body is capable of "doing naturally." He refers rather to the purpose God implanted in the nature of the man-woman relation. Anything else in God's eyes is unnatural, regardless of what may seem natural in the eyes of man.<sup>113</sup>

The scriptural revelation is normative for ethics. Once again, the role of the individual is to comprehend what God's will is as that will is revealed in Scripture. Anything which varies from that norm is contrary to God's will. From this scriptural revelation, then, Small goes on to develop a theory of sexuality.

In working out his theory, Small does not ignore the findings of the social sciences. At times he seems to merely draw on the results of surveys taken which demonstrate prevailing attitudes. He does maintain that these other sciences are not capable of presenting a complete picture of the meaning of sexuality. Where these fall short and where Scripture is able to offer a more accurate picture, is in the realm of the individual's relationship with God.<sup>114</sup>

Small makes a definite point that sexuality is not something which is extrinsic to the individual.<sup>115</sup> However, though it is an essential part of the person, there is a uniqueness about sex which distinguishes it from other human needs. Sex between two people "[...] is the means of interpersonalization."<sup>116</sup> This "means," within the context of marriage, is something which the Christian celebrates as part of the worshipping response to God. For Small, sex is always to be seen in a broader dimension than merely what the couple do to or for each other.

The spiritual dynamics of sex require that we regard it as dedicated to objectives other than mere self-satisfaction, and as related to God, to love, to marriage, and to society. These four relations are either blessed or blighted by sex insofar as sex is or is not the fulfillment of the divine purpose.<sup>117</sup>

Even though Small maintains that sex is good in itself, marriage is necessary to dignify and to purify sex,<sup>118</sup> since "outside of marriage sex becomes a destructive passion which separates persons because it makes use of another for a selfish end; it is exploitative, and the relation is parasitic."<sup>119</sup>

In his theory sex serves many distinct purposes. Biologically, sex takes care of human passion and reduces sexual tension; psychologically, it reveals hidden dimensions of personhood; socially, sex is considered the "[...] unitive factor in the paired relationship"; ethically, sex is a manifestation of the necessary interdependence between fulfillment and responsibility; and, "theologically, sex points to the mystery of a union divinely purposed and illustrative of that between Christ and His Church."<sup>120</sup>

**b. Sacramentality of Sex.**—There is some confusion in Small's writings on the sacramentality of the marital relationship. In Christian: Celebrate Your Sexuality, published in 1974, and in The Right to Remarry, published in 1975, he maintains that marriage is not a sacrament.<sup>121</sup> However, in Design for Christian Marriage, published in 1976, he states: "It [sexual intercourse] is the sacramental expression of the union of husband and wife, the means by which they are confirmed and nourished in that union."<sup>122</sup> And further in the same work he writes: "We have stressed up to this point the place of sex in marriage as symbol and sacrament."<sup>123</sup> This confusion in his theory becomes more significant in that he uses the non-sacramentality of marriage as a key point in his argument for remarriage after divorce. This part of his theory would need further clarification.

Small offers a summary statement on his theory of sexuality at the end of his book, Christian: Celebrate Your Sexuality.

So, properly experienced within marriage and its commitment to fidelity, the sexual relation brings a sense of well-being, complete identity, joy unbounded, perfect mutuality, freedom in responsibility, fulfillment of purpose, and an indescribable unity of being. Wrongfully experienced outside this commitment, it brings a sense of unfulfilled unity, of a meaningless investment of self, guilt in transgressing the law of God, possibly even physical revulsion, since sex is experienced as nothing more than physical connection.<sup>124</sup>

c. **Application of Theory: Petting.**--In his theory Small does not consider sexuality apart from sexual expression. There are many ramifications of this. One is demonstrated in the way he evaluates petting outside of marriage. In his book Design for Christian Marriage, he has an entire chapter on the issue of petting. The book itself is a hand-book for Christian marriage and does not pretend to be a theological treatise. There seems to be a definite "either-or" dimension in his theory of sexuality. For this reason he sees petting as an extension of intercourse and is not able to draw a distinction between the two. For Small, the petting question is reduced to understanding sex either as "[...] a pleasurable pastime, or the symbol of a permanent oneness in love."<sup>125</sup>

Within his theory of sexuality, there can be no possible expression of sexuality outside of the marital relationship. Since this is determined by the will of God, there is nothing that anyone can do to change this norm. In addition to pointing out that his theory is based on Scripture, Small also develops other arguments to uphold the immorality of petting. In so doing he offers few corroborating references and his argumentation seems weak. In the chapter on petting he claims: "While it is largely variation in degree, petting is sexual stimulation that leads directly to loss of personal control, to sinful thoughts and acts."<sup>126</sup> Small seems unwilling to admit that there could be petting and also personal control.

Another conclusion which seems unwarranted is that petting would be a form of physical contact for the sake of pleasure alone.<sup>127</sup> While that certainly might be the case, Small offers no evidence that would indicate that petting must necessarily be an expression of pleasure for its own sake. He refers to petting in Christian: Celebrate Your Sexuality, and draws another unsubstantiated conclusion:

[...] It should be mentioned that the practice of petting is a penetration of the sexual secret. It violates another person's sexual integrity. Jesus warned about looking that is lusting, and certainly petting, whatever else it stands for, is nothing less than looking by means of one's hands.<sup>128</sup>

Unwilling to consider sexuality apart from the full expression found in intercourse within marriage, Small maintains that the Christian must view petting as being on the same moral level as is intercourse.<sup>129</sup> Small ends his chapter on petting by considering the Scriptures and by drawing the following conclusion:

Whatever the standard of the non-Christian, the standard for the Christian is clear. His body is a sacred trust from God, its function meant to be restricted to and preserved for the ends designed by God. Since petting is an unnatural function which is not appropriate, it is certainly not within God's will for a child of His.<sup>130</sup>

Small then goes on to examine the texts from which the above conclusion is drawn.

Petting outside of marriage is sexual immorality, and Paul said distinctly: "...The body is not meant for immorality, but for the Lord..." (I Corinthians 6:13, RSV). Again, he said that a Christian must "...possess himself of his own vessel in sanctification and honor, not in the passion of lust..." (I Thessalonians 4:4,5, ASV). To this is added the word of Peter: "...abstain from fleshly lusts, which war against the soul" (I Peter 2:11). And again, Paul's word to Timothy was: "Flee...youthful lusts..." (II Timothy 2:22). So the issues are clear and the decision is plain enough for those who are honest with themselves and with God.<sup>131</sup>

What is never substantiated in the above quote is the opening statement. The immorality of petting outside of marriage is assumed to be immoral. The texts from Scripture condemn immorality, without making references to petting.

**d. Summary of Theory of Sexuality.**—According to Small's understanding, the purpose and the particular guidelines for sex are laid out in Scripture. Sex is a result of the creative intent of God; therefore, it is God's prerogative to determine what is the purpose of sex. The individual is not free to change this purpose.

Small does not refer directly to the connection between sex and procreation. For him, what is determinative is the necessary connection between sex and marriage. Small derives this understanding from Scripture. As was the case in his ethical theory, there is no attempt to present an analysis of the biblical texts, nor does he consider the various interpretations of the important texts offered by biblical scholars.

It was also seen that in some of his works Small draws on the sacramental character of the marriage relationship, while in other places he seems to deny that marriage is a sacrament. There is need for clarification here; however, this point is not the most important element in his argumentation. His central issue is that the purpose of sex is determined by God, and this purpose is that sex take place within marriage.

Small makes a severe judgment on petting, drawing conclusions without offering sufficient argumentation. To maintain that petting and sexual intercourse are basically the same is an unusual assumption. He makes several similar judgements in his argument: (a) Scripture offers specific guidelines in sexual ethics which transcend the limitations of history and social context; (b) the Christian can clearly discern what these guidelines are; and (c) Scripture condemns all sex outside of marriage, including petting. The weakness with this approach is that readers may not accept any of these assumptions. Once the assumptions are pulled out, there is no argument, since Small has not developed any other form of reasoning.

#### D. SUMMATION

Between Bahnsen and Small there are many similarities in their ethical theories. The third author, Ramsey, develops his theory a bit differently than the other two. All three hold that the Christian ought to respond in obedience to the moral norms, and it is this obedient response which is most characteristic of the moral Christian life. Even Ramsey begins with a response in obedience, since it is due to the command of Christ that the individual Christian is to love the neighbor. For both Bahnsen and Small the moral law also stems from a command of God, though they would place the command in the will of God the Creator.

There is also a difference when the role of human intelligence is considered. For Ramsey there is a part to be played by the individual in that he or she must apply the general principles to the particular circumstances. It is the responsibility of the individual or groups of individuals to determine what the neighbor-needs are and how they can best be fulfilled. However, for Small and Bahnsen the individual is only to uncover the norms and even specific laws which are provided by the Creator. The laws already exist in detail. The fact that they exist is proof of the Creator's love and concern for individuals.

The three authors look to Scripture to ground their ethical theories, but in different ways. Ramsey grounds his theory in the command of Christ to love the neighbor but realizes that Scripture does not spell out all the possible scenarios where the neighbor-needs might surface. He even acknowledges that Paul went beyond the words of Christ in attempting to meet the needs that Paul encountered. When Bahnsen and Small turn to Scripture, it is not only to uncover general norms and principles but to discover the specific laws as well. There seems to be no

willingness on the part of either Bahnsen or Small to consider the historicity of some of the statements in Scripture.

For Bahnsen and Small the moral law is something which is found in Scripture, so ethics is done in an a priori manner; the individual need not search out the norms within the given situation. The response of the individual, then, with regard to the moral life, is one of obedience. All three authors agree with this. However, in fairness, Ramsey leaves room for other considerations, even though he does not develop them himself. Bahnsen and Small do not allow for other options within their systems. They might agree that the destiny of the human person is happiness, but they would hold that this happiness is found in obedience to the law. Happiness would not be the result of the foundation of communities to witness to God's continuing presence in the world, it would not be the result of further fulfillment of the human potential, and it would not be the result of the development of a mature autonomy. The primary concern is for obedience.

There are a number of similarities among the three authors' theories of sexuality. Bahnsen and Small are very similar in their positions and their methods; whereas Ramsey shares their conclusions but is working out of a much more refined methodology than the other two. This is partially due to the different audiences the three are addressing. Both Bahnsen and Small write non-technical works, appealing to a more diversified audience. Ramsey, on the other hand, has been engaged in theological discussions for more than three decades and has had to defend his ideas against the critiques of some of the most insightful theologians in the world. His arguments are more systematic and refined than are those of Bahnsen or Small. Nevertheless, Ramsey does not seem to take advantage of some

of the possibilities within his own method and draws conclusions very similar to the other two.

In looking to Scripture to determine the meaning of human sexuality, Bahnsen and Small see the creation of male and female normative for sexual activity. Ramsey adds the notion of procreation, something which is not considered by the other two. None of them seems to consider the various interpretations within the biblical studies field, even of those texts which are so central to an understanding of sexuality. The conclusion with regard to homosexuality is the same for all three, even though Small and Ramsey do not study the issue in depth. Homosexuality is seen to be a distortion of God's created purpose for human sexuality. Therefore, there can be no tolerance for homosexuality.

There seems to be at least one critical consideration absent from the thought of these three authors: If the moral law comes from the will of the Creator (which is an assumption), how does one come to know this law? The ethical quest is reduced to understanding what has already been said in Scripture. However, Small and Ramsey would certainly hold that Scripture needs to be read with a critical eye, discarding some statements as being historically and culturally conditioned. On what basis, then, does one decide that this particular statement is historically conditioned and must be thrown out, while this other statement is not conditioned and must be maintained? The presumption is that, if it is in Scripture, it is applicable, unless proven otherwise. There is no attempt to consider the opposite stance.

Ramsey's starting point allows for greater development in the area of sexual ethics. His consideration of Sartre's philosophical position exposes the need

for love within the human dimension. For Ramsey, it is the physical reality of the human being that allows for the communication to the other and allows for the sense of isolation to be overcome. It is the physical which can incarnate the human spirit and allow for communion. Unfortunately, Ramsey draws mostly on the norms of the physical aspect of sexuality to determine the morality of premarital sex. What is missing in his theory is the reasoning which went into the derivation of the norms of action. How does one draw together the awareness of the human condition striving to overcome loneliness, the ability of the personal to move to communion through the physical, the fulfillment of neighbor-needs, and the connection between the unitive and procreative dimensions of sexuality? There is a great perceptivity in his theory which seems to go untapped.

The basic premise of the three authors' ethical theories, namely, that the moral law demands a response of obedience, leaves little room for speculation on alternative life styles or even serious consideration of findings from other sciences. Their preoccupation is maintaining the law.

## CHAPTER IV

### PROTESTANT HISTORICISTS

This chapter will consider the three Protestant Historicists, Beverly W. Harrison, James B. Nelson, and W. Norman Pittenger. Their ethical theories will be considered and then how each author applies his or her theory to the question of homosexuality.

#### A. BEVERLY W. HARRISON

Beverly Harrison refers to herself as a feminist moral theologian. The concerns she writes about are those which are concerns for the feminist movement, centering on those issues which deal with justice. Her treatment of sexuality is within this framework—the unjust oppression of women by the male society, and the implications for both men and women that such a position of power has had through the centuries.

##### 1. Ethical Theory

She does not develop an ethical theory as such in any of her works. Rather within a series of articles she points out some of the basic elements which must be part of a moral theology, doing justice to the dignity of all individuals, particularly those who have been in a state of oppression.

**a. Ethical Foundation and Operative Philosophy.**—In an address originally given on April 15, 1980, at the inauguration of new faculty members at Union Seminary and

which was later printed as an article in a special issue of Union Seminary Quarterly Review,<sup>1</sup> Harrison develops several specific points which are essential for a feminist moral theology. She emphasizes most strongly her final point, which is present in some of her other articles as well. Here she stresses the interrelatedness of all things and the implications this has when viewing the images of God and considering theories of Christian love which have become part of the Christian heritage. She develops separately the understanding of love being the ability to actually create one another. This has immediate implications in her moral theology. She also examines the past, theorizing why some of the traditional divisions have been perpetuated within the Christian tradition. She sees many of the divisions resulting from a refusal to deal with the unity of the person. And finally, she offers some reflections on morality as such and in that context considers the role of Christ in moral theology.

Within the feminist perspective Harrison is concerned with maintaining the unity between the physical body and the emotional aspects of the individual. This is the basis for a central element of her moral theology--relationality.

The final and most important base point for a feminist moral theology is the centrality of relationship.

As a feminist moral theology celebrates the power of our human praxis as an intrinsic aspect of the work of God's love, as it celebrates the reality that our moral-selves are body-selves who touch and see and hear each other into life, recognizing sensuality as fundamental to the work and power of love, so above all else, a feminist moral theology insists that relationality is at the heart of all things.<sup>2</sup>

It will be seen below that the inability for an individual to be in harmony with his or her physical body is the root of the inability to be in harmony with other persons.

In the same article she goes beyond a consideration of the interrelatedness of individuals, to the interconnectedness of all things, not just persons.

To speak of the primacy of relationship in feminist experience, and to speak of a theology of relation, however, is not to buy in on the latest capitalist fad. It is, above all, to insist upon the deep, total sociality of all things. All things cohere in each other. Nothing living is self-contained; if there were such a thing as an unrelated individual none of us would know it. The ecologists have recently reminded us of what nurturers always knew—that we are part of a web of life so intricate as to be beyond our comprehension. Our life is part of a vast cosmic web, and no moral theology which fails to envisage reality in this way will be able to make sense of our lives or our actions today.<sup>3</sup>

This relationality is seen by Harrison as characteristic of the Israelite community in the Old Testament but is something which was omitted by the Church Fathers. There were subtle ways that the early writers divested Christianity of this relational aspect. Harrison traces the process through even the images of God which were used by Christians. "By stressing that God is 'being itself' or is 'the wholly other' the Christian tradition implies that a lack of relatedness in God is the source of divine strength."<sup>4</sup> Harrison, coming out of her feminist background, maintains that these images of God were only some of the results of an active effort on the part of the early Church to keep power in the hands of the men and away from women.<sup>5</sup> These images of God have direct implications for the way that individuals view themselves. Harrison draws the following conclusion.

I submit a theological tradition which envisaged deity as autonomous and unrelated was bound over time to produce a humanism of the sort we have generated, with its vision of "Promethean man," the individual who may, if he chooses, enter into relationship. Where our image of transcendence is represented to us as unrelatedness, as freedom from reciprocity and mutuality, the experience of God as living presence grows cold and unreal. But even after such a God is long dead, the vision of the human historical agent as one who may, or may not, choose relationship lingers with us.<sup>6</sup>

It is her position that the root of such a position within the Church can be traced directly to the fear that men had of women.<sup>7</sup>

As an example of the need for this relationality in human development, Harrison looks at the early stages of development of the person. She examines this development within a description of the two social systems which go to make up any society—the reproductive system and the productive system.

All human beings, whatever else we need, need to perpetuate ourselves and to provide for socialization of the young. Organizing to do this creates the "reproductive system". The human animal is the most helpless of all creatures at birth. The new born baby has no capacity to survive or live on its own.

[...] For our purposes, I invite you to think of this reproductive system, not in crassly biological terms as some social scientists and theologians do, but more as a moral system. The way we organize this system involves the conditions, not merely of birth, but of being empowered to become persons, learning to live our life in society, and coming to grasp what one's life is about, and what life (and death) mean.<sup>8</sup>

In this same paper she goes on to develop the point that what has happened in the capitalistic economies is that the productive system has dictated the values which are transmitted in the reproductive system, to the detriment of persons.

What can easily be seen from the above quote is that the biological birth of a human being is merely one aspect of the process of becoming human. She develops this concept further in an article on abortion:

The distinctly human power is not our biological capacity to bear children but our power to love, to nurture, to care for each other and to shape each other's existence in social interaction. To equate a biological process with full humanity is crass biological reductionism, and (as noted) such reductionism is never practiced in religious ethics—unless women's lives and women's well-being are involved.<sup>9</sup>

In the interrelatedness of one to another, human values are transmitted. It is through the appropriation of these values, along with other items, that one becomes a person and can then assume a position of being able to nurture others.

Returning to the conflict within the society between the two social systems, she writes:

[...] Our reproductive system [...] is where we consciously feel most of the strains, and where we take out most of the frustration we develop from the alienation and dehumanization that occur within the productive systems. And if we don't fit usefully into the productive system as it currently functions, then we are considered a "social problem."<sup>10</sup>

This interrelatedness of one to another, then, is very crucial in the transmitting of values and in the ongoing process of each person bringing the other to a greater realization of personhood.

That which is central to the process of bringing another into personhood is love. Feminist moral theology, according to Harrison, has helped to reemphasize the importance of love. She writes:

We do not yet have a moral theology which teaches us the awe-ful, awe-some truth that we have the power through acts of love or lovelessness literally to create one another. I believe that an adequate feminist moral theology must call the tradition of Christian ethics to accountability for minimizing the deep power of human action in the work of or the denial of love. Because we do not understand love as the power to act-each-other-into-well-being we also do not understand the depth of our power to thwart life and to maim each other.<sup>11</sup>

Harrison claims that in the past this power of love was not realized due to the over-emphasis of the power expended in the technological fields. Western Civilization has stressed the ability to conquer other nations, to develop more advanced technologies, and to rely on economic security--qualities which Harrison sees as typically male--rather than to rely on the building up of the community of persons through the power of love.<sup>12</sup> In her view, individuals have lost the ability to engage in meaningful relationships. Referring to the crisis of marital breakdowns, she writes:

The crisis which does need our attention, we submit, is the incapacity for deep-level human intimacy free of manipulation and coercion [sic].

We much need this capacity for intimacy in order to have the energy to struggle against dehumanizing social realities, i.e. to sustain the struggle for justice itself. The power to affirm each other, to give and receive support, to collaborate and communicate in caring ways--this is what we need. The power to establish "we-relationships" that are mutually enhancing is what we lack.<sup>13</sup>

One of the implications of Harrison's thinking would be that without the relationships which allow for this love to be expressed individuals are not able to come to full personhood, since it is through such relationships that the human being becomes a person. Therefore, while the civilization has continued to push ahead in various areas--supposedly, to enhance human development--human progress toward personhood has been retarded.

In her considerations of love Harrison points out some of the abuses within the Christian tradition, a tradition which attempted to maintain that Christian love was something different from mutuality. Harrison believes that those who held such a notion could not understand what is meant by mutual love. If understood properly, mutual love is in fact Christian love, that is, "[...] the experience of truly being cared for or of actively caring for another."<sup>14</sup> This was one aspect of the Christian tradition which the feminist movement challenged directly. Harrison summarizes her thinking on this matter:

The power to receive and give love, or to withhold it--that is to withhold the gift of life--is less dramatic, but every bit as awesome, as our technological power. It is a tender power. And, as women are never likely to forget, the exercise of that power begins, and is rooted, in our bodies, ourselves.<sup>15</sup>

One last note on Harrison's understanding of love: for her, anger is often a manifestation of love. Admitting that the feminist movement has used angry rhetoric, admitting also that this same anger has caused some inarticulateness, she writes:

We are angry, and I contend that we have a right to be. But it is a disastrous, dehumanizing error to confuse anger with irrationality. Anger is the fruit of love, admittedly ambiguous. But it signals, always, the presence of caring. It turns to hate only when rebuffed or repressed.<sup>16</sup>

Harrison sees love as that which brings the individual into personhood. However, this love is not to be seen as something which is outside of, or apart from, the person. Love is connected intimately with the body. This aspect will be further developed in her third point which follows.

Harrison's understanding that love and the physical aspects of the individual are connected is merely one part of her attempt to maintain a united approach in three different areas: (1) the relationship between the physical body and the mind, (2) the relationship between the social and private lives of individuals, and (3) the relationship between human experiences and different spiritualities which reflect on those experiences.

Harrison notes a tendency in the Christian tradition to use the body/mind dualism as a basis for the position that one is most Christian when most detached and disengaged from life-struggles.<sup>17</sup> The Christian tradition has consistently upheld the functions of the mind as being superior to the desires and impulses of the flesh. Such thinking has its roots in the misogynous attitudes of the male hierarchy within the Church.<sup>18</sup> In an article entitled "Misogyny and Homophobia: The Unexplored Connections" she writes:

A wholistic approach to human experience, free of the body/mind dualism which keeps patriarchy in place, recognizes that the ethic we need for expressing our sexuality is synonymous [sic] with a foundational ethic of mutual respect.<sup>19</sup>

While women have made the point that the body must be respected when considering the human person, they are often accused of merely engaging in self-indulgence. This is especially the case when such considerations are used within

the debate over abortion, particularly the woman's right to control her own body.<sup>20</sup> Harrison develops the notion, however, that when the body is neglected, there is no way of accounting for one's ability to be in contact with the world.

All knowledge is rooted in our sensuality. We know and value the world, if we know and value it, through our ability to touch, to hear, to see. Perception is foundational to conception. Ideas are dependent on our sensuality. Feeling is the basic bodily ingredient which mediates our connectedness to the world.<sup>21</sup>

One of Harrison's chief concerns in many of her writings is the establishment of the proper social order, that is, justice. She sees the Christian traditions continuously refusing to deal with issues of justice in the world, content to theorize and intellectualize about the problem. The good Christian was the one who was detached. In this same line she attributes the mistreatment of the older person in this society to the "[...] fear of feeling and touch, our fear of our embodiedness [...],"<sup>22</sup> though she does not elaborate on this. In addition, there are immediate implications in the area of sexuality which will be considered below.

With regard to the distinction between an individual's social and private life, Harrison sees herself within the line of the liberation theologians. With that background she cannot tolerate the tendencies in Christian traditions which allow the private lives and the social lives of individuals to remain separate.<sup>23</sup> For her, faith must be expressed in action; one may not maintain a position of disinterestedness. "Our world, and our faith, is transformed, for good or ill, through human activity. A feminist moral theology needs to root its analysis in this realm of radical moral creativity."<sup>24</sup>

In her analysis of this split between the social and the private lives of individuals, she sees both the liberals and the conservatives agreeing, even though their rhetoric may be different.

For both [conservatives and liberals in the area of sexual ethics], the personal and the political are sealed off from each other, and the dynamics that make for personal well-being and those that make for social well-being are not deeply interconnected.<sup>25</sup>

Without the recognition of the connection between one's private life and one's social life, Harrison sees no possibility of establishing a sexual ethic which can clarify the relationship between interpersonal love and the struggle to establish a just society. It is central to Harrison's ethic that an individual becomes a person through the experience of interpersonal love. This same love is what moves the individual to then assume a position of responsibility within the broader society. If the deep split is maintained between the personal and the social, there can be no way of transforming the social order into a more just society. The just social order is what Harrison sees as the ultimate goal in doing ethics, in spite of what she sees as narcissistic tendencies in society.<sup>26</sup> To seek the feelings themselves that one could have in a personal relationship is inadequate for the moral person. Any relationship should be seen within the broader context of the whole society. Referring to the psychiatric theories which treat personal love in isolation, she writes:

In the language of ethics, this means that the dialectical connection between social justice and love is lost, attenuated or misconstrued. Our view is that there is a fundamental dialectic between the presence of a liveable, humanizing community of persons and the quality of interpersonal intimacy and love which individuals can realize in their primary relationships.<sup>27</sup>

The final element in Harrison's attempt to maintain a wholistic approach is the role of spirituality. Noting the inability of most Christian traditions to integrate spirituality and sexuality, Harrison claims that the problem rests on the side of spirituality. Referring to the spiritualities of the dominant Christian traditions, she writes:

Such spiritualities sacralize mental activity or consciousness as "higher" than (the rest of) physical existence. Thus we are conditioned by all religious orthodoxy—i.e., doctrines of social elites—to view the body and bodily needs as "lower", "animal", modalities of existence which have to be tamed, or at least overcome and transcended by a higher and loftier power—rational and "spiritual".<sup>28</sup>

Here again, feminist moral theology has a unique contribution to add, since women are seen by Harrison as being unable to accept the otherworldly spirituality. Women are rooted in the praxis of their everyday lives, unlike their male counterparts who maintain this form of spirituality in order to cling to their privileges of patriarchy.<sup>29</sup>

Harrison sees two implications stemming from an otherworldly spirituality. First, for the poor, spirituality can either take a shape of the despair concerning this world oppressing them, or it can present a picture of the world still to come which becomes a constant critique to the situation in which they now exist. Second, in the rich and those who have never been marginalized, otherworldly spirituality can serve as an escape, since the political consequences of such a spirituality are reactionary. The "[...] result is to encourage denial of responsibility for the limited power that we do have, and it always results in a reinforcing of the status quo."<sup>30</sup>

Harrison believes that the feminist movement has pointed out the need to develop an ethic which takes into account all the different aspects of the human person. The starting point for Harrison is consistent with ".../ other liberation theologies which contend that what is authentic in the history of faith arises only out of the crucible of human struggle."<sup>31</sup> The distinctive elements which feminist moral theology brings are the importance of relationality as well as the refusal to accept the body/mind duality.

Harrison does not develop a systematic method of ethical reasoning; however, she does point to various aspects which would be important in doing ethics. These are brought out when she is dealing with specific issues.

She places herself within the tradition of the liberation theologians, seeing the need to do ethics within the human struggle, and in no way separated from that.<sup>32</sup> One of the things which the feminist moral theology emphasizes, rooted in the awareness of the unity between body and mind, is "[...] finding ways to enable us to stay connected to other people and to our natural environment."<sup>33</sup> Ethics, then, is done within the context of the struggle of peoples and is meant to show its results within the community, moving the group to a more just order.

Harrison protects herself from some of the possible accusations which could stem from the overemphasis of "being in touch with one's body" and seeing this as a basis of contact with the world, a point which was noted above. To clarify her position she writes:

Feelings deserve our respect for what they are. There are no "right" and "wrong" feelings. Moral quality is a property of acts, not feelings, and our feelings arise in action. The moral question is not "what do I feel" but rather "what do I do with what I feel?" [...] A feminist moral theology welcomes feeling for what it is--the basic ingredient in our relational transaction with the world.<sup>34</sup>

For her and other liberation theologians the doing of ethics is important.

In attempting to discern what it is that one should do, Harrison admits the importance of moral principles; however, how these principles are applied is an important issue.

In one sense, "the moral point of view" itself can be defined as "respect for moral principle". We all have an absolute obligation to honor any moral principle that seems, after rational deliberation, to be sound. [...] As any person knows who thinks deeply about morality, moral conflicts, as often as not, are due not to ignoring moral principles but rather are due to

the fact that moral principles lead to conflicting implications for action.<sup>35</sup>

In this context she notes that natural law theory within the Roman Catholic tradition usually acknowledges the complexity of weighing several moral principles. When this sensitivity is not found in the argumentation (her concern is in the abortion debate), when only one principle is absolutized, the natural law tradition exposes its worst side.<sup>36</sup>

Another danger which should be avoided in moral reasoning is the absolutizing of the past. Harrison describes what can happen when this is the case: "When 'the ethical' is defined merely as bringing an already known normative element to bear upon (unpleasant) new changes, such a definition subtly prejudices the case of those demanding change."<sup>37</sup> She sees the moral discussion then being reduced to a defense of the past position rather than a search for those moral principles which would be most appropriate for the present situation. In the following quote she points out that the new does not automatically provide fresh answers, nor is the old automatically to be discarded.

What the new paradigms of psychosocial development make clear is that the meaning of our sexuality involves the integration of many levels of biological and social determinants. More and more we are coming to realize the full range of healthy sexual development that characterizes human life. New knowledge per se does not yield new ethical awareness; but the emerging paradigms are themselves more open to humane value questions.<sup>38</sup>

In summary, Harrison sees the need to work out an ethic in the midst of the human conflicts, addressing the needs of the group at the present time. There will be an appeal to ethical principles, but these principles must be carefully weighed and the complexity of applying principles must be appreciated.

**b. Social Sciences.**--Harrison does not theorize on the use of the findings of the social sciences in Christian ethics. In her treatment of specific topics, however, she does draw on the social sciences. Such an approach is consistent with her ethical foundation, and it is consistent with the liberation theology perspective she seeks to maintain. More will be seen of this in her treatment of homosexuality.

**c. Ecclesial Context.**--Consistent with one of her points noted above, namely, the interrelatedness of all things, she sees the individual Christian as a member of a community. This community is not a static concept, but a group of living, acting persons.<sup>39</sup> Harrison notes that if community is viewed as a static concept, there is the tendency to do ethics by merely applying principles which are seen as absolute.

The tradition of the community offers insights which the individual must respect. There is a great deal of wisdom found in the tradition. Nonetheless, the tradition cannot be accepted blindly. She writes:

[...] Let me remind you of the simple truth which every young theological student knows, and which aging theologians too quickly forget, that nearly all fresh theological reflection is born of the awareness that one has a bone to pick with "the tradition" as delivered.<sup>40</sup>

Aside from these brief comments she makes no other point with regard to the role of the community. The cooperation of all is certainly presupposed in that she is unwilling to consider the individual apart from the relationships he or she is engaged in. It is within these relationships that one confronts the injustices to be corrected, that one discerns the appropriate moral principles to be applied, and that one struggles to establish a just social order.

The Christian community seeks to follow Christ in all of this. Harrison does not hold up specific actions of Jesus to be imitated, rather it is the

commitment of His life which is to be followed by Christians. She considers two different ways Christians have chosen to follow Christ.

It is one thing to live out a commitment to mutuality and reciprocity as the way to bear up God in the world, and to be clear-eyed and realistic about what the consequences of that radical love may be. It is quite another to do what many Christians have done—that is, to rip the crucifixion of Jesus out of its lived-world context in his total life and historical project and turn sacrifice into an abstract norm for the Christian life. To be sure, Jesus was faithful unto death. He stayed with his cause and he died for it. He accepted sacrifice. But his sacrifice was for the cause of radical love, to make relationship and to sustain it, and above all, to righting wrong relationship, which is what we call "doing justice."<sup>41</sup>

The Christian, then, has the experience of the community, the example of Christ's commitment to justice. These are brought to bear on the present situation. However, Christ is not the starting point of ethics for Harrison, neither is God the starting point. In a paper entitled "Sexism and the Language of Christian Ethics: Some Basic Theses for Discussion," she states:

I am not one of those who believe that language about Deity belongs to the primary discourse of ethics. Christian ethical discourse is not, in the first instance, language about Deity. It is language about ourselves, our agency or action. Obviously, it is language informed by our symbols of ultimacy and articulated with reference to those basic symbols, including our symbols of Deity. But "God-talk" is but one dialectical element in Christian ethical discourse.<sup>42</sup>

It is in the present situation where ethics begin. It is in the present that the most reasonable solution is sought.

**d. Scripture.**—Harrison does not theorize on the use of Scripture in Christian ethics. As will be seen below, she rejects those strands of Protestant ethics which base their ethics on a "proof-text" use of scriptural passages. In her own writings, Scripture is rarely used.

**e. Summary of Ethical Theory.**--Harrison's concern is the unjust situations which exist in society at the present time. She goes back into history to better understand the present conflicts, but only in order to rectify the present situation. Her point of focus is usually on those issues which have been oppressive to women, though she also considers issues which affect other margined groups of people.

She is firm in her belief that love has the power of changing the present situation--not an intellectual love, which often leads to detachment, but an active, caring love, a love which at times might express itself through anger. Her morality takes into account the whole person along with all of his or her relationships.

In Harrison's understanding the Christian brings to the ethical search the experience of the community, including experiences from the past. These experiences do not provide automatic answers. It remains the responsibility of the present community to right the injustices which now exist, applying those principles out of the past which seem most appropriate. While she does not develop the point, it would seem that her understanding of Jesus would be in a similar vein, that is, He took the teachings of His past and applied them or cast them aside when the occasion called for a decision.

Implied in her method is an appreciation of the historicity of moral thought. The principles and teachings of the tradition are developing, and it is the responsibility of the community to continue to refine them and, where needed, to challenge them. She points out where some of the principles and teachings of the Christian tradition have developed out of the misogynic attitudes of those in power. These attitudes she challenges directly. In these cases her rhetoric is rather polemic; but in her view the opposing sides are in fact polarized, one side identified as oppressive, the other, as oppressed. In her understanding of sexuality

it will be seen that she sets out, as well, to champion the cause of those standing at the oppressed pole.

## 2. Theory of Sexuality

Harrison's sexual theory, like her ethical theory, is found only in the writings on specific questions of sexual ethics. There are some reflections on the nature of sexuality. Also, she considers the ethics of sexual behavior. Her treatment of homosexuality is within her perspective as a liberation theologian, seeing homosexuals primarily as an oppressed group of individuals. Finally, a moral evaluation of homosexual sexual behavior is considered.

**a. Nature of Sexuality.**—In keeping with her wholistic approach and her attempts to overcome certain dualisms identified in the society, Harrison considers sexuality within the context of the total human person.

Our sexuality does not detract from, but deepens and shapes, our power of being. Our bodies, through our senses, mediate our real, physical connectedness to all things. Our sexuality is the deepest, most intense dimension of our interaction with the world and because it is, it really is a key to the quality and integrity of our overall spirituality. [...] Hence, sexuality is not only critical to, but indispensable in our deepest spiritual power—i.e., our power of communication, and to the self-respect we give and receive.<sup>43</sup>

As was noted in her ethical theory, Harrison is unwilling to accept an understanding of the human person which maintains the body/mind split. The human body is good, is an integral part of the person, and a good which has a social dimension in that it puts the individual in touch with the rest of the world. She develops this same notion in her article "Toward a Just Social Order":

Our capacity for caring, for expressing and receiving deep feeling, for reaching out to others is grounded in our bodies or not at all. These realities open the way for us to reaffirm what we have long declared in our theologies—that our sexuality is a gift of God.<sup>44</sup>

Harrison admits that the Christian tradition has not always viewed sexuality in this manner, nor do the Christian traditions today unequivocally promote such an approach. A good deal of fear has been associated with sex and sexual pleasure, stemming from the body/mind split.<sup>45</sup> Where sexuality has been reconsidered in a wholistic manner, there is no longer the view that "[...] sexuality itself is an irrational, even an evil power, deeply foreign to our personal integrity and outside the range of our self-direction."<sup>46</sup> She does not hesitate to state that the Christian tradition must be challenged in this area. As was noted in her ethical theory above, the mere fact that something has always been taught as a valid principle does not guarantee that the principle is still applicable. There is an appreciation in the area of sexuality of the historicity of the human dimension and of the mores concerning sexuality.<sup>47</sup>

Discoveries in the social sciences are part of the historical reality which has caused the thinking on sexuality to be reconsidered. As a result of the social sciences' investigation, Harrison draws the following conclusion: "What we are discovering today is how little we really have ever understood about ourselves as sexual persons."<sup>48</sup>

While there may have been little understanding of sexuality, there were attitudes, often unconsciously accepted by both men and women, toward sexuality. Examining the historical reality from her feminist perspective, Harrison points out the different attitudes which men and women had maintained (and, in many cases, still maintain) toward sex.

The evidence suggests that traditionally women have rejected genital intimacy apart from a context of interpersonal commitment. [..]

Men, for their part, because they are socialized to view sexuality as a conquest and a performance, tend to objectify not only women's bodies but themselves as performers. As a result men often find it difficult to connect genital sexuality with wider dimensions of physical and interpersonal intimacy.<sup>49</sup>

For Harrison the nature of sexuality must be considered within the context of the total person. This has not been the case in the past, even within the Christian tradition. Since both the person and the person's sexuality are seen within the historical perspective by Harrison, the attitudes of the past are to be challenged in light of newer viewpoints of the human person.

In the next section, which will consider her sexual ethic, some of the aspects of the nature of sexuality will be further clarified. However, it is significant to note even at this point that for Harrison the understanding of the nature of the person and the nature of sexuality is drawn out of the experience of the past and from the present reality. She does not simply rely on Scripture, Christian principles, or any form of authoritative statement as a basis for her understanding.

**b. Ethics of Sexuality.**—When looking at the way Christians have done sexual ethics in the past, Harrison notes that most of the sexual ethic supposed the body/mind split. Even though it appeared that the tradition had a definite teaching on sex, since the teaching was built on false assumptions, this teaching was not one that was meaningful. Therefore, she states: "What all of this means is that the Church is going to have to recognize that, contrary to popular opinion and customary wisdom, Christianity has not developed an adequate sexual ethic."<sup>50</sup>

She then goes on to develop what would be necessary for an adequate sexual ethic today, an ethic which would remain faithful, not only to those things in the past which are still useful (though this is not her main concern), but also to those insights which are available through the social sciences. One element of the sexual ethic would be a recognition that mutual respect is essential. This implies that genital sexuality is an expression of psychic intimacy.<sup>51</sup> Secondly, it is the responsibility of the community to do ethics, not to merely appropriate what was done in the past or merely to come to a fuller understanding of what nature has already established. On the relationship between nature and ethics she writes:

If our sexual behavior had ever really been determined "by nature" we would need no ethics of sexuality. We do not need morality to deal with what is "natural." Ethics begins where necessity, or predetermination, in creation leaves off.<sup>52</sup>

Harrison identifies several points in past argumentation which caused the distortions in the understanding of sexual ethics. First, she sees a problem with the way that natural law theology was applied to sexual ethics and to the role of women. Acknowledging the strengths of the natural law tradition, these two applications seem to have been blind-spots. Protestant moral theology in these two areas either followed the natural law lead or they grounded

[..] their positions in biblicist anti-intellectualism--i.e. claiming that "God's word" requires no other justifications than their claim that it (God's word) says what it says. Against such irrationalism, no rational objections have a chance.<sup>53</sup>

She sees this anti-intellectualism further entrenched by her second objection to the arguments of the past: the absolutizing of anything simply because it was used as a moral principle in the past.<sup>54</sup> Her third objection to past arguments is their inability to see that sexuality is connected with radical love. This inability was due to the influences of misogyny throughout the tradition.<sup>55</sup>

The sexual ethic of the past is viewed by Harrison to be an ethic of patriarchy, whereas the feminist perspective of the sexual ethic is different.

A feminist sexual ethic, by contrast, rejects as inappropriate all sexual relations or aspects of human relations characterized by inequalities of power. "Nobody gets hurt" is a negative standard. A more adequate ethic insists that people's sense of self-worth should be enhanced. Power relations are the key issue.<sup>56</sup>

In the feminist ethic there are actions which are inappropriate for an ethical life style. However, these actions would not be condemned as such. Harrison states this clearly: "But such an ethic [feminist sexual ethic] never condemns, a priori, any sexual act or sexual relationship of equality as such."<sup>57</sup> She implies, however, that a sexual act based on inequality, or power, would be condemned.

When developing a sexual ethic, Harrison points to those areas where there have been distortions in the past and to those contemporary concerns which have brought new insights to the discussion. A sexual ethic must take all of these insights into account. Once again it should be noted that she does not search through the tradition to find some principle which will determine all actions. The principles which she uses remain broad, encompassing principles. They are based on a wholistic approach to the person and his or her sexuality, and they encourage interpersonal relationships based on equality. Referring to the Church's role in all of this, she offers the following summary statement:

Once and for all it [the Church] must overcome its sex-phobic fear of eroticism as a foreign and evil power which wars with our positive spiritual energies. We must come to recognize that our sexuality is a deep aspect of our total, integrated bodily well-being. It is the root of our personal integrity and it therefore also must be integrated deeply into our life-styles and value commitments if we are to possess a wholistic capacity for intimacy and for powerful communication and interaction with other human beings.<sup>58</sup>

**c. Application of Theory: Homosexuality.**--Coming from her feminist perspective, Harrison sees much of the fear and hatred of homosexuality within the society as being associated with the attempts of that same society (male-dominated) to keep women in a non-equal status. She writes: "Enforced heterosexism, in the form of the claim that only heterosexuality is 'natural' sex, is the ideology of a society which wishes to disguise its hatred for women and at the same time extend its male supremacy."<sup>59</sup> Relying on the findings of John Boswell,<sup>60</sup> Harrison traces the homophobic attitudes through the belief that the male was more sexually active whereas by their nature females were passive. "Hence it was assumed that in male homosexual activity at least one male was playing the passive role--i.e. was penetrated. One stigma of homosexuality then, was that it required some men to act like females."<sup>61</sup> In addition to the connection with misogynous attitudes, homosexuality also was a victim of the society's fear of sexuality in general.<sup>62</sup>

Harrison also notes that society tends to consider homosexuals as a group, rather than viewing the personal qualities and attributes of each individual. This results in a distorted perception of what the homosexual community, and homosexual individuals, are like.<sup>63</sup> In keeping with her liberation theology perspective, Harrison sees the present situation calling for the recognition that individuals are involved, and the gay movement is a movement of liberation for individuals.<sup>64</sup>

Her consideration of the ethical elements involved in the sexual activity of homosexual persons begins with a clarification of the connection between homophobia and misogyny.

Only when we begin to recognize that the feminist analysis is correct that social control of women as a group has totally shaped our deepest and most basic attitudes toward sexuality, do we comprehend the full social

functionality of enforcing compulsory heterosexuality on both women and men. The only "respectable" alternative to compulsory heterosexuality in our culture, is of course, asexuality or celibacy.<sup>65</sup>

Heterosexuality as normative for human beings or as the ideal of human expression is one of the principles from the past which Harrison is not willing to accept. Even in defining marriage, she points out that she is not limiting her remarks to the relationship between a man and a woman. The reason she gives for leaving this out of her definition is that there is no "[...] compelling religious or moral reason to include it."<sup>66</sup> The definition of marriage which Harrison proposes is:

[...] A moral relation involving the binding of two persons, freely and in good faith, in the intention to live together, support each other, and grow in the capacity for caring, (not merely caring for each other, but caring) through their mutual lifetime.<sup>67</sup>

The principle with which Harrison begins, rather than the normative character of heterosexuality, is the goodness of sexuality in general. She writes: "[...] We must accept sexuality itself as good, not merely when channelled in 'reputable' and well-patterned ways, but good per se."<sup>68</sup> Homosexuality, then, is merely one form of expression of sexuality as is heterosexuality.

In Harrison's view the gay movement is primarily a movement of liberation. The response to this movement, as to other movements of liberation in the face of oppression, ought to be one of support and encouragement.

If those whose lives are twisted and thwarted by society's strongly patterned "compulsory heterosexuality" are finally asking to be respected for who they are,—for the power and intrinsic value of their own sexuality, and for the power and integrity of their deepest personal relations--we should rejoice, and accept the gay sexual experience as fresh data in the communal task [*sic*] of shaping criteria for an adequate morality of sexual-social relations.<sup>69</sup>

In her ethical consideration Harrison does not attempt a detailed analysis of pertinent scriptural passages. She does not consider in her writings the

predominant theories of the etiology of homosexuality nor does she analyze the statements coming out of the different Christian Churches. With regard to the latter point, in her article "Misogyny and Homophobia" she has some rather harsh things to say to the Episcopalian Church, charging that large numbers of the clergy are closet homosexuals. In her view it is this segment of the clergy which is most vociferous against the ordination of women.<sup>70</sup>

Harrison sees the gay movement playing a part in the liberation of heterosexuals as well, particularly from the body/mind split which is at the source of the fear of sexuality.

Gay organizations that express solidarity and self-affirmation of their identity and that aim at securing their full rights as human persons present those of us who are not gay with the occasion to grasp how much we are in bondage to our own fears, projections, and sexual fixations.<sup>71</sup>

Harrison does not consider the question: Is homosexual genital activity moral? However, throughout her writings on homosexuality, as well as on sexuality in general, it is easy to see that her answer to such a question would be affirmative.

This affirmative answer is drawn from her definition of marriage along with the introductory remarks which she offered to that same definition, a definition which allowed for the homosexual "marriage." Particular sexual acts between homosexuals, then, would be evaluated in the light of the moral relationship between the two persons. Harrison points out several elements of sexuality which should be the context within which all sexual acts are included, whether they be homosexual or heterosexual acts.

The giving and receiving of touch and the sharing of erotic pleasure is a powerful and bonding way of /sic/ being with another. Sexual communication, at its best, mutually enhances self-respect and valuation of the other. The moral norm for sexual communication in a feminist

ethic is radical mutuality--the simultaneous acknowledgement of vulnerability to and need of another and the recognition of one's own power to give pleasure and call forth another's power of affirmation.<sup>72</sup>

A final note on her moral evaluation of homosexual activity. The definition given for marriage (including homosexual "marriages") calls for the two persons to live together, to support each other, and to grow in the ability to be caring persons. This is not meant to imply sexual exclusivity.

The fact is that partners in a marriage owe each other the right of open and good faith communication in arriving at appropriate patterns of action vis-à-vis intimacy with other persons. But strong marriages, exhibiting a high degree of moral relationship, do exist which do not exclude genital sexual relations with other persons.<sup>73</sup>

From her writings advocating the integration of one's sexuality into the entire life-style, it would be unfair to draw the conclusion that Harrison would accept a promiscuous life-style. She in fact criticizes the over-emphasis of the society on genital sexual expression. She notes that even though this form of expression is on the rise "[...] there is little indication that we are experiencing a reduction in loneliness, isolation, competitiveness, or a sense of alienation from community."<sup>74</sup> Since the improved social order is what is the final end for her and since promiscuous sex does not improve the social order, the implication is that promiscuity is to be avoided.

**d. Summary of Theory of Sexuality.**--Harrison begins from the perspective that sexuality is deeply ingrained in the human person and that sexuality is good. It is seen as a powerful means of calling the other person into personhood, as well as a means for the individual to be in touch with the world in that he or she is integrated with the physical body. Thus, homosexuality is merely one form of expression of sexuality, as is heterosexuality.

She maintains her feminist perspective throughout. Reviewing history, Harrison maintains that there has been a conscious attempt to keep women subject to the power that is controlled by men. From this desire on men's part to control women there arose the body/mind split, which had serious ramifications on the way sexual theories were articulated.

At the same time, she consistently maintains her concern to liberate those who are oppressed. Thus, the discussion of homosexuality is seen to be a struggle by the gay community to overcome oppression. In her evaluation of homosexual activity, there is no appeal to Scripture, no appeal to authoritative statements, and no concern to elaborate a theory for the etiology of homosexuality. In truth, she seems to apply her ethical theory consistently to the consideration of sexuality and homosexuality. A strength of this approach is that she is not tied to pronouncements of the past and can set about attempting to right the injustices which are present in the contemporary society. The past is used only where it is useful to shed light on the present.

She brings several unique insights to the ethical discussion: (a) the relationship between the misogynous attitudes of the male hierarchy in the Christian tradition and the elaboration of a sexual ethic which does not take into account the total person; (b) these same misogynous attitudes are at the root of homophobia; and (c) the influences which the economic system of the society has on the objectification both of sex and of the person.

Her approach also contains some weaknesses. First, while she sees herself as both a feminist and a liberation theologian, Harrison also considers herself a Christian theologian. She acknowledges that the tradition of the Christian Churches has considered heterosexuality as the norm for sexual activity. While she

does not accept that position, she does not offer any substantial reasons which would indicate why the tradition is wrong. The insinuation in her writings is that the tradition is steeped in misogynous attitudes and these attitudes resulted in the teaching on sexuality. Harrison does not develop very clearly the connection between the misogynous attitudes and the teaching on sexuality in the tradition. To hold the view that she does, namely, that heterosexuality is not normative, it would seem necessary to offer a substantive defense, particularly in the light of the strength of the tradition.

Second, her use of the tradition of Christianity and Scripture are not clear methodologically. Acknowledging that the symbols of faith and God influence the ethical discourse, she does not explain how the discourse takes place. Furthermore, in her own ethical discourse there is little evidence that these symbols play any function at all. Obviously, the ethical discourse can take place without reference to these symbols. It might be better for her to clearly indicate that these symbols of faith are not being used in the discourse, rather than appealing to them in a vague, passing manner.

The final weakness of her position to be noted is specifically in the area of homosexuality. It is not clear in her theory whether sex adds anything unique to the relationship. She states that sex must be viewed within the total person and that sex is an expression of intimacy. She does not elaborate on what is involved in an intimate relationship. For her, attitudes of inequality or power do not belong in such a relationship. On this she is very clear. Eliminating those attitudes still leaves a broad spectrum. If sex is a way of calling one forth to a deeper realization of personhood, would sex be good when only a minimum amount of intimacy is present because intimacy would then have the added impetus of sex to

encourage it to grow? Does a relationship change when genital expression is added to it? From what she says about genital exclusiveness in the marriage relationship, it would be possible to draw the implication that sex does not add another dimension to the relationship.

There seems to be a certain naiveté in her approach to sexuality in that she does not consider the strength of the sex drive and the ability it has within the human person to confuse and to color the way one looks at any situation. The experience of the human family seems to indicate that sexual tensions can influence judgment to such a degree that often immoral activity is justified as being moral, even virtuous.

While these weaknesses may seem formidable, the elements for her defense are latent in her writings. Part of the problem, certainly, is that she has not written a major work in which she spells out some of the theoretical considerations which are a necessary foundation. Most of her writings focus on one particular question. Often, these papers were first given as talks, which further restricted her, since there is a time factor. Her starting point is fresh, and she certainly draws attention to new aspects of the question.

#### **B. JAMES B. NELSON**

James B. Nelson has been publishing since 1968. He has written in the area of sexual ethics and medical ethics, as well as fundamental ethics, justifying the contextualist approach to ethics.

## 1. Ethical Theory

Nelson has gone to great efforts to present a clear and detailed theory of Christian ethics. He has one book and several articles dedicated to this task. This study will only treat those areas which will shed some further insight on his theory of sexuality.

a. **Ethical Foundation and Operative Philosophy.**—In his book Moral Nexus, Nelson borrows a definition of Christian ethics from James Gustafson: "[...] Christian ethics then becomes a 'critical reflection on the moral actions of the Christian community and its members.'" <sup>75</sup>

He acknowledges many different approaches to Christian ethics. One way of categorizing the approaches is to divide them into two groupings--those which place most of the importance in principles and those which place most of the importance in the context.<sup>76</sup> Nelson sides with the latter, those known as "contextualists."

Rather than define the term "contextual ethics," Nelson sets out some of the characteristics of such an approach. He writes:

For the contextualists [...] the posture of moral reflection is more analytical than prescriptive.

The first task of Christian ethics is not to prescribe, but to understand and describe. Considerable attention is directed to the decision-making process, wherein it is seen that moral existence is inescapably relational: men always make their moral decisions and responses in networks of relationships with other persons, communities, institutions, and with God.<sup>77</sup>

In addition to the analytical character of the moral reflection, contextual ethics is "[...] fundamentally indicative and only secondarily imperative."<sup>78</sup> Also, contextualism believes that it is important not only to offer principles, but in

addition, to be concerned with understanding the process of internalization of those same principles.<sup>79</sup>

The contextualists would view moral principles differently from those ethicists in the other general grouping of Christian ethics. For Nelson, moral principles are used to help clarify the immediate situation which the individual is confronting. "The contextualist avoids the over-rationalistic assumption that the moral actor finds a solution to a theoretical problem before applying it to a practical situation."<sup>80</sup>

He is aware that ethics in the past tended to proceed from the principles to the particular situation, not starting with the individual's moral question. However, Nelson notes that there have been significant technological advances and the social consequences following from these advances which have called into question some of the "unchanging principles" of the past. At the same time "[...]the communal and institutional structures which 'live' within the individual have changed at an accelerated pace."<sup>81</sup> Both of these changes—technological and internal structures—favor the move toward contextualism.

What has been said of the contextualists' approach to moral principles should not be interpreted as an attempt to do away with moral principles. Moral principles do exist and are important in the ethical reflection. Using the distinction which Paul Ramsey makes,<sup>82</sup> Nelson advocates the position described as "summary-rule agapism."

These summary rules are the patterns of moral wisdom which are part of the Christian's conscience through the mediation of the Christian community. They are experientially based, historically grounded patterns which the Christian takes with great seriousness even while realizing that they are earthen vessels. However, the vessels are not made of summary-rule agapism, in the sense that these are patterns of response to the

principle or law of love. Rather, they are summaries of tried and tested communal responses to the loving God, in his manifold activity.<sup>83</sup>

For Nelson, then, summary rules would be rules or principles out of the past which have usually been found to be the best thing to do in certain situations.<sup>84</sup> These rules or principles are drawn out of a particular historical context, and for Nelson, an important element within any context is the personal relationships. Nelson draws heavily on what is termed a relational value theory. Such an approach views the individual within the web of relationships and not apart from them. Not only is value present whenever "[...]one being is in relationship to another being [...],"<sup>85</sup> but also "[...] value does not exist in and of itself apart from relationships."<sup>86</sup> Therefore, it would be impossible for relational value theory to determine that some act is good or evil in itself. For Nelson, "Such value judgments are extrinsic to the act. It all depends upon the relationship of the persons or beings in the particular situation."<sup>87</sup>

The importance which is placed on the relationship within which the individual exists is an indication for Nelson of the continued prominent position of the social sciences. He writes:

[...] We must affirm the ethical necessity of empirical knowledge of human relationships not simply in order to apply those values which we have learned elsewhere but in order to understand values in the first place. We are driven immediately to investigate the relations in which we exist, including how our ties to the Christian community affect those with other persons, groups, and institutions.<sup>88</sup>

These social sciences, then, are not merely an afterthought in the ethical process, but are seen as essential in acquiring an adequate understanding of the web of relationships.

The Christian consciously recognizes another relationship within his or her web, the relationship to God. The Christian recognizes the present activity of the

living God. "Ethically speaking, God is not primarily the giver of goals or laws (in which case his past activity could be considered normative and present activity quite superfluous)."<sup>89</sup> Thus, the Christian is always in response to the loving action of God. For Nelson, God is part of the ethical triad: self, other, and God.<sup>90</sup>

There is a caution offered by Nelson in the discussion of God being part of the ethical triad and the relationship with God being an important consideration in the ethical search: The God that one relates to is not to be confused with the moral law itself. If the individual does equate the moral law with God, then

[..] we diminish our ability to perceive the fresh activity of the living God, and perhaps subtly and unintentionally, though I think almost inevitably, we begin to respond more to the law than to the Lawgiver, more to the order than to God's ordering activity.<sup>91</sup>

However, if the contrary is true, if the moral law is seen as coming from the moral self in his or her relationships, and in relationship to God as well—when this approach is maintained

[..] we are reminded to maintain a greater humility about our principle-formulations, and also we are reminded that the social effectiveness of moral principles depends upon their internalization within the deciding self.<sup>92</sup>

One final point in Nelson's relational value theory. This context for ethics would hold that every value system is inherently religious. "One must affirm some center of value in relation to which goodness and rightness can be judged, a center of value which is valuable in and of itself."<sup>93</sup> This central value which is absolute is the God of that individual. This central value may not be recognized as such, and the individual may in fact formally worship some Supreme Being while maintaining an absolute value (which is distinct from that Being) against which he or she measures all other values.

As was briefly noted above, for Nelson there is an ethical triad involving self, other, and God. In other systems of ethics there is an appeal to the dialogic nature of the human self.

[..] The idealists locate the dialogue between the "higher" and the "lower" dimensions in the self (between reason and emotion, soul and body, etc.), the contextualists affirm that the inner dialectic more fundamentally takes place between the self and the "other."<sup>94</sup>

For his understanding of the individual in dialogue with the other, Nelson draws heavily on H. Richard Niebuhr's work, The Responsible Self. In relation to the other and to the society or network of others, the individual incorporates the ideals, the memories, the hopes of the community. "The identity of the person's significant group to some definite extent becomes incorporated into his personal identity."<sup>95</sup> Nelson takes this even further stating: "One develops his sense of identity through his communities of orientation, his 'reference groups.'"<sup>96</sup>

Thus, one comes to be a self, a person, through this ongoing dialogue with the other. One is social from the very beginning. One does not decide to be social or not be social.

To complicate matters, an individual is within many different groupings of others; one finds oneself within a plurality of societies. At various times different societies will make conflicting demands on the individual. The ethical question in such a situation then becomes how a decision is reached as to which society's claim takes preference. If one were in dialogue with merely one other, the decision would be relatively simple. What becomes more and more necessary, particularly as the web of relationships and societies becomes more complex, is a "court of last resort,"<sup>97</sup> some value, or some other, against which all others are judged. Without

a "court of last resort" the unity of self is difficult to maintain, if it can even be maintained at all in a situation which would be plagued with unsolvable dilemmas.

**b. Social Sciences.**—Beginning as Nelson does with the individual within a particular context, having at his or her disposal summary rules from the past, the social sciences play a significant role in providing accurate data on the situation.

Christian ethics, then, is best understood as a discipline interdependent with both theology and "worldly wisdom," and in regard to the latter the social sciences play a key role. Ethics is not merely a deduction from theological doctrine, as if a sufficient inquiry into the nature of God, Christology, justification, or sanctification would tell us what we ought to do. Neither is Christian ethics simply a branch of the social sciences, as if sufficient inquiry into the social psychologist's understanding of selfhood would result in a delineation of the Christian moral self. Rather, the Christian ethicist pursues the critical understanding of the moral life in the interdependence with both disciplines.<sup>98</sup>

It is the individual Christian who must internalize both the summary principles as well as the data of the social sciences in order to make a well-informed moral decision. This internalization for Nelson takes place in the interaction of a community. For the Christian, this community is the Church.

**c. Ecclesial Context.**—According to Nelson there are both ethical and theological reasons to begin ethics with the community itself. Ethics has always had to confront the problem of attempting to make sense out of human existence, which was living in the gap between the will of God understood theologically and the human condition understood pragmatically. For Nelson,

"The gap becomes more bridgeable when we begin with the koinonia, for not only is it there that God decisively reveals his activity and purposes to Christian men, but also it is this very concrete fellowship which is already living in the ethically ambiguous situation."<sup>99</sup>

The theological reflection offers the following reasons for beginning with the Christian community:

The Christian confesses that he finds God, more truly is found by God, most decisively in the community of Christian faith. God meets us not primarily in our withdrawal, nor in our introspection, nor in our rational reflection, though each of these may enter in. He meets us most fundamentally in community founded upon living loyalty.<sup>100</sup>

Nelson does not hold that there is only the one community of Christian believers, with other communities relegated to subsidiary positions. There is a commonness at the root of all ethics. This common element is the experiences which all communities have in common—a desire to nurture the capacity for outgoing concern.<sup>101</sup> Nelson offers the following summary statement:

The Christian community, then, is not the only one that generates mores--all do. It is not the only community under God's lordship--all are. It is not the only community that nurtures those bonds which facilitate the realization of universal community--many do, and the church does her share of the fracturing of that community. Yet its history, language, symbols and meanings again and again break the church open to a more universal commonwealth. When this happens, Christian persons are again broken open to their larger citizenship and identification, for indeed the "bonds" that tie all men together are none other than living relationships.<sup>102</sup>

Viewing Christian ethics from the perspective of the community points to the relational quality of moral norms. The community exists as a grouping of individuals; thus, the ethic for the group would be a web of obligations of one member to another, and of all members to the Head.<sup>103</sup>

As a social self the individual comes to be within the relationships with others. The Christian is in relationship with other Christians within the society of the Church. Through these relationships, then, the individual has the opportunity of internalizing those ideals and hopes, etc., which are particular to this society.

The society of the Church attempts to uphold the symbols of God's continuous activity with human beings. The Church provides a framework for these symbols.

While Christ is the representation of the church's abiding meanings, there must be structures which will give such meanings stability. The Bible is the foremost of these, though also important are doctrine, church polity, liturgy, and church history. All of these give content and stability to the central events in the Church's memory.<sup>104</sup>

Nelson continuously emphasizes the primacy of the community when considering any of the above-mentioned structures. "[...] The community is the foundation of both institutions and rules, not vice versa."<sup>105</sup> Thus, the Church as community has a significant role to play in shaping the individual member's selfhood.

In addition, the Church has a role to play in the member's moral motivation. The Church should constantly reiterate the belief that it is only in the social context that the individual will be able to find selfhood, happiness, salvation.

Only through incorporating man into the concrete (less-than-ideal) church can God accomplish his act of deliverance, for the self is not in bondage to a false idea which can be driven out by a superior idea; rather, the self is organized around a false center, an organization which involves concrete loyalties, drives, and lusts. And, if the self is a genuinely-social being, this reorganization can take place only in a social network.<sup>106</sup>

It should be pointed out that Nelson is not here holding up any particular Church as an absolute. Only God is absolute and any Church is to be judged on how well it can continue to point to God, and not to itself.

Along with shaping the moral self and developing the moral motivation, the Church also has something to say about the content of Christian morality. The basic element in the content is "[...] that God is both the basis and the center of the community's life."<sup>107</sup> The content is further spelled out in the history of the community. The content grows through the experiences of the community in

responding to various ethical situations. In shaping the moral self, these memories are transmitted to the individual and made one's own.

[..] The Christian is not left with a sheer occasionalism, nor is he condemned to face each decision *de novo*. He is part of the historical community which has faced similar situations before, and while it has not always responded faithfully to its Head it, nevertheless, has built into its structures of common life the possibilities of continual renewal and correction.<sup>108</sup>

In the final analysis, it is the self which has to make the ethical decision. After the formation has taken place, after the motivation has been encouraged, and after a certain amount of content has been provided by the community, the individual must stand alone and decide. This is even more so in those situations which are new in the ethical discussion, where there is no past history to provide some guidelines for the individual.

**d. Scripture.**—Nelson is aware that Christians have continuously gone to Scripture to discover moral norms. Protestants tended to search the Scriptures while Roman Catholics went to Tradition.<sup>109</sup> However, to go to either with the intention of finding specific moral statements is to misuse Scripture. Nelson writes:

Specific injunctions cannot legitimately be wrenched from their historical context and applied in a mechanical manner to the late twentieth century. Our essential scriptural guidance must come from the larger perspectives of biblical faith. It must come from the Bible's basic understanding of the human person in the light of God's presence, action, and purposes.<sup>110</sup>

He points out the problem of going to Scripture and of selecting some passages which are to be literally interpreted and deciding that other passages are to be passed over. The decision to go one way or the other with Scripture is based on principles of hermeneutics, not found in Scripture.<sup>111</sup> Referring to biblical

teaching on sexuality, Nelson states: "[...] The Bible assists us with general perspectives but not with specific injunctions."<sup>112</sup>

**e. Summary of Ethical Theory.**—Nelson maintains that the principal function of ethics is to describe the present human situation. Though principles and rules of conduct are helpful for the individual to make the proper moral decision, the formulation of these rules is not the primary task of ethics. An individual has many tools at his or her disposal in the decision making process, not the least of which is the work of the social sciences. They, too, are describing the present human situation and offer invaluable information to the individual faced with the moral choice.

While it is the individual who must make the moral decision, this decision is made in community. For the Christian this community is the Church, and it is within this concrete community that salvation continues to take place. Attempting to do ethics within the community points to the relational quality of Christian ethics.

Within the web of relationships there are no acts which have meaning in and of themselves. Value is found in the interaction of one with another. For the Christian there is the added dimension of God; therefore, there is an interaction among the three--self, other, God.

Due to the social nature of the individual, it is within relationships that one comes to selfhood. As the dialogue with others grows and becomes more complex, the ethical question often surfaces in determining to which of many conflicting societies final allegiance is owed.

As a society the Church plays various roles for the individual Christian. The Church shapes the moral self, motivates the individual to lead a moral life, and offers a content consisting of principles and rules which have become a part of the community throughout its history of responding to the action of God.

Finally, Nelson himself raises the question as to whether the contextualist approach he is advocating is really a moral method at all. In answer to that question he states:

It is not, if by "method" we are asking for solutions to difficult moral problems. But a method cannot decide; a person can. It is a method, however, if by this we mean a manner of disciplined reflection upon the meaning of relationships among God, the self, and the neighbor. It is a way of clarifying the loyalties and faiths with which we decide and by which we live.<sup>113</sup>

Nelson's method will now be applied to the question of sexual ethics to determine whether or not he is able to conduct a disciplined reflection on sexuality, holding together the different relationships among self, other, and God.

## 2. Theory of Sexuality

Nelson has elaborated a theory of sexuality as such in the book Embodiment. In addition to this book he has other articles treating of specific topics in sexuality, not all of which can be considered within this study. In his writing he describes his own understanding of sexuality, distinguishing this from sex. Reflecting on the current scene he points to the alienation which exists within the moral triad which is mentioned in his ethical theory. Then Nelson traces this alienation through history, particularly through the Christian tradition. Finally, he offers a way of looking at sexuality which will reconcile the alienation.

These four points will be considered first, and then they will be applied to the issue of homosexuality.

**a. Definition of Sexuality.**—Consistent with his ethical theory Nelson views sexuality within the broader dimension of human community. In order to motivate the Christian in today's society and to offer a content which is relevant, sexual theology must take "[...] seriously the human sexual experience in our time and place as an arena for God's continuing self-disclosure at the same time that it takes seriously the implication of Christian faith for our sexual lives."<sup>114</sup>

In a book entitled Rediscovering the Person in Medical Care, published two years before Embodiment, Nelson has a chapter entitled "Bodies, Sexuality, and Personal Health." In this chapter he distinguishes between sexuality and sex.

I am using "sexuality" as a broad, inclusive term suggesting our physical embodiment, our sensuality, our awareness of being female and male, our sense of incompleteness without the other, our experience of desire for the other. I am using "sex" as a narrower term to refer to the genital expression of our embodiment and sexuality. We are all sexual beings, and self-affirmation in this respect does not mean the constant search for orgasms.<sup>115</sup>

Sexuality, then, is not something which human beings do, it is constitutive of the person's understanding of who she or he is.<sup>116</sup> And what the individual is can be seen adequately only within a community.

Sexuality is a sign, a symbol, and a means of our call to communication and communion. This is the most apparent in regard to other human beings, other body-selves. The mystery of our sexuality is the mystery of our need to reach out to embrace others both physically and spiritually. Sexuality thus expresses God's intention that we find our authentic humanness in relationship. But such humanizing relationship cannot occur on the human dimension alone. Sexuality, we must also say, is intrinsic to our relationship with God.<sup>117</sup>

In this quote Nelson is setting the stage for the consideration of sexuality within the ethical triad. This will be further developed in his considerations of the different aspects of alienation. In keeping with his ethical theory he acknowledges that there are important aspects of one's sexuality which are socially conditioned. This conditioning takes place through a gradual process, interacting with others.<sup>118</sup> Two different things are happening: the individual learns the social meanings of sexuality,<sup>119</sup> and, as these meanings develop within the individual, the person's sexuality drives him or her deeper into the social context. Nelson writes: "In its deepest experience sexuality is the desire for and the expression of communion--of the self with other body-selves and with God."<sup>120</sup>

Nelson goes on to develop the notion of communication as it pertains to sexuality in a later section of his book Embodiment.

Human speech, as distinguished from animal communication, is aimed more at self-expression and meanings than simply physical survival. This is true of our sexuality in general and of specific sex acts in particular. As human beings we have sexual capacities and needs, as do animals. But our sexual acts are never simply acts of instinct, nor are they ever simply geared to species survival. Our organic drives and urges are never separable from the search for meaning and the quest for communion.<sup>121</sup>

Viewing sex as a form of communication leading to communion has immediate implications for ethics. This will be developed more when the question of homosexuality is considered. However, the following quote is appropriate at this time, demonstrating some of the common elements between human speech and sex.

[...] Verbal languages are always contextual in their operation. The meaning of a word depends on its context in the sentence, the sentence in the paragraph. It is also true of sex as a language form. An older, simplistic ethical formula would have us judge the morality of a sexual act in essentially external and physical ways: the right organ in the right orifice with the right person. The more appropriate questions, however, ask about the nature and quality of personal communications which are intended in a sexual act, the kind of communion which that act actually serves, and how all of this fits into the broader social fabric.<sup>122</sup>

It will be seen that Nelson does not evaluate sexual activity by merely applying some principle out of the past to a present situation, nor does he use some scriptural reference to judge the activity. He begins with the person involved and attempts to understand what the person is saying through his or her sexual activity. This is central to his theory: "We are not disembodied spirits. Persons are embodied."<sup>123</sup>

**b. Alienation.**—Examining the society around him, Nelson observes that it is a society experiencing much alienation from sexuality, this in spite of the saturation with sex. He turns to the psychiatric community to corroborate his observations, drawing on the work of Alexander Lowen,<sup>124</sup> Alan Bell,<sup>125</sup> and Rollo May<sup>126</sup>.

Nelson sees this alienation within the context of his ethical theory. He writes: "Alienation, separation, sin—by whatever name this reality is called, it is always triadic in character: separation within the self, from other created beings, and from the Creator."<sup>127</sup>

He notes two indications of the alienation within the self. The first is the "[...] compulsive sex-consciousness of our present society [...]."<sup>128</sup> Drawing on the work of R. May, he concludes that what is seen in the society is less an appreciation of sexuality than a "[...] flight from the passion of eros by way of the sensations of sex. Thus sex becomes a new puritanism, a new commandment to seek more intense experiences."<sup>129</sup> The second indicator "[...]" is the manner in which we tend to distance the 'self' from the body—in emotions, in attitudes, and even in physical sensations."<sup>130</sup> Nelson offers the following illustrations from everyday speech:

We distance the mind from the body and experience the body as object. Indeed, with hints of the ancient body-spirit dualism we seem to find it more "natural" to say "I have a body" than to say "I am a body," as if the real "I" were quite detachable and independent.<sup>131</sup>

The alienation within oneself has a direct bearing on the alienation from others. "What we reject in ourselves becomes projected outward."<sup>132</sup> Here, Nelson points to the inability in North American society to express emotion in personal interactions.

Much of our lives is conducted with calculated disembodiment, with rigid formalities regulating those socially-permissible public contacts--the handshake, the elbow grip, the polite kiss--even though athletes may be granted a temporary reprieve following the crucial play or the winning game.<sup>133</sup>

Much of the alienation stems from sexist dualism, the result of which reduced sex to another form of competition between men and women. Sexism sees men as superior and as possessing those "higher qualities;" while women, relegated to the position of "other," personify the "lower qualities." Thus, reason and spirit have been viewed in opposition to emotion, body, and sensuality.<sup>134</sup>

The alienation from sexuality also shows its head in the third element of the ethical triad, i.e., God.

Most basically, body alienation is alienation from God. For a variety of reasons many have become convinced that in God's eyes human sexuality is at best a regrettable necessity. Not only has sexuality nothing intrinsically to do with our relationship with God, it can only get in the way.<sup>135</sup>

For Nelson it is important to maintain the immanence of God along with the transcendence. The immanence "speaks" to human beings through the medium and symbols which are appropriate for human beings. Since persons are embodied, sexuality and sensuality are essential media for communication. When one

experiences alienation from one's own body--created by this same God--one sets up a barrier to the immanent God.

c. **History of Alienation.**—Nelson traces the alienation back through Old Testament times. Pointing to both spiritualistic dualism as well as sexist dualism as outshoots of a male-dominated society, he also points to several passages from the Old Testament which are critical of patriarchy.<sup>136</sup> With regard to the New Testament he writes:

Jesus himself did not proclaim any new sexual ethic. In fact, he explicitly disowned such an intention, and his recorded comments on sexual matters are few. Yet, his contributions were of inestimable importance and are all the more striking because of their contrast with the prevailing spirit and practice of the time.<sup>137</sup>

Nelson also considers the writings of Paul, noting that there are many "[...]negativistic elements which were eagerly seized by later and much more dualistic Christian theologians."<sup>138</sup>

Augustine is one of those later writers whom Nelson interprets:

[...] Sex was the bestial appetite of lust, and for a couple to copulate for any purpose other than procreation was debauchery. If, however, procreation was its single aim, intercourse was good, for then it was being used for its ordained end. In this sense, compared to the radically anti-body, anti-sex Manicheans with whom he debated, Augustine had a pro-sex attitude. Yet, the cloud over even procreative sex could not be lifted, for single-mindedness about procreation still would not dissolve the inherent lustfulness of every act of intercourse, and hell itself could be described as "the burning of lust."<sup>139</sup>

Nelson continues to trace the history of the alienation through the ages, through the Reformation, right up to the present time. He identifies three common attitudes that have existed in the Christian tradition toward sex. The first is that sex should be controlled by reason and will. The medievalists are

representative of this view. The second view may well be the oldest attitude of all.

Sexuality is seen as that which has been artificially repressed. Hence, throw off the social masks, this group would say. Rediscover your inner forces and feelings and at the same time you will be reunited with a cosmic vitality.<sup>140</sup>

The difficulty with this second view is that it characteristically is unable to view sex acts as personal. The third viewpoint claims that sex is unimportant. It is simply there. The individual must see himself or herself as being above sex—a take-it-or-leave-it approach.<sup>141</sup>

Within the Roman Catholic tradition Nelson notes the tendency to interpret some of the theology in the area of sexuality with too narrow a vision. He focuses on the phrase "openness to life" found in Humanae Vitae,<sup>142</sup> and interprets the Roman Catholic position as saying: "There can be no deliberate frustration of sex's procreative potential through artificial contraception or through non-procreative acts such as masturbation and same-sex intercourse."<sup>143</sup> The phrase "openness to life," for Nelson, has much to say to the human condition. In expanding the meaning of the phrase Nelson makes it his own.

[..] Sexual acts which can be deemed good, right, and fitting will always be those which embody and promote "openness to life." And the definition of "life" for us is centered in that human wholeness embodied in the One who came that we might have life, and have it more abundantly.<sup>144</sup>

In the three viewpoints noted above, as well as in the Roman Catholic position with its overemphasis on the physical aspects of sex, there is a common thread. There is an attempt in all of these to locate sex somewhere outside of the context of the human person. The alienation is maintained. The attempt to overcome this alienation is Nelson's fourth point.

d. Reconciliation.--For Nelson alienation can never be the end for a Christian.

The central Christian claim is that we have experienced God's reconciling activity through Jesus Christ. And crucial to this claim is the announcement that the saving presence of God is incarnate, en-fleshed, in a real human person.<sup>145</sup>

For the individual Christian the task is to begin with an acceptance of the fact that he or she is accepted by God, accepted in the en-fleshed state, the state of embodied persons.

It [sexuality] is God's ingenious way of calling us into communion with others through our need to reach out and touch and embrace--emotionally, intellectually, physically. Sexuality thus is never accidental or peripheral to our possibility of human becoming. It is basic and intrinsic to that possibility. [..] And if we meet God most truly as the "beyond in our midst," as the One whose continuing incarnation is expressed through creaturely relationships, then our sexuality is a sacramental means for the love of God.<sup>146</sup>

In the final section of his book Embodiment, Nelson summarizes some of his points which have indicated the importance that sexuality plays in the individual's attempt to grow, the attempt to experience love and trust, and the individual's movement toward creativity and wholeness. If sexuality has such an important role to play in all of these areas, then it must also be involved in one's relationship with God. "[..] The radical bond which we know possible in sexual love with another person bears more than just a distant analogy to the bond possible with God [..]."<sup>147</sup>

Before considering his treatment of homosexuality, certain connections between his theory of sexuality and his ethical theory should be noted. In his theory of sexuality as in his ethical theory he attempts to define the situation, clarifying what it is that sexuality says to the human condition. He does not begin his treatment of sexuality from an a priori position. Where it is helpful, he draws on the social sciences to help in the clarification of what sexuality meant.

The center of attention is the individual. Sexuality is a part of the person, an embodied person. All of Nelson's considerations attempt to maintain the unity of the person, incorporating sexuality as an integral part of the person.

In the past the communal context for the Christian has had much to say about sexuality in general, and sex in particular. Nelson evaluates the historical data in the light of what is against the norm of unity with the person. Principles from the past are not maintained for their own sake. His treatment of past teachings and specific scriptural passages are treated within the context of homosexuality.

**e. Application of Theory: Homosexuality.**—Nelson begins his chapter on homosexuality with a consideration of the pertinent texts in Scripture, prefacing his examination with the following observation:

It is a curious but unmistakable phenomenon that a great many Christians treat so literally the references to homosexual practice in the Bible, while at the same time they interpret biblical texts on almost every other topic with considerable flexibility and non-literality.<sup>148</sup>

This is consistent with his understanding of the role of Scripture in his ethical reasoning—Scripture provides the community with general perspectives, rather than specific injunctions.

Keeping in mind the historical context and the cultural relativity of Scripture, as well as the consistency between scriptural interpretations and other sources of human understanding, Nelson examines the significant passages of the Old Testament. He writes: "Nowhere does the Bible say anything about homosexuality as a sexual orientation. Its references to the subject are--without exception--statements about certain kinds of homosexual acts."<sup>149</sup> He considers

the story of Onan (Genesis 38:1-11), the Sodom and Gomorrah story (Genesis 19:1-29), the texts referring to male prostitution in cultic worship (Deuteronomy 23:17; I Kings 14:24, 15:12, 22:46), and cultic defilement as the context for the Holiness Code (Leviticus 18:22 and 20:13).<sup>150</sup> Without going into a detailed exegesis of the texts themselves, Nelson does refer the reader to many of the main works in this area in the extensive footnotes he offers in this section.<sup>151</sup>

About the story of Onan Nelson makes three observations: (1) there is a strong emphasis on procreation, (2) the pre-scientific mind of the biblical author assumed that the man's semen contained the whole of nascent life, and (3) male homosexuality and masturbation were condemned with more force than were female acts of lesbianism and masturbation.

With regard to the Sodom and Gomorrah story, Nelson is not willing to rule out completely the interpretation that would have homosexuality as an issue. However, he sides more with the interpretation centering on the issues of justice and hospitality.

Concerning cultic prostitution and cultic defilement, Nelson sees the issue being more one of idolatry rather than of sexual offenses.

For Yahweh was the One who worked through the freedom of human history and not, primarily, through the cycles of biological life. If so, sexuality was not to be seen as a mysterious sacred power, but rather as part of human life to be used responsibly in gratitude to the Creator--a basic perspective of continuing relevance.<sup>152</sup>

It should be noted that Nelson also mentions the two obvious examples of same-sex love in the Old Testament, David and Jonathan, and Ruth and Naomi, without implying in any way that there was genital expression of this love revealed in the Scripture.<sup>153</sup>

In the New Testament Nelson considers Romans 1:18-32, I Corinthians 6:9-10, and I Timothy 1:8-11. His conclusion is that Paul certainly condemns homosexual acts, understanding them to be the result of idolatry. Summarizing the consideration of Paul's writings, Nelson writes:

What then should we make of Paul's moral judgment in this case? Perhaps we should just accept him for what he was: a faithful apostle and a profound interpreter of the central message of the gospel, yet one who was also a fallible and historically-conditioned human being. [..] If the norm of the new humanity in Jesus Christ together with our best current moral wisdom and empirical knowledge would cause us to question some of Paul's moral convictions about the status of women and about the institution of human slavery, surely his moral judgments about homosexual acts ought not be exempt.<sup>154</sup>

Nelson points to four different stances within the contemporary theological opinion: (1) rejecting-punitive, (2) rejecting-nonpunitive, (3) qualified acceptance, and (4) full acceptance. Each of these will be presented in order.

In the rejecting-punitive position Nelson refers to the continued persecution of homosexuals throughout history: "For many centuries stoning, burning, sexual mutilation, and the death penalty were fairly common treatments for discovered homosexuals."<sup>155</sup> The theology for such a position rests chiefly on a selective reading of the biblical texts, supported by stereotypes even when these have been disproved by reliable research. Regarding this position Nelson writes: "And the key criticism of this whole orientation--beyond its untenable biblical interpretation--must be the incongruity of a vindictive stance with the gospel."<sup>156</sup>

The rejecting-nonpunitive position rests on two major assumptions. The first stems from an understanding of natural law which is too restrictive. This would view the complementarity of male and female as necessary for maturity, rather than holding, as Nelson does, "[..] that there is no genuine humanity apart from relationship and community."<sup>157</sup> Natural law also insists on the connection

between sex and procreation in a very restricted sense. The second argument involves unacceptable consequences which would follow if homosexuality were accepted. The concern seems to be that, if homosexuality were accepted, there would be many who would opt for this life style, thus endangering the family unit and threatening society itself. In addition, this argument sees homosexuals as inherently inferior to heterosexuals. On this position Nelson states: "There is a basic flaw which underlies the entire rejecting-nonpunitive position: the assumption that it is possible to reject the homosexual orientation as such and still be non-punitive toward gays as persons."<sup>158</sup>

In the third position, the qualified acceptance position, Nelson points out that the arguments which are used here are more empirically informed than are the previous two. Nonetheless, the arguments are still grounded in "[..] an essentially nonhistoricist, rigid version of natural law."<sup>159</sup> In the final analysis Nelson sees this position becoming self-contradictory, undermining its own conclusion.

In effect, the gay person is told, "We heterosexual Christians sympathize with your plight, and if you must give genital expression to your orientation you must do it in a morally responsible way--but do not forget that you are a sinner because of your sexual orientation and do not deny that you are a sexual pervert."<sup>160</sup>

Central to the full-acceptance position is the assumption

[..] that the homosexual orientation is more of a given than a free choice. More fundamentally, however, this position rests on the conviction that same-sex relationships can richly express and be the vehicle of God's humanizing intentions.<sup>161</sup>

This position views sexuality within the context of the person, an embodied person. As persons created by God individuals are called to realize as fully as possible their humanness. Drawing on the work of Norman Pittenger, Nelson poses the ethical questions from this perspective:

[..] What sexual behavior will serve and enhance, rather than inhibit, damage or destroy the fuller realization of our divinely-intended humanity? The answer is sexual behaviour in accord with an ethics of love. This means commitment and trust, tenderness, respect for the other, and the desire for ongoing and responsible communion with the other. On the negative side, an ethics of love mandates against selfish sexual expression, cruelty, impersonal sex, obsession with sex, and against actions done without willingness to take responsibility for the consequences. Such an ethics always asks about the meanings of acts in their total context--in the relationship itself, in society, and in regard to God's intended direction for human life. Such an ethics of sexual love is equally appropriate to heterosexual and gay Christians. There is no double standard.<sup>162</sup>

Nelson acknowledges that the causes of both homosexuality and heterosexuality are unknown at the present time. Also, it is difficult to arrive at an adequate description of the homosexual person, since, like any group of individuals, there is a great deal of variety within the group. However, "[..] gay persons desire and seek meaning and wholeness in and through their sexuality, and their sexuality is for them (as for anyone else) of intrinsic importance to their capacity for any kind of human love."<sup>163</sup>

Nelson is not simplistic in his usage of the term "love." He acknowledges all the various types of human activities which have been justified through an appeal to love.<sup>164</sup> To clarify what is meant by love and to help in the moral decisions in sexual ethics, he offers the following list of virtues which would flow from sexual love:

Such love is self-liberating; it expresses one's own authentic selfhood and thus releases further potential for growth. It is other-enriching; it has a genuine concern for the well-being of the partner. Sexual love is honest; it expresses as truthfully and as candidly as possible the meaning of the relationship which actually exists between the partners. It is faithful; such love expresses the uniqueness of the relationship, yet without crippling possessiveness. Sexual love is socially responsible, nurturing the fabric of the larger community to which the lovers belong. It is life-serving. Always this means the transmission of the power of newness of life from one lover to the other; sometimes it also means the procreation

of children. Sexual love is joyous; it is exuberant in its appreciation of love's mystery and life's gift.<sup>165</sup>

Such a listing of virtues does not offer any one set of specific rules of action. What is provided is a framework within which principles of action can be evaluated.<sup>166</sup>

Nelson sees a value in articulating rules of action which would flow from the principles. Rules are the product of the community reflecting on its own experience.

Those who are realistic about their finitude and sin, their limitations in both knowledge and virtue, will take such rules seriously. Nevertheless, given the rich complexity of human situations and given the freedom of God to will and do the new things, no moral rule ought to be seen as exceptionless.<sup>167</sup>

How detailed one would choose to be in these rules greatly depends on one's own experiences, one's background, etc. Nelson advocates tolerance within the community in the recognition that some will derive different rules than others.

Nelson prefers to clarify the principles. He offers three principles which would help clarify ethical decisions in sexual morality. The first maintains that there be only one standard in sexual morality, and not the traditional double standard. Based on the virtue of justice, all would have an equal claim to the means for human fulfillment. The second states that the expression of one's sexuality with another ought to be consistent with the level of commitment in the relationship. And the third principle holds that "[...] genital sexual expression should be evaluated in regard to motivations, intentions, the nature of the act itself, and the consequences of the act, each of these informed and shaped by love."<sup>168</sup>

Having articulated the principles which would be helpful in the moral valuation of sexual activity, Nelson applies his principles, particularly the first, to

the issue of homosexuality, tracing his own journey to full acceptance.

At various times I have felt the force of each of the first three stances which I have described, beginning as a teenager with the full complement of anti-gay stereotypes and prejudices. Having moved somewhat later into the rejecting-non-punitive and then the qualified acceptance positions, several personal friendships with remarkable gay Christian people jarred me into further reflection. I came to believe that nothing less than full Christian acceptance of homosexuality and of its responsible genital expression adequately represented the direction of both gospel and contemporary research.<sup>169</sup>

Nelson draws on both the scientific research available as well as the gospel values to come to his conclusion. It is significant that it takes the "enfleshment" of these concepts in the lives of homosexual friends to finally move Nelson to full acceptance. He realizes that many of the structures within the community would need to change if full acceptance were a reality, and these he considers in his final point.

There are several areas within the Church which would have to be reconsidered, if full acceptance of homosexuality ever became a reality. On an individual basis the homosexual person should be able to seek the same kinds of pastoral services which are available to a heterosexual person. What complicates this matter for the homosexual is the lack of training and expertise in the clergy or the pastoral counselors in this area.

Along with individual considerations there is also the ministry to the homosexual community, which would involve the sponsoring by the Church of such things as coffee houses or gay caucuses.

The ordination of homosexual persons is seen by Nelson as one of the more difficult issues for the Churches to deal with. For him the arguments banning ordinations of homosexuals are lacking in substance.

Church assemblies may continue to claim "prudential grounds" as their main reason for barring gay ordinations for some time to come, but one day perhaps that form of prudence will sound as thin as when it was used to bar women and racial minorities from ministry.<sup>170</sup>

Nelson handles several issues under the consideration of "homosexual marriages." The first is the celebration of the relationship itself with some form of formal Church recognition.

By withholding full recognition of such sexual covenants the church only, if unintentionally, promotes promiscuity, for it says in effect, "Whatever your relationship is, it is not fit for public Christian affirmation, support, and celebration." To urge a course of action, fully-committed relationships, and then to deny communal and ritual support to those very relationships is to engage in a humanly destructive contradiction.<sup>171</sup>

With the recognition of the marriages of homosexuals would also come the Church's efforts to gain legal protection for these couples in tax matters, property rights, inheritance laws, etc. The final area would involve the delicate question of the custody of the children of those homosexuals who had previously been in a heterosexual marriage.

Nelson offers the following summary statement with regard to homosexuality and the Christian:

Surely there is much research on homosexuality (and on heterosexuality as well) that still needs to be done. But this much is clear: our sexuality is vitally important to the dignity of each of us. The basic issue is really not about "them," but about all of us. How can we live less fearfully and more securely in the grace of God? What is the nature of that loving humanity toward which the Spirit presses us? And what does it mean to be a woman or a man in Jesus Christ?<sup>172</sup>

**f. Summary of Theory of Sexuality.**--There seems to be a great deal of consistency running through Nelson's ethical theory, his theory of sexuality, and his application to homosexuality. At the core remains the conviction that human beings are embodied persons. Maintaining the unity within the individual is a primary task for

the moral person. Alienation, then, is the mode of sin which most affects human persons. This alienation takes place either within oneself, between oneself and others, or between one's self and God. The moral discussion must take place within the context of this triad. The relationships among the three must be kept in mind when discerning which is the most loving thing to do.

In his ethical theory the role of the community is very important for Nelson in that it is within the community that an individual is shaped in terms of one's moral self, it is within the community that one is encouraged to pursue the moral life, and within the community one finds the content of the moral life. Since he is not willing to merely accept the status quo as normative, any more than he is willing to accept the past as normative, in and of itself, Nelson examines the community's response to the issue of homosexuality.

Since the community seems to draw much of its argumentation against homosexuality from Scripture, Nelson begins by examining the scriptural evidence and finds it less than convincing in its condemnation of homosexuality today. Nelson also examines the moral content of the community, breaking this down into the four theological positions. He critiques each, pointing out the weaknesses, and maintaining the gospel ideal as normative. However, the gospel ideal is not the inseparableness of sex and procreation, as some would claim, but the call to each individual to develop as fully as possible one's humanness. This happens within community and within loving relationships. One's body and sexuality are essential to this communication with others, as he has demonstrated in his ethical theory.

The homosexual seems to be called to the same realization, and Nelson sees no convincing reasons why the homosexual should not be allowed to use the medium of his or her sexuality in sexual activity. As was noted, Nelson sees both

the homosexual and heterosexual expressing sexual love within the context of commitment, trust, tenderness, respect for the other, and a desire for ongoing and responsible communion with the other. According to Nelson, homosexuality has been condemned when sexual activity is viewed apart from the context of the human person communicating with another, when acts are viewed in isolation. Nelson is unable to accept this type of moral reasoning.

One of the definite strengths of Nelson's approach is the resonating quality it has with the lives of Christians living in these struggling communities. He sets out to take seriously the human situation, and the human sexual experience, and he seems to accomplish that. He begins with the experiences of individuals and draws his ethical principles from there. When appropriate, he calls on the empirical sciences to clarify the reality, and his theory remains in harmony with the empirical evidence. While he does not pretend to claim that Christian ethics is distinct from other systems of ethics, his own theories are consistent with the theological principles most central to the Christian community.

If there is a weakness in his approach, it would be in his unwillingness to deal with some of the concrete issues within homosexuality. He mentions the public baths in passing. He acknowledges the existence of "one-night stands" but does not offer an evaluation in detail in this instance. Given the various "messages" which sexual expression has delivered, even under the name of "love," is there not a necessity for a clearer articulation of specific rules of conduct in this area?

If one were presumptuous enough to answer for Nelson, one might say that the individual must make that moral decision. If the moral content were to become more specific within the community, there is the greater danger of slipping

back into an excessive physicalism as is characteristic of some of the abuses in natural law theory, abuses which are inhibitive of greater maturity and responsible freedom.

Nonetheless, a valid question for Nelson would still seem to be: Is the community ready to deal with a moral content of such a general nature?

### C. WILLIAM NORMAN PITTENGER

Beginning his publishing in the mid-50's, W. Norman Pittenger has written extensively in the area of process theology as well as in the area of sexual ethics. His ethical theory will be considered first, then, his theory of sexuality and how that theory applies to homosexuality.

#### 1. Ethical Theory

Pittenger does not articulate an organized ethical theory as such. He does point to various elements which must be kept in mind when doing ethics, or what pitfalls should be avoided. His "theory" rises out of the concrete concerns with which he is dealing.

**a. Ethical Foundation and Operative Philosophy.**—Pittenger's ethical foundation rests squarely on the individual person. In contrast to the way that both philosophy and theology proceeded in the past, Pittenger is intent on understanding the human being in the lived experience and not in some abstract world. For, according to him, "[...] a genuinely meaningful portrayal of man is possible only when one looks

at, and talks about, the living, acting, feeling quality which we know in our intimate personal experience."<sup>173</sup>

This attempt to begin with the immediate experience is Pittenger's perception of the method of process theology. He writes:

[...] Process thinkers start from experience, more particularly the deeply intuited awareness of what happens in human existence. They make generalizations that may be more widely applicable. These are referred to the various areas of experience and observation open to inspection to see if they will fit, if they will help make sense of those areas and provide useful interpretative principles. [...] Process thinkers do not engage in flights into the sheerly unknown or indulge in abstract speculation that has no grounding in experience or experiment or observed data. They generalize from what is known, and they always return to a consideration of evidence that will confirm or contradict the generalized principles.<sup>174</sup>

In coming to an understanding of the nature of the human, then, Pittenger begins with the human experience and returns to that same experience to corroborate his findings.

Pittenger sees in the human experience many related notions that come together to clarify what is meant by "human person," or by "personality." Some of these notions would be the awareness and self-awareness of being human, the ability to communicate with others who have this same awareness, a decision-making ability in a certain degree of both freedom and responsibility, and the realization of purpose or goal in the individual's life.<sup>175</sup> Pittenger hastens to add that the personality which emerges in the human experience is not a static notion.

To speak of man in "process" terms demands that we speak of him as not static, fixed, unchanging being but rather as a "becoming"--a dynamic movement or direction in which each man is going forward to an actualizing of his potentialities or is failing to go forward to that actualizing. Man is "on the way" to becoming that which is potentially "given" as his possibility; and he is becoming in the community of other men, to whom he is related, by whom he is affected, and upon whom he himself exerts influence.<sup>176</sup>

What is more, Pittenger does not limit his process theory to only the human personality. He is considering "[...] a general world-view which sees the entire cosmos, including man, and that divine reality whom we call God in a dynamic, vital, processive, and societal (or organic) fashion."<sup>177</sup>

There are immediate implications that can be drawn from such a view of the human person. The decisions which are made in the ethical realm (though not only in ethics) will be of a somewhat tentative nature, that is, the decision might be the best that one could make at this present time.<sup>178</sup> With the continued movement of individuals, of God, and of the entire world, however, this same decision may not be the best one at a later date. In the same manner, decisions that were made in the past must be constantly reevaluated in terms of the present reality.

Another implication for ethics is the insistence that an individual is in process with others and not alone. This understanding of being with others was down-played in the past, according to Pittenger, due to an over-emphasis on the human soul.

Man is a body. He is an intelligence and a will; he is a desire. He is also a focus of relationships--a social being. It may be that the two false ideas go together; the notion of man as "a soul" may lead to the notion that he is "an individual" who could exist entirely apart from relationships.<sup>179</sup>

At the heart of this individual is the particular human identity which is established by the past, the present, and the future. The past consists of those memories which are conscious, subconscious, and visceral. The present is important in that it is there where decisions are actually made. However, the future must be considered as well in that it is in the future where the goals reside.<sup>180</sup>

There is one final item on Pittenger's understanding of human nature, and this item also has direct implications for Christian ethics. When considering the individual human being, Pittenger draws heavily on the fact that he or she is created in the image of God, the God who is love. Not wishing to fall into a naive optimism from this approach, while at the same time not willing to move to the other extreme, holding a pessimistic view, he comments on those of the pessimistic bent:

There are some Christian theologians, just as there are some interpreters of the "secular" scene, who are guilty of exactly such an extreme reaction. They tell us that man is so depraved, so much a creature of sin, that his situation is at worst entirely hopeless and that at best he can only be rescued from his wickedness by an intrusive act of God from outside.<sup>181</sup>

Pittenger goes on, then, to take up the issue of where this help for the individual must come from, and acknowledges the need for help. In process thought the notion of an "intrusive act of God" is not acceptable. The help which is necessary for all individuals to reach their full potential must come from within this world, from "[...] man himself but more significantly by the activity of the ever-present and ever-operative Love which works within the whole cosmos, of the energies and drives which are in the creation."<sup>182</sup>

Pittenger begins his search for the goal to which the individual is moving through a consideration of other theories:

What then is the goal towards which he is moving? Our contemporaries say that the goal is his fullest realization of all the potentialities which are present in him. He has a subjective aim, which is to maximalize all those possibilities in as complete an actuality as may be available; that will be his true satisfaction. But at the same time it is recognized that man is no nomad-like solitary individual; he is person-in-the-making. This means that he is open to others and requires them in order to become himself.<sup>183</sup>

Pittenger then sums up in simple terms what it means to be human, taking into account that one is moving with others toward seeking this fulfillment: "It ought to be obvious that what has been said in the last few paragraphs is another way of saying that man is made to be a lover."<sup>184</sup>

Following this explanation of the individual—and the sequence is significant—Pittenger corroborates the understanding with a theological reflection on the nature of God.

God, in Christian faith, is always to be seen as Love—or better, as the personified Lover of all that is not himself, most wonderfully and variously relating himself, giving himself, to his world in order that his love may be shared in the richest way possible. [...] Thus he [human person] is made "in the image of God", intended to reflect in creaturely love the "Love which moves the sun and the other stars." [...] That is man as God created him to be, meant him to be, wants him to be.<sup>185</sup>

The sequence of his thought is important to note in that he begins with the human experience and only then sees the theological understanding of God as shedding additional light on the goal of man. He remains consistent with what was noted above, staying away from just a speculative theology, beginning with the human experience.

To return to the theological reflection itself, Pittenger points out that

[...] God not merely is love; he is ceaselessly and unfailingly in action as love. That is, he relates himself to, participates in, and works through the creation at every point in it; and he does this always as the lover of the creation. Of that divine activity, Jesus Christ [...] is the classical instance. He is not the supreme anomaly, utterly different from whatever else God has been doing; he is that point and place where what God is always up to receives focal and decisive expression.<sup>186</sup>

Even in the life of Jesus, Pittenger sees a confirmation of the human experience, rather than Jesus revealing what the human person is to become, a revelation which would have been new and startling to those hearing it. Jesus' command to love was an affirmation of the way that the human person was and is destined to be

for others. "[...] They [human persons] are to love God, to be sure; but their loving God is expressed practically and immediately in a loving relationship with other human beings."<sup>187</sup> For Pittenger Jesus was an affirmation of the human condition, pointing out that what was important for the individual was

[...] a relationship to God in which the love which is God himself is let into, and let flow through a man's life. And [...] when this takes place fulfilment or true self-realization is possible for men: "Be ye perfect (completely actualizing all your possibilities) as your heavenly Father is perfect (completing [sic] actualizing all his powers and capacities)."<sup>188</sup>

Out of this divine imperative comes the basic ethical question:

When we bring together the imperative of love and the fact of human "becoming", and also remember that we are social creatures who necessarily live in community with our human brothers and sisters, the fundamental ethical question becomes plain: Am I, are you, moving in the direction of deeper and more inclusive love of our neighbours, or am I, are you, moving in the opposite direction?<sup>189</sup>

On this ethical question, more will be said in the next section.

The fact that Jesus came into the world is confirmation that God is continually involved with the happenings of this world.

Not only in the Incarnate Lord himself, but in the whole course of God's working in the creation, there is both a distinction between divine and creaturely and also a denial of any separation of the divine from the creaturely.<sup>190</sup>

At this point Pittenger shows that God has brought about a human nature which is in process,<sup>191</sup> is becoming more fully human. This process takes place in the relationships with others who are in the same process.<sup>192</sup> What becomes most human for the individual is the capacity to love. This is confirmed by looking at the God who is actively involved with this world, the God who is Love, or, as Pittenger prefers to say, is Lover. What remains to be considered is just what is meant by love in the human condition.

Pittenger lists several characteristics of human love. It involves commitment to another, the dedication of one's self to another person. Love involves mutuality, the giving and receiving which establishes an interdependent relationship. Within that mutuality is tenderness, ruling out any form of force, injustice, or control of the other. The lover is faithful both in the dedication to the other as well as in the maintenance of the attitude of tenderness toward the other. Hopefulness is also involved in constantly looking to the freshness of the other. It implies that an individual is made for union of life with another life, and it is in that union that satisfaction is found. Pittenger ends his list with the following statement:

To say that is also to say, and this is the end of the matter, that man is made for fulfilment—fulfilment of such a quality that everything in him, body and soul, is enabled to be realised, made actual and complete, in an integration which has its centre not in the self for its own sake but in the other person whose self provides the way in which the true self of the lover is given its expression and enabled to become what by deepest intention it always is: Love-in-action.<sup>193</sup>

The recognition that the individual is destined for a life of love leads to the ethical questions: How is this love actualized in the human situation? What kinds of rules or norms are available to the individual to help in the evaluation of his or her actions?

As was noted above, Pittenger does not attempt to elaborate a system of ethics as such. He does consider some of the implications which would follow if one were to adopt a process approach to philosophy and theology. The ethic that would result from such a starting point is what he considers.

An ethic built upon the process conceptuality will be very different from a static and legalistic law ethic; it will be personalized and socialized. By personalized I mean that it will be relevant to the person or self, in that person's concrete situation, where and how and as that person is. By socialized I mean that it will see that the person does not

and cannot exist in separation from other persons or from the society of which both are part.<sup>194</sup>

Within the framework of process theology, then, the ethical question for the individual would be: Where am I going, how am I getting there, and how can my journey contribute to the widest possible good of the society.<sup>195</sup> For Pittenger the goal to which the individual is moving is found in the very nature of the human person.

What then is God's abiding purpose or will for his human children? The answer is that he is creating them through his subtle operation upon them and in them as they make their own free decisions and accept the consequences that follow, creating them so that they may become creaturely or finite lovers. To be truly human is to be a human lover, nothing more and nothing less.<sup>196</sup>

The love of which the human person is capable is the ultimate criterion for moral action. Pittenger makes this very clear: "Since God is love, human loving is the only possible interpretation of, meaning in, and imperative for genuinely moral life."<sup>197</sup>

Pittenger does not restrict his considerations to the positive side of the moral life. He considers the negative as well and examines what constitutes sin. He does not wish to look at particular actions of an individual. What is more important than actions is the interior disposition.<sup>198</sup> Nonetheless, in another location he recognizes the importance of the individual action. Writing within the context of evaluating distortions in sexual activity, he still sees that the distortions will become evident in the long-range occurrence. "But at the same time, we need to recognize that not infrequently the single incident can be revealing of precisely that long-range attitude or manner of behavior."<sup>199</sup>

Returning to his understanding of sin, Pittenger distinguishes between sin and sins. Sin is the state of alienation from God, it is a condition. Sins are those

particular actions performed by men and women in the state of sin. "These sins are both the consequence of human alienation from God and the intentional actions which involve responsibility and guilt on the part of the person who does them."<sup>200</sup>

He offers a summary statement drawing evil and sin together, as considered in process terminology:

[...] Evil is not a radical distortion of the whole structure of things; rather, it is refusal to move forward [...]. At the human level, moral evil is essentially a disregard of others and a falsely self-centered preference for immediate gains or pleasures without respect for the common good. And sin—to use the religious word for the most serious defect in human experience—is not a breaking of regulations or laws imposed from outside but a violation of the solicitation and lure of love [...].<sup>201</sup>

The attitude of disregard of others and the self-centeredness is of more concern to Pittenger than are the particular acts which an individual can commit. However, he acknowledges that there are some individual acts which are of such a type that would indicate the presence of the disregard or self-centeredness. The sequence is important. He is not saying that the particular act is wrong in and of itself (though he is not denying that here, either). It is the particular act which points to the existence of the attitude, the attitude of disregard or disinterestedness, which was already present and which is manifesting itself through this particular action.

[...] The question we must ask does not concern specific acts considered in isolation from their context. It concerns specific acts in relation to the total context, above all in the movement or direction of the human life involved. The agent is much more important than his particular and supposedly "discrete" (or separate and separable) acts.<sup>202</sup>

Pittenger has a similar position with regard to moral norms as such. They do not stand on their own, validated simply because they come out of the past. In keeping with his process thought, Pittenger sees God continuing to act within this world, "[...] evoking, enticing, soliciting, inviting, even requiring new kinds of

response to his purpose of love-in-action in the world."<sup>203</sup> He then goes on to consider the relevance of moral norms from the past.

This is why ancient codes, commandments, and the like have no absolute significance; they are the setting down of what our ancestors understood to be their duty and this (as we have seen) meant their particular way of responding to the divine imperative to live and act in love. They provide us with guidelines, if you will; but they are not once-and-for-all disclosures nor do they give us divine enactments handed down from heaven or somehow found imbedded in the human conscience. They are subject to revision and this revision is not a denial of them and the deep insight they contain, but a fulfilling [..] of what the older ways of thinking and stating the right standards of moral behavior were aiming at--sometimes better, sometimes worse, never exhaustively nor absolutely.<sup>204</sup>

The process way of looking at reality would hold that God continues to assist individuals within this world, continues to call them to the fuller life. How this takes place is something which Pittenger considers: "The 'guidance' of God is not dictation nor verbal direction; it is found when a man keeps his eyes open, uses his head, and thus sees opportunities for good opening before him."<sup>205</sup>

Even though he is not willing to accept the past as automatically normative for present human activity, this is not to say that he does not see the value of norms, rules, and codes of conduct. Rejecting the older code that has been applied to sexuality, he calls for a new code and gives some of the characteristics of this new one.

The new code should be positive, not negative; it should stress the goodness of sex, not its possible evils and dangers--those will soon enough be realized. The code, if that is the right word to apply to it, will find its centre in the reality of human loving; it will be built upon an appraisal of human personality which recognizes its processive character; and it will be prepared to make allowances for human imperfection, precisely because it will know that man is not a finished product but is very much "in the making."<sup>206</sup>

What remains normative, what remains absolute throughout the changes which have taken place in history and will continue to take place "[..]" is nothing other than

love itself, with its corollary in the imperative that we should live in, grow in, express, and share love."<sup>207</sup> Whether or not this absolute of love and the characteristics of the moral code which Pittenger proposes are sufficient to establish a relevant ethic that will assist the individual and community live the moral life will be examined in his approach to sexuality, specifically his evaluation of homosexuality.

**b. Social Sciences.**—Pittenger does not theorize on the use of the social sciences in ethics. As will be seen in his treatment of homosexuality, though he alludes to the discoveries of the sciences he does not cite specific studies in his writings. His emphasis on the individual in the present, concrete reality as the starting point for Christian ethics is a very receptive attitude toward the findings of the social sciences.

**c. Ecclesial Context.**—Pittenger acknowledges the role of the community in the ethical discussion. However, beyond this, he does not theorize on the nature of the community in Christian ethics.

**d. Scripture.**—Pittenger does not theorize on the use of Scripture in Christian ethics. From what he wrote of ancient codes and commandments, he certainly would not accept the use of Scripture in a "proof-text" fashion. As will be seen, when considering homosexuality he refers to scriptural texts, though this is not done in a critical manner, nor are the texts the basis of his theory.

e. **Summary of Ethical Theory.**--Three main points were considered in Pittenger's ethical theory. With regard to the nature of the human person it was seen that Pittenger remains faithful to his process thought. The individual is to be seen primarily as one becoming human. Significantly, Pittenger emphasizes that this becoming takes place with others, and one moves to a greater awareness of others. Thus, one becomes human in the interaction with others, and what one is becoming is one who is better able to interact.

For Pittenger this interaction is much more profound than just personal awareness. What the community of individuals is moving toward is love. This is seen first from a reflection on the very nature of the human person. However, it is corroborated through a reflection on the nature of God--the Cosmic Lover--in whose image the individual is created. This Cosmic Lover continues to draw all of creation toward a loving relation.

When considering moral norms which would be helpful for both the individual and the community to lead the moral life the past is evaluated in terms of the needs of the present. It would seem that Pittenger would hold to only one absolute, the absolute of love. However, he does believe that one could make moral evaluations on particular acts when these acts are considered within the total context of the person. To assist in this evaluation, he offers qualities which ought to be present in the moral life.

Though he does not treat of Scripture as such, to be consistent with his other writings, he would probably not approve of the "proof-text method" in Christian ethics. His references to Scripture are to show the attributes of God as Lover. Nor does he speak specifically of the role of the social sciences in Christian ethics. His starting point is the human experience, both in determining the nature

of the individual as well as in examining the ethical questions. It would seem, then, that he would not be against the use of the findings of the social sciences.

His writing style is of an essay type. While he makes references to other authors these occur in a general manner without the use of specific references in footnotes. In his defense, he does not pretend to do otherwise, stating at the beginning of several of his works that he writes not for the scholar but for the men and women who would like to reflect on the matter to be considered.

## 2. Theory of Sexuality

Pittenger does not pretend to establish a theory of sexuality as such. His "theory" appears in his writings on specific topics. There are three points which are pertinent to this study in the area of sexuality: the nature of sexuality, the relationship between the unitive and procreative aspects of sexuality, and the criteria to be used in evaluating the morality of sexual activity. Following these three points, Pittenger's understanding and evaluation of homosexuality will be considered.

**a. Nature of Sexuality.**—From his ethical theory, Pittenger is not willing to take the norms and rules from the past and merely to apply them to the current human condition. Looking over the past he sees the need for a new ethic and theory of sexuality. "[...] Our greatest need is for a theological appraisal of sexuality, in the light of the main emphasis in Christian faith and with due regard for contemporary attitudes and behaviour-patterns."<sup>208</sup> In this same passage he goes on to

demonstrate the sequence he will follow. Beginning with the human experience he then looks to Christian faith to see whether or not faith sheds additional light on the matter.

That man is a sexual being is apparent; that he has sexual drive, urgent desire for sexual contacts, and the deep feeling that one of the central areas of human fulfilment is sexual, we cannot for a moment deny. What does all this mean, from the stance of Christian faith?<sup>209</sup>

Pittenger recognizes that in the past there was a tendency to link sexuality with the animal side of the person, since there was a similarity of sex in animals and in humans. Pittenger rejects such a notion. As with everything else in the person, sex is distinctly human.<sup>210</sup> As a human the individual is moving toward communion with others, and sexuality is meant to play an important, human role in the movement.<sup>211</sup> Pittenger links his understanding of sexuality with what was said about the nature of the person:

As it is natural for man to be sexual and as man's very "nature" is to move towards making actual the possibilities (physical and spiritual, this-worldly and also in relation to his true end or goal) which are his, so in his sexual existence he is truest to himself and therefore truest to the divine intention for him as and when his sexual desire and drive is given the opportunity to express itself--and express itself in terms of love-in-action.<sup>212</sup>

What, then, is sexuality in the human person? For Pittenger, looking at the human condition and reflecting on the theological evidence, sexuality for the individual is the "[...] bodily, physiological-psychological-emotional base or ground for his capacity to love and his way of loving."<sup>213</sup> An immediate implication of such a definition would be a broad understanding of sexuality which would greatly influence one's sexual ethic.

[...] Sexual expression of some sort is inevitable in human beings, provided that we do not confine sex to explicitly genital contexts. If my argument is sound--that sexuality is the pervasive quality, inclusive of sexual apparatus physiologically speaking, which makes relationships

between persons possible--then in all our activity we are active as sexual beings.<sup>214</sup>

What is more, rather than merely acknowledging the existence of sexuality in all human relationships, Pittenger notes that it is precisely sexuality which begins the relationship.

[...] The pervasive influence of our sexuality is exactly the occasion of our being drawn to this or that person, by the subtle combining of spiritual qualities, intellectual sympathies, and the physical data which together make us up as human beings.<sup>215</sup>

In the above quote he also draws out the qualities which are brought together in the sexual experience. It is precisely one's sexuality which has the ability to draw together these other distinctively human elements. This point is not elaborated on by the author.

**b. Procreative and Unitive Aspects of Sex.**—Pittenger considers the older notion which held that human sexuality should be equated with animal sex. Acknowledging that there is in fact continuity between animal sex and human sex, he points out that the specific human element distinguishes human sex from that of animals.

For man the sexual desires and acts have acquired the new possibility of expressing and sharing a total personal relationship, a union of life with life which is all-inclusive and all-enriching. Love is the meaning of human sexuality; and the procreation of offspring is the consequence of heterosexual love given and received [...].

To put it simply, what in animals is the reproductive system in man has become (as part of this emergence, under God's overruling activity, as man) the conjunctive or unifying system.<sup>216</sup>

In his evaluation of the theology of sexuality from the past, Pittenger claims that the overemphasis on the procreative dimension often resulted in downplaying the unitive aspect, that aspect which is most human.<sup>217</sup>

Examining the human experience as a process philosopher and theologian, Pittenger maintains the procreative aspect of sex; however there seem to be two other objectives of sexuality which surface in his reflection:

[...] First, it is the urge to experience the ecstasy which is felt when humans engage in sexual acts. The pleasure which is obtained is so great that much else will be sacrificed in order to obtain it. In the second place, the objective is the realization of the feeling of union with another human being. This union, in its fullest sense, is a relationship of mutuality, in which through a giving and receiving one from and with the other, two lives are felt to be one.<sup>218</sup>

Pittenger does not begin with a principle or a definition of what sexuality is. Rather, consistent with his ethical theory, he examines the human situation and draws his definition from that situation. His derived definition holds for him even against the thinking of the past which emphasized the procreative aspect of sexuality. For Pittenger the procreative aspect is certainly a part of human sexuality, but the human dimension of sexuality is the desire to be in communion with another.

**c. Moral Criteria.**—Pittenger realizes that much has been done in the area of human sexuality which pretended to be leading towards communion, when in fact the activity became destructive not only of the communion, but even of what the individuals themselves are destined to be. With love as the absolute, human sexuality has often been destructive of that same love.<sup>219</sup>

Since sexuality is integral to the human person and therefore (as with all other elements of the human) good, on this basis Pittenger establishes the need for norms in sexual activity. "It is precisely because sexuality is good that it should not be 'used' without any respect for norms, whatever they may be, which will promote and provide for the best possible expression of such a good thing."<sup>220</sup>

To protect the goodness of sexuality, Pittenger offers some guidelines which ought to be kept in mind when evaluating the morality of sexual activity. He is not speaking of some particular action, defined by the physical structure of the act, which is wrong in each and every case. The guidelines he offers are just that—guidelines.

It seems that in all expressions of human sexuality, including especially the explicitly genital ones, there are five such guidelines: (1) Always act with due regard for the other as more than merely a means for self-gratification. (2) Always treat the other as a person, not as a thing. (3) Always act with responsibility for the other's fulfillment and human growth; hence, aim at as much permanence as is possible for the relationship. (4) Always act with responsibility for the other's self-esteem and with due consideration for the consequences of one's actions. (5) Always act in such a fashion that the act is seen in its wider and more inclusive context.<sup>221</sup>

The foundation for these guidelines is Pittenger's reflection on the human experience. He does not draw them from some definition of what it means to be a sexual person, nor from some authoritative statement out of the past. The reason why permanence, for example, is a value to strive for is that this is what seems to fulfill a person. In this type of relationship the individuals involved seem to be moving toward a deeper loving relationship. Contrarily, when sexuality is expressed without such attempts at permanence, there is often a frustration which sets in, evidencing a movement away from fulfillment.<sup>222</sup> Pittenger's understanding of homosexuality will now be considered.

**d. Application of Theory: Homosexuality.**—In 1967 Pittenger published his booklet Time for Consent? A Christian's Approach to Homosexuality. At the beginning of that work he sets forth his starting point, remaining consistent with his ethical theory: "[...] We must see what the situation is today. We must come to terms

with the fact that a very considerable number of our fellow human beings are latently or overtly homosexual rather than heterosexual."<sup>223</sup> Pittenger proceeds in the same manner when he considers the "normalcy" of homosexuality, rather than beginning with a definition of sexuality which is normative for heterosexuals and in and of itself excludes all homosexuals. Pittenger starts from a consideration of the human person, expressing his or her love as a person. What is "normal," according to Pittenger, is for a man or woman "[...] to love another of their species through mutual giving and receiving, through as much personal relationship as is possible, and through a concern for others in every area of their personhood."<sup>224</sup>

He emphasizes this same line of thinking when he considers the etiology of homosexuality.

To discover that some genetic patterning, some family influence, some response to external pressure, brings this man to be heterosexual and that man to be homosexual is only to discover how such capacity for any sort of love has come to be; it is not to be determined that this way is inhuman and that way is human, this normal and that abnormal. People are to be taken for what they are, not judged good or bad on the mere grounds of direction of their loving, homosexual or heterosexual.<sup>225</sup>

Beyond the acknowledgment that knowing the source would not affect the moral judgment, Pittenger does not consider the various theories put forward to explain where homosexuality comes from.

Looking at homosexuality from the perspective of the homosexual, Pittenger notes that "most homosexuals do not wish to be 'cured'; they do not consider their sexual interests a symptom of sickness."<sup>226</sup> He challenges the claims of psychologists and counselors who hold the contrary opinion. Pittenger believes that the others are basing their conclusions on clientele who come seeking a reorientation in their sexual lives. The few who seek such counselling, according to

Pittenger, are far from typical. Unfortunately, in his essay style of writing he does not mention any of the other authors by name nor any of their specific conclusions.

Another element in the current scene that Pittenger notices is the willingness on the part of a growing number of homosexuals to live in some kind of permanent union with the one they love.<sup>227</sup> He offers some personal testimony in one of his articles to support his claim.

[...] I can think at this moment of some fifteen male couples who have lived together, in the complete sense of that word, from five to twenty-five years in utter happiness, genuine love, and remarkable generosity of spirit. To call them abnormal or deviant specimens of humanity would be a scandalous misuse of words. According to the possibilities which are theirs, they are entirely normal; they are not deviant, but obviously they are different.<sup>228</sup>

It is unfortunate that Pittenger uses only the essay-style of writing in this matter. His arguments are consistent and convincing; however, since there is so little evidence offered in support of the arguments, there is little hope that anyone would change his or her opinion through reading Pittenger's material.

Pittenger examines the Christian tradition, looking at the roots of the condemnation of homosexuality. He begins with the scriptural evidence, although in his style of writing he does not specify the texts he is referring to, nor does he consider the opinions of many exegetes. In the Old Testament he notes:

The Jewish Law forbade all homosexual acts. The Jew had a horror of them; and one reason for this is fairly clear to us. The Jewish people were deeply concerned for the continuation of the "chosen people" in history. Sexual acts like "onanism" (which does not mean masturbation but coitus interruptus) were regarded as "spilling" and hence losing of "the seed" which might have gone to produce another Jew who would carry on the people's unique mission in the world. Homosexual acts are not capable of producing offspring; they too were condemned.<sup>229</sup>

Jesus and St. Paul are seen as continuing this tradition; however, the Christian today must be aware of all the contexts within which the Old Testament, the

Gospels, and the Epistles were written. For Pittenger, when the context is understood, rather than condemned, homosexual acts would be affirmed when they are practiced with due regard for genuine moral norms.<sup>230</sup>

Pittenger also considers the tradition of natural law which supported the condemnation of homosexuality, based on the inseparable connection between sex and procreation. He writes:

The homosexual cannot be creative in the sense that he or she will produce offspring. That is granted. But human sexuality is not primarily for that purpose at all. As I have urged, it is essentially a matter of conjunction or union of lives; where procreation takes place, it is to be decided upon and responsibly made possible.<sup>231</sup>

Even though procreation is not possible in the biological sense of the term, the homosexual still seeks the other two objectives of sexuality which Pittenger has noted, namely, the desire for ecstasy found in sexual acts and the desire for union with another.<sup>232</sup>

Pittenger notes that there is a growing number of theologians writing today who accept homosexual acts. The basis for the acceptance seems to be a sympathetic attitude toward the fact that all individuals are sinful; therefore, condemnation of another is never appropriate. This is an unacceptable approach for Pittenger.<sup>233</sup> The implication in the theological approaches to which Pittenger refers is that homosexuality comes about through a sinful situation, even if not through personal sin. Rather than begin from this notion of sin, Pittenger prefers to begin with the human condition as he sees it.

[..] The need to give oneself to another who gives in return is so deep in our common humanity that it is not surprising that the homosexual shares it too. It would be incredible if he did not. What he is seeking is love; in this respect he is like all men. I do not mean simply love which is given to him, I mean also love which he can give. Like other men, the homosexual yearns to be in a relationship of commitment, mutuality in giving and receiving, tenderness, loyalty, expectancy, and union.<sup>234</sup>

For Pittenger, then, there is no other choice but to accept the homosexual completely. The acceptance would be three-fold: the individual homosexual accepting himself or herself, Christians accepting the homosexual, and the Christian churches accepting the homosexual.<sup>235</sup> Pittenger summarizes the future role of the church in the following statement:

To my mind, the church has enough theological assurance to move forward in helping the homosexual in his or her kind of union to live as faithfully and in intention as permanently as the heterosexual. That ought to be the purpose of our Christian counseling and our Christian dealing with the homosexual—not to call him a greater sinner than others, which he is not, but to assist him to become a greater lover. I am convinced that a sound theological approach will do a good deal to bring about this day of acceptance, welcome, and support.<sup>236</sup>

Affirming not only the condition of homosexuality as an orientation but also affirming homosexual acts, Pittenger goes on to offer moral guidelines to help the homosexual evaluate his or her activity. To begin, he rules out promiscuity.<sup>237</sup> This is no different than promiscuity for a heterosexual.

Love without the commitment, mutuality, fidelity, tenderness, etc., [..] is love that is distorted and inhuman. Love that is promiscuous is not really love at all. Hence with the homosexual as with the heterosexual, promiscuity, and prostitution are to be condemned as less than truly human modes of expressing love and being fulfilled in love.<sup>238</sup>

Pittenger offers positive guidelines as well, guidelines for action which will be mutually beneficial for the two lovers. Once again, these guidelines are the same as those which would be used by heterosexuals. If the guidelines are followed the result, for both homosexuals and heterosexuals, would be "[..] the fulfilment of each in relation to the other, bringing to more complete realization the subjective aim which is proper to each and to both."<sup>239</sup>

Since physical contact is seen as something which flows from the relationship itself, Pittenger is not willing to consider homosexual love without

physical expression.

[The homosexual] seeks an expression which is so total, so much the whole of him, that it will include physical contacts of one sort or another. To fail in this last respect, he thinks, would be to hold back something of himself. It would not be the kind of love which is all-inclusive of himself, either as the giver or the recipient.<sup>240</sup>

Pittenger also points out that the physical contacts of the lovers, both homosexuals and heterosexuals, not only express the love which is there but help to deepen the love. Thus, rather than apologize for physical contacts, Pittenger sees them as an essential part of the love relationship.

The moral norms which are offered by Pittenger to the homosexual are no different than those offered to the heterosexual.

The wrongness in homosexuality is to be found in exactly the same place as the wrongness in heterosexuality--that is, not in the condition, not in the accompanying desire for and practice of physical contact, but insofar as the homosexual, like the heterosexual, fails to be a responsible person, refuses to exercise control over his actions, and lacks real respect for the one whom he loves, or thinks he loves.<sup>241</sup>

**e. Summary of Theory of Sexuality.**—In his ethical theory Pittenger sets out to examine the human condition, and it is within this condition that Pittenger comes to the understanding of human nature. It is in the same manner that he proceeds in his theory of sexuality—looking at the human experience and the way men and women actually live out their sexuality.

Since he begins with the lived experience, he is not willing to take moral norms out of the past and apply them to the present. This is not to say that he has no use for the past, nor to hold that moral norms of any type are irrelevant. Norms from the past, when they are still applicable, are helpful in evaluating the morality of the present. However, Pittenger recognizes that some of the norms from the

past, especially some of those dealing with sexuality, are to be understood as coming from a different social context and no longer fitting. One such norm is the inseparable connection between sex and procreation.

An important concept for Pittenger is the notion that the human person is destined to be a lover. This is corroborated by his understanding of God in process theology, God being the Cosmic Lover. Sexuality within the context of being called to love is where Pittenger begins his theory of sexuality. He does not begin from a definition of sexuality which was derived from the past. Therefore, he does not see the need to be apologetic in his approach to homosexuality. The homosexual, like the heterosexual, is called to be a lover. For whatever reason, the homosexual is attracted to the same sex and the heterosexual to the opposite sex. The different objects is not an issue for Pittenger. The criteria for love which Pittenger offers are equally applicable to the homosexual and to the heterosexual community.

Pittenger's strength seems to be in the procedure and sequence of his reasoning. As would probably be the case for many others, Pittenger begins within the human situation and not from some point outside that situation. With the question of homosexuality he does not start from Scripture, nor from Church pronouncements from the past. He begins with the homosexual community, and asks the question: What do we say to these people? From there he goes on to derive those principles which he believes are necessary to live out a moral life. The advantage of such an approach would be that many within the community could identify with it and could recognize it as the same approach which is used by themselves.

A weakness with this approach can be seen within the strength. It appears to be quite unsophisticated. His own style does not help him convince his readers who might begin from a different point of view, writing in an essay style with hardly any footnotes or references. While his arguments seem logical, there is little evidence to support his arguments or conclusions. He dismisses centuries of theological opinion which has condemned homosexuality with his own "common sense" theological argument. The same approach is used when considering Scripture texts. In his defense he clearly indicates that he is not writing for scholars but for the lay man and woman, and in that context his style and presentation can easily be followed.

#### D. SUMMATION

The three authors in this chapter have a great deal in common. Their starting points for ethics, their starting points for a consideration of sexuality, and the perspective of homosexuality are similar. Harrison, Nelson, and Pittenger begin their ethical reflection by examining the human condition, deriving ethical principles in an inductive manner.

All three see the human person as one who is becoming a person and not a static being. Thus, the ethical principles which are relevant will also be in process and developing. Not one of the three is willing to take a moral principle out of the past and apply it to the present situation merely because it is something from the past. The principle is to be applied, if it is still applicable. If not, new principles must be derived that will shed light on the present human situation. There is an obvious appreciation of the historicity of both Scripture and authoritative

statements out of the past. There is a respect for these, but the final criterion is the individual attempting to live out the moral life in the present situation. If the principles continue to speak to that situation, well and good; if not, new principles are called for.

Both Harrison and Nelson acknowledge explicitly that the search for these moral principles takes place in community, since it is within community that an individual comes to personhood. Though Pittenger does not consider the role of community as such it could easily be implied from his emphasis on the relationality of persons that the community has an important role to play in the ethical quest. Just as the person is seen in process by these three so also is the community, continually moving, hopefully forward. While the Christian community is considered there is a recognition that the Christian community is within many other communities. The ethical dialogue takes place in a broader arena of the global community.

The approaches of the three to sexuality and homosexuality are also similar. Starting with the human person and acknowledging that what is within the human person is good, all three affirm the basic goodness of human sexuality. Moreover, since the human person is in the process of becoming, human sexuality plays a critical role in drawing the individual forward. There is no hint in any of the authors of the need to apologize for human sexuality.

This same approach is maintained when homosexuality is considered. Homosexuality is just another form of sexual attraction for these authors. All three accept not only the homosexual orientation but homosexual activity as well. Going even a bit further, all three reject the notion that homosexual activity is somehow tainted by sin as did some of the Roman Catholic Historicists. For

Harrison, Nelson, and Pittenger sin enters only when the moral norms (which are applicable to both homosexuals and heterosexuals) are violated. The acceptance of homosexuality is complete and unqualified.

Of the three Nelson articulates the most elaborate ethical theory, having published two major works in the area. Harrison has yet to publish a major work, and her theory is still in need of embodiment. Pittenger, on the other hand, has published a great deal but has not seen the need to articulate a theory as such, beyond dealing with the issues as they arise.

The thinking of this group offers a definite challenge to the Christian community, calling for responsible growth and acknowledging the need for individuals within the community to be engaged in the moral discourse. There is a definite resistance to the way that sexual ethics has been done within the community for these authors. There is a conscious attempt to move away from the negative attitudes about sexuality which were characteristic of theology.

Nevertheless, one has the impression that more can and should be said than what these authors are willing to say. Harrison herself ends up maintaining that sexual faithfulness is not necessary for human happiness or fulfilment, drawing a logical conclusion from her own arguments. Pittenger and Nelson do not say the same, though their arguments also are weak when it comes to the evaluation of specific acts of sex. If one looks at the tradition not only of the Christian community but of the human race down through the ages, should not greater attention be paid to the fact that individuals have consistently convinced themselves that their actions flowed from true love, when in reality their actions were self-gratifying and abusive to the other? For the ethic proposed by these three to work in society today, there needs to be quite a moral change within the

community, a change that would see individuals seeking the responsibility which such an ethic needs. Some attention by these authors to the process of change within the community which would make such an ethic possible would be helpful.

## CHAPTER V

### THE CLASSICIST AND HISTORICIST PARADIGMS

If one were to compare this thesis to a kitchen recipe, what has taken place so far has been the preparation of the ingredients. The collection and careful measuring of the spices is a dull but necessary task. All is now on the counter, ready to be mixed. The analogy limps when one realizes that even though the ingredients have been prepared the final outcome is unknown. The recipe has no definite title although it is commonly referred to by many different names. Some would say the recipe deals with the Roman Catholic/Protestant distinction in sexual ethics. Others claim that the issue is the classicist/historicist distinction.

The measured and prepared "ingredients" of this study are the ethical theories of the twelve authors and the applications of those theories in the field of sexual ethics. The task at hand is to compare all the "ingredients" and to mix the mystery recipe. Will the result be the Roman Catholic/Protestant distinction, the classicist/historicist distinction, a combination of the two, or something else? Before proceeding it might be beneficial to review exactly what has already taken place.

In the previous four chapters the writings of the four groups of authors were examined. In each chapter the same procedure was followed. The ethical theory of the author was examined in order to determine which elements the author included in the theory; then, how each author chose to relate the individual elements to one another; and, which of the elements would be decisive where there was conflict. Following the consideration of each author's ethical theory, the author's application of the theory to a specific question in sexual ethics (whenever possible the issue of homosexuality was used) was considered.

As was stated in the Introduction, examining the author's consideration of a specific topic was to determine whether or not the author demonstrated consistency between the ethical theory and the specific question. At the end of each of the four chapters the strengths and weaknesses of each author were compared, indicating the common elements found in the ethical theory of each of the four groupings.

Similar ethical theories can be seen in the three Roman Catholic Classicists in Chapter One, though William May demonstrated some differences. There were no significant differences among these authors when they applied their theories to a particular question in sexual ethics. With the Roman Catholic Historicists in Chapter Two there was general agreement in their ethical theories; however, this group was the most divergent when their theories were applied to homosexuality. The Protestant Classicists in Chapter Three showed more agreement in the application of their theories than they did in the theories themselves. Of the four groups it was the Protestant Historicists in Chapter Four who showed the most agreement both in their ethical theories as well as in the applications to the question of homosexuality.

The initial hypothesis which was being examined in this study focused on the commonly held distinction based on confessionality between Protestant ethicists and Roman Catholic ethicists. The hypothesis was that the differences between groups of ethicists are the result of different world views, and not the result of confessional allegiance; that is, the major influence in each group of authors is the operative paradigm, either the historicist or the classicist paradigm. Furthermore, it was initially suspected that confessional differences would remain within the Classicist Paradigm; that is, the commonly held distinctions between

Protestant ethicists and Roman Catholic ethicists would still be evident among the Classicists. There were good reasons for this suspicion. As will be seen, the very concept "classicist" contains a dominant reliance on abstract definitions, and the individual is viewed within the context of the given definition. What is often a distinguishing element among classicist ethicists is the authoritative source of the definitions. Which authority is the "final court of appeal" has been a fundamental confessional distinction, with Classicist Protestants appealing to Scripture, and Classicist Roman Catholics appealing to the magisterium and the magisterium's interpretation of natural law and Scripture. Thus, in the Classicist Paradigm it would be reasonable to expect very definite confessional differences.

The concept "historicist," on the other hand, advocates a methodology with the starting point being the concrete individual's development over time, the "final court" being the structures discovered in an a posteriori manner within individuals, and not a set of structures or definitions imposed from outside the individual. Without external structures the historicist ethicists would all begin from the same source; that is, this particular individual with his or her own history, presently operating in this particular set of circumstances. Hence, there was reason to believe, initially, that within the Historicist Paradigm the confessional distinctions would not be as significant as in the Classicist Paradigm, which would have meant that Roman Catholic Historicists were both theorizing about ethics and applying ethics in the same manner as were the Protestant Historicists.

Following an examination of the four groups of authors there was evidence that confessional differences do remain within the Classicist Paradigm, as was expected. However, the Historicist Paradigm did not meet the original expectation.

The aim of the present chapter is to elaborate a precise description of the Classicist Paradigm and of the Historicist Paradigm as found in a selection of contemporary authors writing in the area of sexual ethics in the United States. This chapter will consist of two sections. The first will deal with the very notion of "paradigm" found in the writings of Thomas S. Kuhn. The second will examine the various elements of the paradigm found in the Classicists and the Historicists. This examination will study each of the four components of the paradigms, providing a precise description of each paradigm and determining whether there are two distinct paradigms. Such an application of Kuhn's theory will allow for a more precise description of the world views held by the Classicists and Historicists. The following chapter, Chapter Six, will use this precise description of the different paradigms to determine the various ways confessional affiliation still influences specific American authors in the field of sexual ethics.

#### A. THOMAS S. KUHN'S CONCEPT OF PARADIGMS

Since the publication of Thomas S. Kuhn's The Structure of Scientific Revolutions<sup>1</sup> there has been much discussion on many of the issues which are raised in that book.<sup>2</sup> Some of the controversies stemming from that work focus on the following issues: a precise definition of the concept of paradigm itself, Kuhn's meaning of a revolution in science, the applicability of Kuhn's theory to other branches of knowledge apart from the physical sciences, the incommensurability of language used by two competing paradigms, the primacy of puzzle-solving in the physical sciences, the nature of a paradigm shift, to name but a few. It would be far beyond the scope of this study to explore these issues in depth. What is needed

here is (1) an explanation of the concept of paradigm itself, and (2) the applicability of the notion of paradigm to areas of knowledge apart from the physical sciences.

### 1. Paradigms

To come to a clear understanding of the term "paradigm" as it is used in Kuhn's book is no easy task. One of the most comprehensive criticisms of the lack of clarity on Kuhn's part is a review by Dudley Shapere in Philosophical Review.<sup>3</sup> Kuhn himself, in responding to his critics, notes the many different usages the term takes on in his book. Referring to a study by Margaret Masterman,<sup>4</sup> Kuhn states:

Critics, whether sympathetic or not, have been unanimous in underscoring the large number of different senses in which the term is used. One commentator, who thought the matter worth scrutiny, prepared a partial subject index and found at least twenty-two usages, ranging from "concrete scientific achievement" (p. 11) to a "characteristic set of beliefs and preconceptions" (p. 17), the latter including instrumental, theoretical, and metaphysical commitments together (pp. 39-42).<sup>5</sup>

In the enlarged edition of The Structures of Scientific Revolutions Kuhn adds a postscript in which he attempts to both clarify the concept of paradigm and to respond to some of his critics. He admits that there are two general usages of the term "paradigm" in the book.

On the one hand it [paradigm] stands for the entire constellation of beliefs, values, techniques, and so on shared by the members of a given community. On the other, it denotes one sort of element in that constellation, concrete puzzle-solutions which, employed as models or examples, can replace explicit rules as a basis for the solution of the remaining puzzles of normal science.<sup>6</sup>

In Kuhn's first usage, it is possible to determine scientific communities without prior recourse to paradigms.<sup>7</sup> The members of a "given community" can be

distinguished by similar educational backgrounds, similar professional initiations, and absorption of the same technical literature.<sup>8</sup> Kuhn offers the following as examples of "global communities" in science: physicists, chemists, astronomers, zoologists, and so on. Beyond global communities are identifiable subgroups. Examples of these are: organic chemists, solid-state and high-energy physicists, radio astronomers, and so on.<sup>9</sup>

It is within these subgroups that the concept of paradigm becomes crucial for Kuhn. Within these isolated subgroups are schools of thought "[...] which approach the same subject from incompatible viewpoints."<sup>10</sup> The paradigm is that which is shared by the members of these schools of thought.

The paradigm itself which is held by these various schools of thought is all-encompassing. There are two descriptions from other authors which clarify the breadth of Kuhn's concept. Gary Gutting sees Kuhn's notion of paradigm involving "[...]models, methodological rules, values, metaphysical principles, and indeed a distinctive way of 'seeing' all the phenomena of its domain. To accept a paradigm is to accept a comprehensive scientific, metaphysical, and methodological worldview—what I called above a 'super-theory.'"<sup>11</sup> David A. Hollinger has a similar reflection.

Kuhn's notion of the "paradigm" [...] embodies the sense that activities are defined and controlled by tradition, and that tradition consists of a set of devices, or principles, that have proven their ability to order the experience of a given social constituency. An operative tradition provides a community with criteria to distinguish one activity from another, sets priorities among those activities, and enables the community to perform whatever common activities make it a community at all.<sup>12</sup>

Kuhn himself noted that a paradigm "[...] identifies challenging puzzles, supplies clues to their solution, and guarantees that the truly clever practitioner

will succeed."<sup>13</sup> Generally speaking, then, the school of thought within a field of science is governed by the paradigm which is adopted. The question remains: What is this paradigm?

In the earlier edition of The Structure of Scientific Revolutions Kuhn used the term "paradigm" to designate that which accounts for the cohesiveness of a particular school of thought. To clarify his intent Kuhn suggests the term "disciplinary matrix" in the Postscript of the enlarged edition. "[...] 'Disciplinary' because it refers to the common possession of the practitioners of a particular discipline; 'matrix' because it is composed of ordered elements of various sorts, each requiring further specification."<sup>14</sup> In describing the disciplinary matrix Kuhn notes the following four components: symbolic generalizations, beliefs, values, and exemplars.

**a. Shared Commitments to Symbolic Generalizations.**—These generalizations can take the form of symbols:  $f = ma$ , or can be expressed in words; for example, "action equals reaction." These generalizations are accepted by all members of the particular school of thought. At times these generalizations function as a law of nature, "[...] but also in part as definitions of some of the symbols they deploy."<sup>15</sup> In other words, the equation  $f = ma$  acts as a law when a particular mass ( $m$ ) is traveling at a particular acceleration ( $a$ ). The law allows the scientist to calculate the resultant force ( $f$ ). At the same time, the equation is defining what is meant by force, mass, and acceleration, and this is prior to the solving of the particular problem.

**b. Shared Commitments to Beliefs.**--Commitments to a set of beliefs help to determine the relative importance of those still unsolved problems considered by the school of thought. Some of the examples of group commitments are: "heat is the kinetic energy of the constitutive parts of bodies," "the electrical circuit may be regarded as a steady-state hydrodynamic system," and so on. These beliefs are the basis of the scientific model, or global view, for a school of thought; and it is within that global view that the unsolved problems become evident.<sup>16</sup> In addition, beliefs also "[...] supply the group with preferred or permissible analogies and metaphors. By doing so they help to determine what will be accepted as an explanation and as a puzzle-solution [...]."<sup>17</sup>

**c. Shared Commitments to Values.**--Distinct from beliefs, the commonly held values of a school of thought are those which determine the scientific activity of the group.

Probably the most deeply held values concern predictions: they should be accurate; quantitative predictions are preferable to qualitative ones; whatever the margin of permissible error, it should be consistently satisfied in a given field; and so on. There are also, however, values to be used in judging whole theories: they must, first and foremost, permit puzzle-formulation and solution; where possible they should be simple, self-consistent and plausible, compatible, that is, with other theories currently deployed.<sup>18</sup>

**d. Shared Commitments to Exemplars.**--The fourth component of the disciplinary matrix, the exemplar, is also Kuhn's second general usage of the term "paradigm." By exemplars Kuhn means "[...]" the concrete problem-solutions that students encounter from the start of their scientific education, whether in laboratories, on examinations, or at the end of chapters in science texts.<sup>19</sup> It is in this fourth

component that the fine-points of the particular school of thought are learned by the student.<sup>20</sup> Through the working of a number of problems the student begins to see the interrelatedness of the problems. It is on the basis of this interrelatedness that a model or global vision of scientific activity is established. It is through the insights gleaned from the introductory problems that the student learns to think like a scientist.<sup>21</sup>

Since the student is learning more than just the definitions of terms, it is quite possible that different schools of thought will be using the same terms; but, due to the different exemplars grounding the meaning of the terms, these same schools may in fact mean something quite different by the term in question.<sup>22</sup> Once the exemplars are learned, the interrelatedness of the problems seen, and the model adopted, then the scientist "[...] concentrates on 'puzzle-solving,' on forcing nature to fit the paradigm to which it is committed."<sup>23</sup>

The order which is being suggested by Kuhn and his interpreters is worth noting. The fledgling scientist begins solving concrete problems known as exemplars. From these the scientist begins to acquire a particular vision of the world, acquires a paradigm. The scientist then goes beyond the exemplars and tries to solve other problems. The method of this advanced stage of problem solving is to see the connection between the new problem and the old exemplar, thus allowing the new problem to be incorporated into the scientist's paradigm. Then the question arises as to what happens when the new problem does not "fit" the paradigm. It is at the level of concrete problems that this inconsistency is noticed.<sup>24</sup>

**e. Anomalies.**—Since it is the presence of these inconsistencies which calls for a shift in the paradigm, more should be said regarding the recognition of inconsistencies. Kuhn refers to these inconsistencies as anomalies. He writes:

Discovery commences with the awareness of anomaly, i.e., with the recognition that nature has somehow violated the paradigm-induced expectations that govern normal science. It then continues with a more or less extended exploration of the area of anomaly. And it closes only when the paradigm theory has been adjusted so that the anomalous has become the expected.<sup>25</sup>

It is Kuhn's contention that once the paradigm is adopted, once the disciplinary matrix is established, the scientist sets about solving problems. The disciplinary matrix is assumed by the scientists of a particular group to encompass all of reality. When a problem which has no relationship to the exemplars, or which challenges the accepted symbolic generalization is encountered, much re-thinking must take place. In some cases the disciplinary matrix can be expanded and the new problem eventually "fits" the expanded paradigm.<sup>26</sup> In other cases, the problem challenges so much of the paradigm that a new paradigm is called for. T. Howland Sanks correctly points out that where the older paradigm is replaced, this does not necessarily imply that the former was a false paradigm.<sup>27</sup>

The older paradigm was sufficient to meet the needs of the scientists in their problem-solving tasks. Where a new problem does not "behave" in accordance with the older paradigm the inadequacies of that paradigm surface.<sup>28</sup> It is an important point that a paradigm does not exist apart from a concrete community. It is a mental construct, an attempt on the part of the scientific community to make sense out of the universe. As insights and knowledge increase the inadequacies of the older paradigm surface and must give way to a more inclusive paradigm. The new paradigm must be more inclusive than the older paradigm in

that the new must be able to account for all the problems solved in the old paradigm as well as providing a basis for the solution of the anomalies. Thus it would make more sense to hold that the older paradigm was simply too restrictive, not complete.<sup>29</sup> It is within the very framework of the older paradigm that the anomaly is recognized, as Kuhn points out.<sup>30</sup> The older paradigm, then, prepares the way for the newer one.

In his article Hollinger enumerates some of the circumstances which point to the need for an expanded, or a new, paradigm:

The community may be suddenly subject to conditions radically different from those in effect when the reigning traditions were institutionalized; another culture may have set up housekeeping next door, thereby creating a constant source of novel stimuli too immediate and concrete to be ignored even by those who would prefer not to acknowledge the novelty's existence. [...] The discovery of problems unsolved by the tradition may even result from a dynamism within the tradition itself: endemic tenacity may extend and refine organizing devices to such a degree of precision that they can recognize as "unorganizable" something that cruder, less demanding devices might treat as routine.<sup>31</sup>

When it appears that the paradigm currently held by the group must be changed a sense of crisis settles on the group. What often follows is a "[...] proliferation of competing articulations, the willingness to try anything, the expression of explicit discontent, the recourse to philosophy and to debate over fundamentals."<sup>32</sup>

Eventually a solution is agreed upon, a solution which will either fit within the expanded original disciplinary matrix or a solution which calls for the construction of an entirely new disciplinary matrix. Scientists then go about solving other problems, fitting them into the existing paradigm until another anomaly arises.

Summarizing what has been seen so far, a group of scientists can be identified without prior recourse to a paradigm. Once that group is known,

however, the disciplinary matrix held in common by the group is identified. The four elements in the disciplinary matrix are: symbolic generalizations, beliefs, values, and exemplars. With the paradigm as a background different problems are solved.

## 2. Paradigms beyond the Physical Sciences

Given the working definition of paradigm offered by Kuhn and others, the second main issue to be considered is whether or not Kuhn's theory has any relevancy for those intellectual disciplines apart from the physical sciences. The question can be more specifically stated as follows: Can Kuhn's theory of paradigms and scientific revolutions be used to shed light on the area of Christian sexual ethics?

In the introduction of his book Paradigms and Revolutions: Appraisals and Applications of Thomas Kuhn's Philosophy of Science the editor, Gary Gutting, considers Kuhn's theory in relation to other fields of knowledge.

Although the social sciences themselves do not seem to contain counterparts to the paradigms Kuhn found in the natural sciences, it does not follow that there are not other contexts to which Kuhn's approach might be fruitfully extended. For there are non-scientific communities that embody a consensus strikingly similar to that found in the natural sciences. [...] In fact, however, this sort of application of Kuhn's work has usually been made not by social scientists but by scholars in humanistic disciplines such as history, art, and philosophy (although there has been much less use of Kuhn in these disciplines than in the sciences).<sup>33</sup>

John Greville Agard Pocock has seen applications of Kuhn's theory to the area of history and political science.<sup>34</sup> The implications for religion have been explored by Basil Mitchell in his book The Justification of Religious Belief.<sup>35</sup>

Mitchell notes: "If Kuhn is right, the phenomenon of paradigm shift as he describes it in science does indeed bear a strong analogy to the situation which we have already discerned in the controversy between the theist and the atheist."<sup>36</sup> Specifically in the area of Roman Catholic theology, a doctoral dissertation was completed in 1971 for the University of Chicago, and was published under the title Authority in the Church: A Study in Changing Paradigms.<sup>37</sup> In Gutting's book Paradigms and Revolutions there are four areas where the paradigm theory is explored in relation to philosophy, social sciences, humanities, and history of science. Kuhn himself singles out theology as the creative pursuit with many similarities to science.<sup>38</sup>

This is not to say that there is a groundswell of excitement in various disciplines over Kuhn's theory. Along with the accolades that have been showered upon him there are many critical voices. It is not the intent of this study to enter into the debate on the pros and cons of Kuhn's theory. Moreover, this study will not enter the debate over the applicability of the theory to other fields of knowledge. There are extensive arguments offered on either side. The point to be considered is whether Kuhn's theory of paradigms is helpful in specifying the world views of the groups of authors in sexual ethics.

It would be possible to theoretically consider the applicability or non-applicability of Kuhn's ideas to the field of sexual ethics. Such a consideration is beyond the intent of this study. A concrete application of Kuhn's theory would seem to be more beneficial. If his theory of paradigms serves to specify the content of the Classicist and Historicist schools of thoughts, two schools of thought "[...] which approach the same subject from incompatible viewpoints";<sup>39</sup> and if it

identifies the differences between the two groups, then Kuhn's theory will have served its purpose.

In applying the theory, each of the parts of Kuhn's theory will be considered; namely, identify the community of practitioners, then, amongst those practitioners, seek out the disciplinary matrix containing the symbolic generalizations, beliefs, values, and exemplars.

In the application of Kuhn's theory the first task is to isolate the subgroups of practitioners, for it is within the subgroups that the paradigm is found. There is no difficulty identifying the global communities of which Kuhn speaks. As was noted above, these global communities are distinguished by similar educational backgrounds and other considerations.

The most inclusive category in the area of Christian sexual ethics would be the group of Christian theologians—distinguished from non-Christian theologians. A more restrictive category is Christian ethicists—distinguished from other Christian theologians writing in the areas of systematic theology, pastoral, theology, biblical studies, and so on. A further breakdown is those writing in the area of sexual ethics itself—distinguished from those writing in other areas of ethics; for example, war and peace issues, medical issues, economic issues, and so on. Still another division among those writing in the area of sexual ethics is Protestant and Roman Catholic ethicists—distinguished from each other on the basis of confessional affiliation.

This study has drawn one final distinction, dividing Protestant ethicists into Historicists and Classicists, and doing the same for Roman Catholic ethicists—Classicists and Historicists distinguished from each other at this point of the study on the basis of the two preliminary surveys which only loosely described classicists

and historicists. It is the task of this present chapter to determine the precise basis for distinction within the final division.

When identifying the disciplinary matrix of each of the four subgroups several questions must be kept in mind. How many distinct disciplinary matrices are there among the four subgroups? If there are two matrices, does one belong to the Classicists and the other to the Historicists; or, does one belong to the Protestants and the other to the Roman Catholics?

#### B. DIFFERENCES BETWEEN CLASSICISTS AND HISTORICISTS

The second part of this chapter will examine the various elements of the disciplinary matrix of the Classicists and the Historicists. In each matrix the four components will be studied. Of the four components that Kuhn considers some are more applicable to the physical sciences and can only be applied to the social sciences or the humanities in an analogous fashion, as Sanks points out in the introduction to his thesis:

There are obvious differences between theology and the natural sciences of physics and chemistry, from which Kuhn takes most of his examples. Theological models cannot be quantified, nor are they the basis of repetitive problem-solving. There are, however, models operative in theology, both in the broader sense of the constellation of shared beliefs, values, and techniques of the community as well as the more specific sense of models or exemplars on the basis of which a number of questions are approached.<sup>40</sup>

There are no symbolic generalizations in theology in the same sense that there are physical laws stated in mathematical symbols in the physical sciences. However, there seem to be generalizations used as definitions, which are similar to

some of the examples used by Kuhn.<sup>41</sup> Common beliefs and common values are present in the theological writings, as are exemplars.

The Classicist matrix will be studied first, followed by the Historicist. What is being examined is the disciplinary matrix of the group of Classicist authors. The questions that are being asked in this study are: Which symbolic generalizations are held in common by all six Classicists in their writings on sexual ethics? Which beliefs are held in common by all six authors? Which values are held in common? And which exemplars? These specific questions are part of the broader question: What is the operative world view in each group of authors?

### 1. Classicists

**a. Symbolic Generalizations.**—It is possible to discern a few common definitions in the writings of the authors. In most cases the authors themselves do not state that they are giving a definition as such. Nonetheless, they are defining concepts and the concepts are foundational for their own sexual ethic. In presenting corroborating statements by the authors only brief samplings of their thought will be offered, since the previous four chapters have extensively examined their ethical theories, their theories of sexuality, and an application of their theory of sexuality.

**Nature of Sex.**—One such definition in the classicist group concerns the nature of sex. There seems to be unanimity among the six in holding that sex is to take place exclusively within a monogamous, heterosexual relationship. Moreover, four of the six also hold that this relationship must be procreative. Harvey claims that

tradition clearly states that "[...] genital sexual expression between a man and a woman should take place only in marriage and that marriage is a permanent, exclusive, procreative and loving union."<sup>42</sup> May also holds that sex is to be expressed between members of the opposite sex and always within the stable marital relationship.<sup>43</sup> This marital relationship as a whole, as well as each act of sexual intercourse within the marriage, must be open to procreation.<sup>44</sup> McFadden likewise writes that "[...] sexual intercourse is permissible only to those who have been wed to each other [...]."<sup>45</sup> From the context of this quote it would not be possible to imply the conclusion that McFadden was in any way allowing homosexuals to engage in sex if they were "married" in some form. For McFadden sex is chiefly for the procreation of new life,<sup>46</sup> which is not possible between homosexuals.

The clarity continues with the Protestant authors. For Bahnsen "[...] deviation from heterosexual monogamy brings the condemnation of God."<sup>47</sup> Bahnsen does not hold that the procreative element in sex is an important consideration. Ramsey is not quite as succinct in his conclusion, though he does hold that through God's design men and women come together in marriage for both the "[...] nurturing of marital love and procreation [...]."<sup>48</sup> The final classicist author, Small, also claims that sexual exclusivity is the constitutive sign of the marital union. "The biblical perspective is that marriage needs sex and sex needs marriage, and both need to be fused in the bonds of man's spirit."<sup>49</sup> With regard to procreation, Small does not see this as a significant consideration in the present time. He writes: "[...] The problems of overpopulation require other decisions, lessening the importance of procreation."<sup>50</sup>

These authors would agree, then, with the equation that would state: moral sex = sex within a monogamous, male-female, procreative relationship. While there would be agreement in general, there is disagreement on the precise meaning of individual terms in the equation.

According to this equation, if sex is seen as being moral only within a monogamous, heterosexual relationship which is procreative, this symbolic generalization serves both as a definition of sex as well as a law of nature which is the basis for problem solving. As a definition it equates sex with marital sexual intercourse. In this definition there are other aspects of sex which are not considered. For example, no distinction is made between sex and sexuality. Also, the intent and circumstances of the individuals are not significant considerations,<sup>51</sup> thus reducing the definition to the physical structure of the act. As a law of nature used as a basis for problem solving, this understanding of sex allows for clear solutions to such problems as the morality of premarital sex, masturbation, and homosexuality. More will be seen on this when the exemplar is considered below.

This symbolic generalization serves as an important point of reference. In dealing with symbolic generalizations Kuhn primarily refers to the physical sciences; however, there is some application to the situation in Christian sexual ethics, particularly since ethics generally shares the same concern over problems as do the physical sciences. Kuhn writes: "If it were not for the general acceptance of expressions like these, there would be no points at which group members could attach the powerful techniques of logical and mathematical manipulation in their puzzle-solving enterprise."<sup>52</sup> Substantial disagreement on this definition would cause considerable uneasiness within the school of thought.

b. **Beliefs.**--The second component in Kuhn's disciplinary matrix is a shared commitment to beliefs. Three beliefs will be considered here: (1) Human Purpose, (2) Moral Law, and (3) Negative Moral Absolutes.

1) **Human Purpose.**--One of the beliefs which seems to structure the world view of the Classicists is the contention that God has revealed the purpose of human nature, of human activity. For Harvey this issue is dealt with when considering the individual's moral awareness. Though the person would be able to discern some aspects of morality, one's "[...] knowledge of right and wrong is terribly incomplete unless it is reinforced by the guidance of divine revelation in both the Old Testament and the New."<sup>53</sup> Harvey goes on to say that it is "Catholic theology alone [which] gives man the full truth about his nature, his destiny, and the means which he can use to attain his goal."<sup>54</sup>

May's treatment of this shared belief is a bit more obscure. On the one hand May acknowledges that the norm of human behavior is found within the individual;<sup>55</sup> on the other May is not willing to allow dissent within the Roman Catholic tradition when the magisterium has issued a teaching on a particular subject.<sup>56</sup> The individual may search within oneself for the answers to ethical questions, but these answers must be in accord with the magisterium. Though May does not explicitly ground his ethical theory in revelation--in fact, he deliberately tries to avoid this--since the magisterium has the final word, revelation, at least in the sense of tradition, has a central function.

McFadden is more direct on this question than May. For McFadden, every individual should have access to all the truths necessary to live a spiritual life. God reveals all that is needed. "The Moral Law possessed by the Christian is

therefore most perfect. It is to be found in tradition, in Sacred Scripture, and in the teaching of Christ's infallible Church."<sup>57</sup>

Bahnsen, the Protestant Classicist, claims throughout his writings that Scripture contains the moral boundaries of human activity. These boundaries come directly from God and are never drawn by humans.<sup>58</sup> These norms are expressed in Scripture as clear directives from God.<sup>59</sup> Consequently, the final norm against which all "[...] controversies are to be determined and all human opinions are to be examined can be no other than the Holy Spirit speaking in the Scripture."<sup>60</sup>

Ramsey is unique in the group of Classicists. He does not have the same approach to this issue as the others. In explaining his own stance in Christian ethics Ramsey is not willing to lift texts out of Scripture. Rather, he attempts to study ethical questions "[...] in the light of the religious thought of the New Testament."<sup>61</sup> Therefore, Ramsey sees the role of Christian ethics in enunciating the principles, or rules, of action in the light of revelation.<sup>62</sup> Ramsey's position is different from that which holds that revelation prescribes a particular code of conduct.

The final Classicist disagrees with Ramsey and sides with the rest. Small looks to Scripture to find God's stated purposes on such things as sexuality and marriage.<sup>63</sup> Small assumes that "[...] the Divine Author would provide an order for the organization and functioning of any social institution such as marriage."<sup>64</sup>

Summarizing this belief, for most of the Classicists the world is seen as something that is clearly ordered by God. There is a definite purpose for human existence and for all aspects of human existence. These various purposes are unchangeable since they are determined by the Creator and not by human beings.

Implied in this belief is the purpose of human intelligence. The role of reason in the Classicist Paradigm is to discover the purposes already within creation. Reason is not to construct these. In some cases reason can adapt the purposes to various cultural settings. However this adaptation is allowed only when the change is nonessential.<sup>65</sup>

Another implication in some of the writers is the superiority of Scripture over any other form of knowledge.<sup>66</sup> Still other authors would emphasize the primacy of the church's interpretation of Scripture.<sup>67</sup> In either case, God's purpose for creation is revealed in the Sacred Books, and all other sciences are to be judged against this norm.

As the various elements of the disciplinary matrix are examined below, it will become clear that there are a number of points where Ramsey will disagree at least with the other two Protestant Classicists and at times he will disagree with the three Roman Catholics as well. Ramsey is much more sophisticated and critical in his ethical theory than are the others. (This was pointed out above in Chapter Three.) He has almost written more than the other five authors combined. Through dialogue with many of the other great ethicists throughout the world Ramsey has refined his thinking both on the foundation of morality and on particular ethical questions.

However, even though there is quite a difference between Ramsey and the other Classicists, there is agreement on some points, enough to warrant his inclusion in this matrix. As was seen in Chapter Three, Ramsey's ethical theory is based on the command of Christ to love the neighbor. Though Ramsey develops this at great length, at the base of his thinking is an acceptance of this command. It is a command flowing from the will of God, distinct from the intellect of God,

which is the basis of morality. Ramsey follows through on this position in his consideration of premarital sex. Foundational to his argument is the connection between sex and procreation. This connection is attributed to the creative intent of God, hence there would be no reasons nor circumstances which could justify the separation of sex and procreation. In this sense Ramsey is similar to the other Classicists. They too base the foundation of ethics on the will of God. Some of the authors go beyond just the foundational principles and claim that God also reveals the details of human existence. Ramsey would not accept this. He would not concede anything beyond the general principles being willed by God.

**2) Moral Law.**—The second belief is closely related to the first: The moral law which is revealed by God encompasses even the details of human existence. The moral law passes on even the details of human existence. The moral law does much more than state general principles.

This concept is implied in Harvey's writings in that the norm for sexual expression is revealed in Scripture.<sup>68</sup> When speaking of the issue of homosexuality, Harvey appeals to a literal interpretation of the usual six scriptural passages that appear to condemn homosexual activity.<sup>69</sup> In Scripture Harvey sees specific condemnations rather than general themes on the direction of human sexuality. May believes the individual Christian has the right to consistent and clear teaching on particulars within the moral order. He resists a change in methodology—from a deontological model to a teleological model—because one could "[...] never really tell when an act is morally bad."<sup>70</sup> With this belief McFadden is very straightforward. "[...] God in His Mercy and Wisdom has seen fit to reveal to man

in a complete and accurate manner all of the moral truths which he must observe."<sup>71</sup>

Of all the writers, Bahnsen is the most explicit on this belief. "[...] He [God] has set down specific and extensive commands since He cares for every specific of our lives as His people."<sup>72</sup> Ramsey once again disagrees with the others on this point. For him Scripture does not provide a list of acts that must be copied, but a set of rules or principles that one brings to a situation.<sup>73</sup> Small maintains the need for a revelation of the specifics of our lives, even in the social areas, such as marriage. "[...] We would expect explicit guidelines for the living out of the partnership."<sup>74</sup>

This second belief is a logical extension of the first one. However, it is worthy of note that one could accept the first belief held by this group of authors--namely, that God has revealed the purpose of human existence--without admitting that specifics are also revealed. This second belief takes the world view even further into a deontological model. The belief holds that norms of morality and codes of morality are offered in detail in a clear enough manner to each and every Christian. The appropriate response of the Christian, then, is obedience.

Ramsey does not follow this line of thinking. For Ramsey the Christian responds to the general principle contained in the statement of Christ to love the neighbor. The individual Christian is responsible to determine how the neighbor is to be loved. However, obedience is still important to Ramsey in that the individual is responding to the command of Christ to love the neighbor.

**3) Negative Moral Absolutes.**--A further development of the first two beliefs is the third one which holds that some of the specific moral norms are absolute.

These norms are usually formulated in the negative, and they admit of no exception.

Harvey raises the absoluteness of moral norms within his discussion of specific moral topics. On homosexual acts he states: "Such acts are, therefore, inordinate uses of the sexual faculty."<sup>75</sup> He also has similar statements on other sexual matters.<sup>76</sup> May and Harvey co-authored an article critiquing the Catholic Theological Society of America's study on sexuality. Of the many things both of them objected to in the study were the following two items:

[...] (a) That a given act can never be evaluated as evil unless one takes into account the intention of the agent and the circumstances and (b) that there are no absolute moral norms in the sense of universal negative prohibitions, precisely because there are no acts that are intrinsically and inherently evil.<sup>77</sup>

May applies his own thinking to the question of contraception, maintaining that contraception is always an evil.<sup>78</sup> McFadden maintains that the Natural Law is universal, immutable, and absolute.<sup>79</sup> He applies the principles derived from this natural code in an absolute manner in his consideration of homosexuality: "[...]Two persons of the same sex cannot marry."<sup>80</sup>

While Bahnsen does not use the terminology of moral absolutes, his meaning is clear:

The form that one's sexual gratification takes is also a moral matter, and deviation from heterosexual monogamy brings the condemnation of God. This is contrary to the current attitude that says there is nothing intrinsically good or evil in any sexual act as such--that one's situation and attitude make his behavior right or wrong.<sup>81</sup>

Though Ramsey has not been in accord with the other authors in the previous two beliefs, he is in agreement here. This is somewhat surprising in that his disagreement with the second belief was based on his contention that Scripture revealed only general principles of action. Nonetheless, for Ramsey there are

certain actions which would be logical consequences of the general principles. He writes: "Such moral injunctions are simply corollaries or implications of covenant-love. They are as unconditionally wrong as love is unconditionally right."<sup>82</sup> Moreover, Ramsey consistently applies this line of thought in his negative evaluation of premarital sex.<sup>83</sup>

Small considers the absoluteness of moral norms when speaking of the principles given by God concerning marriage: "We would expect, further, that the principles would be unchanging, although the implementation would change with the cultural settings of different times and places, and with the developing insights and abilities of both men and women."<sup>84</sup> Though there might seem to be allowance for exceptions in this statement of Small, in applying his ethical theory and his theory of sexuality there are no exceptions. Marital exclusivity is established by Scripture and is to be followed by all.<sup>85</sup> He makes a similar application in the case of homosexuality.<sup>86</sup>

In this third belief there is consensus. These authors hold that there are certain norms within creation that no individual for whatever reason should violate. As one would expect, these three beliefs present a unified view of the world. The purpose of creation and of human existence is revealed by God, either through the Church's Tradition or through Scripture. Furthermore, what is revealed for the human is more than a set of general principles. Specific aspects of human existence are also taught both by Tradition and Scripture. Finally, some of these specific teachings are of such a nature that no individual could violate one of them and act in a morally responsible manner.

There are several implications from this world view of the Classicists. Within creation there is an order. This order is to be discovered by human

intelligence. Ethical reasoning must be in accord with this order. Hence, a deductive, a priori form of thinking is called for. The role of each generation is to apply the order found in creation to the particular situation.

When these beliefs are applied specifically to sexual ethics, it is possible to distinguish some of Kuhn's descriptions of these shared beliefs. As was stated in the first section of this chapter, shared beliefs help determine the relative importance of unsolved problems. In the Classicist Paradigm the world view results from the three beliefs already considered and would not accept that there are still problems to be solved in sexual ethics. Given the nature of sex, as was seen in the first symbolic generalization, and the belief that this understanding of sex is revealed accurately and in detail by the Creator, there would be no problems outside the definition of sex.<sup>87</sup>

Another aspect of shared beliefs which Kuhn develops is that beliefs set the framework for what is to be considered an explanation and a puzzle-solution. Thus, in sexual ethics in the Classicist Paradigm, if the nature of sex is a matter of revelation, it is only within a theological framework that sex can be considered. Hence, findings of social sciences, experiences of various cultures, different philosophical emphases, even biological discoveries would not alter the definition. The results of any of these other bodies of knowledge would have to be judged against the standard of revelation.<sup>88</sup>

c. **Values.**—As was explained above in the first section of this chapter Kuhn's understanding of shared values in the disciplinary matrix often refers to the type of conclusions which are permissible. There are obvious overlappings between this component of the disciplinary matrix and the other two components already

considered. For example, in the physical sciences the commitment to a quantitative solution calls for precise symbolic generalizations; whereas, if a qualitative solution was more highly valued, a different set of symbolic generalizations would be called for.

**1) Moral Conclusions and Precision.**—In the moral evaluations that are offered by the Classicists, the value of precision is prized. A clear cut answer is given to the moral dilemma. While there may be differences in the authors' ethical theories as to the value of precision, when the authors apply their theories to a particular topic the answer is unqualified. Harvey clearly states his condemnation of homosexuality: "As long as the basic principles of Christian sexual morality are derived from the Church's teaching on marriage, there is no way of justifying homosexual action."<sup>89</sup> Harvey also values definitive answers, as is implied in the following quote: "When a pastor-counselor tells them [counselees without experience in the procedures of professional moral theology] to make up their own mind about a complex moral problem, they regard this as a cop-out [..]."<sup>90</sup>

May is just as definitive in his condemnation of contraception or of contraceptive surgery.<sup>91</sup> Moreover, May criticizes the methodology of others which does not clearly state when an action is right or wrong.<sup>92</sup> McFadden has similar statements on homosexuality, leaving no doubt as to the immorality of such actions.<sup>93</sup>

Bahnsen's conclusions are very precise. He states: "Homosexuality is not morally neutral. It is itself an abomination, totally apart from its circumstances."<sup>94</sup> Though Ramsey is one who would not be as definitive in his ethical theory, particularly in light of his understanding of rule-agapism,<sup>95</sup> still, in

his application of the theory to a particular question in sexual ethics, the conclusion is precise and definite. He has the single statement on homosexuality,<sup>96</sup> and a long, detailed explanation condemning premarital sex.<sup>97</sup> Small maintains that it is the Christian's right to expect that God would indicate the specifics of human activities.<sup>98</sup> When evaluating sex outside of marriage he states that "[...] it brings a sense of unfulfilled unity, of a meaningless investment of self, guilt in transgressing the law of God, possibly even physical revulsion [...]."<sup>99</sup>

All six authors agree with the type of solution that is acceptable. It must be clear and precise.

**2) Moral Conclusions and Authority.**—Not only is there a desire for precision on the part of these authors, but the conclusion itself is based on some authoritative source. While they might differ on the source, the conclusions themselves stem from some authority.

Harvey sees the basis of the moral order in the "[...] official magisterium of the Church, which is centered in bishops and the pope [...]."<sup>100</sup> May also believes that the faithful have a right to hear the teachings of the Church.<sup>101</sup> For McFadden the moral law is "[...] found in tradition, in Sacred Scripture, and in the teaching of Christ's infallible Church."<sup>102</sup>

Bahnsen does not have an articulated position on this value, though in his methodology it is clear that the basis of the moral judgment 's Scripture.<sup>103</sup> Ramsey alone does not seem to base his conclusion on an authority source. Ramsey only refers to the creative intent of God in joining procreation and sex. The issue in Ramsey's moral evaluation of premarital sex is that sex and procreation are

joined in such a way by God that they can not be separated.<sup>104</sup> Ramsey does not claim that God forbids premarital sex. Small maintains that the basis of morality is the declared purpose of God.<sup>105</sup>

There is a related point to the value which bases the moral conclusion on an authority base. The authority which is used is consistent with the first shared belief, namely, that the purpose of human existence is revealed by God. It follows then that the authority which is called upon will be a source of revelation, that is, Scripture or Tradition. What is significant in the consideration of values is the non-critical use of both of these sources by the classicist authors.<sup>106</sup> As important a function these sources play in the moral conclusions of the authors the authoritative statements are taken at face value.

**3) Moral Conclusions and Immutability.**—A third value directly tied to the symbolic generalization considered above is the nature of sex. These authors view sex only within the monogamous, heterosexual, procreative relationship. There is a fear that if this definition were changed, there would be little within the ethical theories of any of these authors that would allow them to discourage or condemn any sexual act. While this is implicit in their writings, it is only explicit in some of them.

Harvey writes that if one separates the procreative function from the generative organ, then there would be no principle by which "[...] any mutual act of two people, married or unmarried, or opposite sexes, or of the same sex, can be condemned as immoral [...]."<sup>107</sup> And May points out that an acceptance of the argumentation advocating contraception would also allow for oral sex, anal sex, and homosexual activity.<sup>108</sup> In Bahnsen's opinion, a change would "[...] open a

Pandora's box of sexual immorality and thereby destroy the integrity of the family.<sup>109</sup>

These three values—need for precision, conclusion based on authority, and fear of change—are consistent with the symbolic generalizations and the beliefs held by this group of authors. The shared beliefs maintained that human purpose is revealed in detail by God. It immediately follows, then, that moral evaluations of specific sexual acts have to be clear and precise, have to be able to cover every possible situation. Since it is God who is revealing the purpose, it also follows that the final appeal in the moral evaluation would be either to Scripture or to some ecclesial authority.

The third value, fear of change, may be an indication that an anomaly is being recognized. The authors are aware that various sexual acts are being considered moral by an element in the population, acts which have been condemned according to the nature of sex as understood by these Classicists. A response of fear is appropriate. For the most part, these Classicists are not able to dialogue with anyone who does not accept Scripture or ecclesial authority as bases of ethics at the particular level. Hence, the ethics which is espoused by these authors is unintelligible to many others. Moreover, by the very nature of the symbolic generalizations, the beliefs, and the values accepted by the Classicists, no other argument is possible. These authors could not begin appealing to psychology and the social sciences, for example, without at the same time questioning the accepted role of revelation in the belief system.

**d. Exemplars.**—The fourth element in the disciplinary matrix is the shared commitment to exemplars, those introductory problems used to familiarize the

fledgling scientist with the basic definitions, methods, and parameters of the school of thought. This fourth component is more appropriate to the physical sciences. It is much easier to pinpoint the introductory problems in a physics text book than in a theology book dealing with sexual ethics.

The six classicist authors have not written text books on sexual ethics, though all of them have, at one time or another, taught theology. An interesting study in itself would be to examine the teaching methods of these authors in the classroom. As interesting as this might be, it is far beyond the limits of this present study. Another approach would be to examine the development of the manuals of moral theology, beginning with the development of the Penitentials in the Sixth Century,<sup>110</sup> through the various manuals,<sup>111</sup> down to the present magisterial statements referring to seminary education<sup>112</sup> and to sexual ethics.<sup>113</sup> This, too, would require a separate study.

Suffice it so say that the exemplars which would be used by these authors are predictable from the first three components in the disciplinary matrix. Furthermore, these exemplars would fall within a long tradition of Christianity, a tradition clearly articulated in the most recent Roman Catholic statement concerning sexual ethics from the Sacred Congregation for the Doctrine of the Faith.<sup>114</sup> All three values held by this group of authors are found in that statement. The need for precision is found in the existence of clear moral principles<sup>115</sup> and in the way the decisions are given when considering premarital sex,<sup>116</sup> homosexuality,<sup>117</sup> and masturbation.<sup>118</sup> The decisions are based on some authority.<sup>119</sup> Also, there is a fear of the present situation where the principles of morality are no longer being followed.<sup>120</sup>

Most of what has been presented on exemplars refers to the Roman Catholic writers. While the Protestant authors are not being deliberately ignored, there is a problem when dealing with the Protestant tradition in the realm of practical moral reasoning. James Gustafson, a Protestant author, comments on Protestant ethics:

The weakness of Protestant ethics in the contemporary scene is this: the method and the substance tend to be excessively open-ended. When asked for a theological and ethical reason to justify particular decisions and actions, this theology takes recourse to extraordinarily elusive sources: individual conscience, sensitivity to what God is doing in the world, eschatological impatience with contemporary institutions and patterns of actions, hearing God's command, or reading the New York Times in one hand and the Scripture in the other.<sup>121</sup>

It is difficult to grasp the "tradition" of Protestant moral reasoning. Nonetheless, what has been said on the nature of exemplars in the Roman Catholic tradition would be applicable, with some alteration, to the three Protestant Classicist authors.

As an example of an exemplar, the topic of homosexuality can be used. The question that must be considered is: How do the classicist authors apply the equation for moral sex to the homosexual situation? The equation for moral sex is: moral sex = sex within a monogamous, male-female, procreative relationship.

In fairness, it must be pointed out that three of the six authors do not treat of homosexual activity in any depth. These three are May, Ramsey and Small. However, the few statements even these authors make are condemnatory. Furthermore, the condemnations are consistent with their understanding of sex. If one maintains the above equation for moral sex, there is no need for a further consideration of homosexual activity. It is outside the definition of moral sex to begin with.

Harvey claims that homosexual acts are inordinate, "[...] not only because [they are] opposed to the procreative purpose of sexual activity, but also to the heterosexual purpose of sexual activity [...]."<sup>122</sup> His conclusion is that, since homosexual acts run contrary to the purpose of sex, they are wrong.<sup>123</sup> May is one of those who does not treat of homosexuality to any great length. A logical conclusion from his definition would be a blanket condemnation of any homosexual acts since sex was designed by God to be heterosexual. In addition May cites the scriptural condemnations of homosexuality.<sup>124</sup> McFadden simply accepts the official Roman Catholic position condemning any homosexual activity, quoting from magisterial statements.<sup>125</sup> Bahnsen states his conclusion very clearly: "It [homosexuality] is an abomination, totally apart from its circumstances."<sup>126</sup> Ramsey states that homosexual acts "[...] are simply odd and laughable."<sup>127</sup> Small has only a brief statement on homosexuality. He accepts the scriptural condemnation of homosexual activity. The condemnation in Scripture is based partially on the fact that homosexual acts "[...] cannot express the purpose of sexuality which the Scriptures set forth [...]."<sup>128</sup>

As was noted above, the exemplar introduces the beginning ethicist into the world view of the discipline. The student eventually becomes able to solve the problem presented in the exemplar by applying the equation for moral sex. At the same time the student gains a deeper understanding of the different terms within the initial equation.

A clearer understanding is acquired of even the left-hand side of the equation, particularly the term "moral." Principally, it is the act which is moral for this group of authors. This is distinguished from the person being moral. The morality of the act is determined by whether or not it conforms to what is

prescribed or proscribed by an authority. There would be a disagreement between the Protestants and Roman Catholics on which authority the norm is founded, but definite agreement on the need for some authority.

This emphasis on the act is transferred to the terms on the right-hand side of the equation as well. While "relationship" is one of the terms, it is not a significant term. The presence of relationship for this group of authors does not imply any contextualism. What is being evaluated is an act of sex. Though it takes place between two people, their intentions, or particular circumstances, or the relationship as a whole developing over time is not a part of the evaluation.

As for the other terms in the equation, "monogamous" and "male-female," they are self-evident and, according to these authors, admit of no exceptions. There is disagreement on the term "procreation." The three Roman Catholic Classicists maintain that each and every act of sexual intercourse must be open to the possibility of new life. This eliminates any form of artificial birth control, any contraceptive surgery, as well as any other form of complete sexual activity within marriage that would exclude the possibility of procreation. While the three Protestant authors would keep the term "procreation" in the equation, their interpretation of the term is quite different from the Roman Catholics. (Even Ramsey accepts artificial birth control.) Procreation for the Protestant authors is seen within the total context of the relationship. However, since the total context of the relationship is not a part of the moral evaluation, as was noted above, procreation is not a significant element in the evaluation for the Protestants.

One can construct other exemplars to convey the shared beliefs and values of the classicist authors. Given a particular act, for example, masturbation, one would be expected to render a moral judgment on the morality of that act.

The act is seen within the equation of moral sex, the equation being derived from the nature of sex, as stated above in the symbolic generalizations. The definition is then applied in a deductive manner, allowing for a clear decision. Other examples of exemplars would be cases involving premarital sex, anal sex, oral sex, and so on.<sup>129</sup> The student would begin to see that there is a similarity among all of these acts, and that the moral evaluation is to be performed in the same way. In the end, the student has a much deeper appreciation for the equation of moral sex which he or she has been using as the basis of the problem-solving method.

**e. Summary of Classicist Disciplinary Matrix.**—Though the consideration of the four components of the disciplinary matrix is far from being exhaustive, a certain "global vision" does emerge. Moreover, the vision that is supported by the elements of the disciplinary matrix is similar to the description of the classicist mindset which was used in the two surveys.<sup>130</sup> The classicist mindset was briefly described in the survey instrument as emphasizing the immutable, the eternal, giving great importance to rationality, objectivity, order and substance viewed in themselves. This description was taken from Bernard Lonergan's article "The Transition from a Classicist World View to Historical Mindedness." Lonergan's summation of this position is:

One can apprehend man abstractly through a definition that applies omni et soli and through properties verifiable in every man. In this fashion one knows man as such; and man as such, precisely because he is an abstraction, also is unchanging. It follows, in the first place, that on this view one is never going to arrive at any exigence for changing forms, structures, methods, for all change occurs in the concrete, and on this view the concrete is always omitted.<sup>131</sup>

Lonergan's description of "classicist mindset" is deficient when applied to these six authors. An important element present in the ethical reasoning of these

authors is not present in Lonergan's description. This important element is the uncritical reliance on an external authority as the basis of morality. More of this will be explained below. There are many elements in Lonergan's description which are present in the disciplinary matrix of these authors. The matrix does operate from abstract definitions which are immutable, derived without a consideration of individual intentionality or circumstance. There is an emphasis on the role of rationality over the emotional side of the person. Also, there is a desire to maintain the objective moral order. These elements and others are found throughout the disciplinary matrix.

It is now possible, in a precise manner, to answer the question: What is the Classicist Disciplinary Matrix? Summarizing what was stated above, the symbolic generalization of the nature of sex found in the matrix both defines the concept of moral sex as well as establishes parameters for moral evaluations. The formulated equation is: moral sex = sex within a monogamous, male-female, procreative relationship. The second component of the Classicist Paradigm is the shared beliefs. The three beliefs that were considered above are the beliefs that human purpose is given in revelation, that the moral law is given by God in detail, and that negative moral absolutes do exist. The three shared values that were considered are the need for precision, the assumption that the moral conclusion is based on some authority, and that there is a fear of changing the definitions, apprehensive that sex then becomes rampant. Finally, the exemplar of homosexuality was demonstrated.

In addition, this study has found that the central organizing principle of this disciplinary matrix is the uncritical reliance on an external authority, an element not considered by Lonergan. It is understandable that Lonergan's

description necessarily is of a general nature; and this study is dealing with particular, representative authors. This central element is not inconsistent with Lonergan's description; in fact, the disciplinary matrix shared by these six authors contains all of the elements identified by Lonergan. The external authority element found in these authors helps to further specify Lonergan's description. Three points help determine the centrality of an external authority in this disciplinary matrix.

First, though there is disagreement on the authority itself, there is agreement among all six on the need for authority. The authority becomes the norm against which all other information is evaluated. Consistent with this understanding, then, the findings of psychology and sociology, for example, are not significant in and of themselves. These findings are considered in a favorable light only if they support the acceptable conclusions. If they do not, the findings are dismissed. The three Protestant authors use the authority of Scripture to ground their ethical norms. For the Roman Catholics the authority of the magisterium is determinative.

With such an emphasis on authority viewed as a foundation for moral norms external to the individual, the role of the individual's rationality is greatly reduced. This is the second point of clarification of Lonergan's description of the classicist. At first glance, Lonergan's description of the classicist would place great emphasis on rationality in that rationality derives the immutable definitions and discerns the abstract structures of human existence. However, for these six authors, an individual's rationality is reduced to merely understanding the definitions and the structures which have already been discovered. Furthermore, the individual is not to engage in any type of verification of these abstract

principles since the weight of the principles rests with the authority, not with the verification. These six authors do not see rationality engaged in an open-ended search; reality is not open-ended. The answers to the questions raised by human existence are already available. The task of human reason is to better understand what is already known and to apply the definitions and principles in a logical manner.

The third point of clarification follows directly from the first two. In a framework which affirms clear definitions and principles for human existence, and which grounds these definitions and principles on an external authority there is little room for change, as is noted by Lonergan. However, as was pointed out in the section on the immutability of moral conclusions, there is a fear of change. The principles of human activity are defended in an atmosphere of anxiety. Within this matrix fear of change would be a consistent, appropriate response. If a particular definition or principle is challenged, indirectly the authority itself is challenged. And once the authority is challenged then all definitions and all principles become questionable since there is no other grounding offered apart from the authority. Hence, the explicit reference even to the image of a Pandora's box being opened; the response of fear surfaces in the face of anticipated moral chaos.

These three points of clarification—the decisive role of authority, the qualified function of rationality, and the fear of change--identify the deficiencies in Lonergan's general description, while at the same time help specify his thinking in that the general description is being applied to a particular group of authors.

The use of Kuhn's theory of paradigms has clarified the specific elements of the Classicist world view. In addition, there are two other benefits worthy of

note. First, it is possible to consider the question raised at the beginning of this chapter: How many disciplinary matrices are there? There seems to be only one for the six Classicist authors. While there is a notable disagreement as to which authority serves as the basis of moral decisions, a disagreement which splits the six authors down confessional lines, still there is agreement among all on the need for authority. Apart from this theoretical disagreement there are few other signs that these six Roman Catholic and Protestant Classicists would approach a situation in sexual ethics from incompatible viewpoints.

Second, Kuhn's theory raises the question of terminology: Is the term "classicist" the most fitting to describe the disciplinary matrix of these six authors? As was noted above, these authors do proceed from immutable principles in a deductive fashion, an important element in Lonergan's description of the classicist. Yet, with this particular group immutability does not seem to be the core of the matrix. What seems to have more weight is the uncritical acceptance of the foundations of morality attributed to some authority. A word of explanation is in order.

Daniel Maguire uses the term "presumers" to describe those ethicists who "[...] presume that it is obvious what morality is and why moral discourse should be taken so seriously."<sup>132</sup> Presumers base their morality on one of two foundations—a legal foundation or a religious foundation. "The religious presumers are those who feel that they have said enough when they have said that God's will explains morality."<sup>133</sup> A term which may be more descriptive than "religious presumers" is "theistic positivists," a term similar to the one used by Edward Schillebeeckx when considering the Roman Catholic magisterium. He writes:

Modern theologians are frequently rebuked for thinking too "horizontally," that is, for treating doctrinal questions in terms of the human sciences and, consequently, neglecting theology's genuine concern, the "vertical" dimension of the Church as mystery. This rebuke, however, originates in an understanding of religious realities which can be called either a dualistic supernaturalism or fideism; both suggest a sort of religious positivism which—perhaps out of fear—declares itself immune from scientific examination and ideological criticism. [emphasis added]<sup>134</sup>

The Theistic Positivist is one who bases the ethical theory on God's will. God's will can be expressed primarily through magisterial statements and tradition, as is the thinking of the three Roman Catholics; or it may be expressed in Scripture, as is the belief of the Protestants. In both cases it is God's will which determines the moral base. Immutability, then, becomes a corollary of this main thesis. The presumption is that God does not change, consequently, human morality is immutable. For the remainder of this study the term "Theistic Positivists" will be used to designate the authors (and their disciplinary matrix) who have until now been loosely described as Classicists.

Throughout the examination of the Theistic Positivist Paradigm one author often disagreed with the others--Paul Ramsey. The situation becomes more complicated when Ramsey's writings on sexuality are viewed within the broader scope of his own writings on other topics. While his thinking is much more refined and precise, certainly more so than the other two Protestants, in the area of sexuality he maintains that the purpose of human sexuality is determined by God. Ramsey's own definition of moral sex is derived from Scripture. This is not to say that Ramsey would hold that the details of human existence are found in Scripture, as is evident in his other writings. However, in sexual ethics it is with Scripture that he begins. Being derived from Scripture the moral norms would admit of no

exceptions. Therefore, Ramsey also affirms the existence of negative moral absolutes along with the other Theistic Positivists.

Though there are significant differences, there are many similarities between Ramsey and the others, particularly in the way Ramsey applies his sexual theory. The agreements are of sufficient weight to include Ramsey within the Theistic Positivist Matrix, recognizing that if any of these six authors were to see the presence of an anomaly, Ramsey would probably be the first.

Before proceeding with the examination of the Historicist Disciplinary Matrix, a parenthetical note on anomalies is in order. As was previously noted in this chapter, a different paradigm only develops in the face of an anomaly when, for a variety of reasons, the particular school of thought can no longer "fit" nature into the existing paradigm.

Roger Mehl's description of the current state of Christian ethics points to the existence of an anomalous situation. He writes:

Catholic ethics and Protestant ethics both are in flux and are undergoing a profound crisis. Both are in flux for the same reason: the fact that the structures of the world have changed, that man no longer conceives of his place in the world as he conceived of it for so long a time. In a relatively stable universe, man thought that it was possible and fairly easy to exercise his mastery, that is, of making prevail a certain number of values that seemed to him to express and assure his humanity, of exercising a certain number of virtues that were protected and encouraged by the social authorities. Now, today he perceives that social development is not governed by these values and these virtues, that it receives its dynamism and its finality from forces over which the personal subject has no hold.<sup>135</sup>

What factors have lead to the recognition of the anomaly in Christian sexual ethics? Charles E. Curran, in his book Issues in Sexual and Medical Ethics, points out the problems in the method used in the "Declaration on Certain Questions concerning Sexual Ethics." His comments are applicable to the Theistic

Positivist Paradigm as well.<sup>136</sup> While the Theistic Positivist Paradigm is able to state the nature of sex in clear and precise terms, the formulation pays little attention to historical and cultural developments and differences. Curran notes that the role of human reason in the Theistic Positivist Paradigm is reduced to a discovery of the purpose God has already determined, paying little attention to contemporary philosophy which would see the human person as one called to develop and to give meaning to human existence.

Furthermore, Curran points out that the definition and moral evaluation of homosexuality in the Theistic Positivist Paradigm was derived with little acknowledgment of the personal aspect, or the quality of the individual's relationship with others, and leads to an overemphasis on the physical structure of the sexual activity. The moral approach of the Theistic Positivist Paradigm is based on an emphasis on law and on the certitude of this law. This approach based on law is contrasted with the moral approach based on responsibility.<sup>137</sup> The Theistic Positivist view does not seem to take into account the experience of those involved in the moral situation itself. Experience and praxis have little to offer to the process of moral evaluation. Finally, Curran repeatedly points out that the unnuanced use of Scripture is open to question when the Theistic Positivist Paradigm continues to use Scripture in a proof-text fashion.

Curran has not been the only one to identify some of the changes that have taken place, changes which challenge the ability of the Theistic Positivist Paradigm to explain the world as it is now perceived. In the Catholic Theological Society of America's study Human Sexuality: New Directions in American Catholic Thought, the authors list seven changes which call for a rethinking of the older view of human sexuality. (1) A wholistic and person-oriented approach to moral

matters seems to be found in recent developments in biblical, historical, and systematic theology. (2) The social sciences have provided new insights into the purposes of human sexuality. (3) There is a growing sensitivity to the uniqueness and freedom of each individual. (4) The Vatican II documents seem to affirm a personalist-oriented theology of marriage and sexuality. (5) There has been an increased sense of personal freedom and responsibility for the determination of one's own life that has made the uncritical conformity to authoritative pronouncements an unacceptable response. (6) Sophisticated means of birth control are readily available. (7) There is a growing awareness of the problem of overpopulation.<sup>138</sup>

Dissatisfaction with these inadequacies of the Theistic Positivist Paradigm has caused the paradigm itself to be challenged. As Kuhn predicted, when there is a challenge to the paradigm in the face of an anomaly, there is a proliferation of competing arguments; there is explicit discontent; and the debate often focuses on fundamentals.

A competing paradigm already exists, rising out of the dissatisfaction with the old one. This new paradigm has only been loosely described as the Historicist Paradigm. The present task is to apply Kuhn's theory of paradigms in order to specify the disciplinary matrix of the Historicists.

## 2. Historicists

**a. Symbolic Generalizations.**--The same procedure will be followed here as was used in the Theistic Positivist Matrix.

**Nature of Sex.**—It is clear that these authors are not as precise in their description of sexuality as were the Classicist authors. Also, there is not the same degree of consensus as was found in the Theistic Positivist authors.

According to Curran,

[..] sexuality should be seen in the context of a loving relationship of male and female. There is also a relationship between sexuality and the procreation of new life as the fruit of sexual love, but even within marriage there are times when procreation either cannot or should not occur.<sup>139</sup>

Though he does not want to forget the influence of sin and the problems which sin can cause, Curran affirms the basic goodness of human sexuality, "[..] a vehicle of love and fulfillment [..]."<sup>140</sup>

For Dedek "the truly significant elements of human sexuality are psychological and interpersonal."<sup>141</sup> Dedek does not deny the physical aspects of sexuality, nor does he deny the connection between sex and procreation. However the connection is to be maintained in principle;<sup>142</sup> he does not believe that every single act of sexual intercourse must be open to new life.<sup>143</sup> It can be implied from his understanding of the link between sex and procreation that Dedek considers sexuality within the male/female dimension.

In Milhaven's writings it is difficult to find a precise definition of sexuality. What he does instead is describe different aspects of sexual pleasure. He seems to hold to the male/female complementarity, more by inferring than by actually stating it, since his writings are usually within the context of conjugal love. He does point out two important aspects of sexual love: Sexual love is for the good of the individual and for the pleasure of the individual.<sup>144</sup> Also, sexuality includes much more than an individual's sex organs. Sexuality is linked to the person through the body. This connection is not maintained in a dualistic sense; but

rather, the person, the body, and sexuality are to be seen as an integrated whole.<sup>145</sup> In addition to the male/female dimension, Milhaven maintains the connection between sex and procreation.<sup>146</sup> On this point he is in agreement with both Curran and Dedek. All three state that the connection is to be maintained in principle, and not in each and every act of sexual intercourse in marriage.

Harrison also views sex within the broader dimension of sexuality. What is more, she believes that "[...] sexuality is the deepest, most intense dimension of our interaction with the world [...]."<sup>147</sup> She goes on to say that sexuality "[...] is the root of our personal integrity and it therefore also must be integrated deeply into our life-styles and value commitments if we are to possess a wholistic capacity for intimacy [...]."<sup>148</sup> As was pointed out in her ethical theory, she advocates a wholistic approach to ethics. This approach would hold that the moral person is the one who continues to overcome the various dualisms that prevent personal integration. Due to the central role she attributes to sexuality in the process of personal integration, it logically follows that sexuality must be seen as a good. She states: "[...] We must accept sexuality itself as good, not merely when channelled in 'reputable' and well-patterned ways, but good per se."<sup>149</sup> Harrison does not agree with the three Roman Catholic authors on the normativeness of the male/female dimension, nor on the connection between sex and procreation. On heterosexuality she writes: "Enforced heterosexism, in the form of the claim that only heterosexuality is 'natural' sex, is the ideology of a society which wishes to disguise its hatred for women and at the same time extend its male supremacy."<sup>150</sup> On the connection between sex and procreation, even in principle the connection is not affirmed as a part of her argumentation. She even maintains that population may need to be controlled through a public policy.<sup>151</sup>

Nelson also views sex within the broader context of sexuality. Furthermore, one's sexuality is not accidental (as distinct from essential). Nelson states: "[...] Sexuality involves much more than what we do with our genitals. More fundamentally, it is who we are as body-selves [...]."<sup>152</sup> Nelson also maintains that "in its deepest experience sexuality is the desire for and the expression of communion--of the self with other body-selves and with God."<sup>153</sup> Sexual expression for Nelson must always be viewed within a particular context; and the context must be considered when moral evaluation is required.<sup>154</sup> Some of the items which must be brought into the moral evaluation are: motivation, intention, the nature of the act itself, the consequences of the act, and whether or not each of these is informed and shaped by love.<sup>155</sup> Though Nelson acknowledges a relationship between heterosexual sex and procreation, procreation in and of itself is not a determining factor in the moral evaluation of sexual activity. What is a matter for consideration is the acceptance of the responsibility which would follow if a child were conceived.<sup>156</sup> Nor is Nelson willing to accept the male/female polarity as determinative in the moral evaluation. What is of concern to him is that a single standard be applicable to all; that is, an ethical standard that would be applicable both to heterosexuals as well as homosexuals.<sup>157</sup>

Pittenger agrees with the other five Historicists, seeing sex within the broader dimension of human sexuality. He writes: "[...] Sexual expression of some sort is inevitable in human beings, provided that we do not confine sex to explicitly genital contexts."<sup>158</sup> In describing sexuality, Pittenger states that it "[...] is the pervasive quality, inclusive of sexual apparatus physiologically speaking, which makes relationships between persons possible [...]."<sup>159</sup> When sexuality is expressed through moral sex, the result is love-in-action.<sup>160</sup> Like Nelson, Pittenger

acknowledges the connection between heterosexual sex and procreation. However, Pittenger does not hold that heterosexuality is normative for human beings, nor is the presence of a procreative dimension normative for sexual activity.<sup>161</sup>

All six authors treat sex within the broader dimension of human sexuality. In addition, all six affirm the basic goodness of human sexuality, as well as the essential connection between sexuality and the human person. Along with these points of agreement, there are disagreements as well.

The Roman Catholic authors hold to an equation that states: moral sex = sex in a loving, committed, male-female relationship with a procreative dimension present. There are several terms in this equation which are deliberately left open-ended by the authors. This is consistent with their belief holding that it is the responsibility of the individual to make the moral decision. Exactly what constitutes a procreative dimension is never clarified. "Loving" and "committed" are generally taken to describe the marriage relationship though exceptions to this are possible; for example, in some instances of premarital sex.

The Protestant authors would also acknowledge that there is a procreative dimension in heterosexual sex, in much the same way that the Roman Catholic authors describe it.<sup>162</sup> However, the Protestant authors are not willing to limit their consideration of sex to heterosexual sex. Their equation looks like the following: moral sex = sex in a loving, committed relationship. The Protestant equation implies a single standard, applicable to both homosexuals and heterosexuals.

While the two equations are significantly different, there are similarities between the two. Sex is seen within human sexuality. Fundamentally, sex is an act of the person and not merely the activity of the person's genitals. Because of the

central role that love plays in each equation, the individuals' intentions are important in the ethical evaluation. The level of commitment within the relationship is a consideration of the context and of the circumstances. Such an understanding of sex, regardless of which equation is used, will have a difficult time issuing sweeping condemnations to classes of acts. In addition, the surety of the moral evaluation is greatly reduced with the inclusion of so many subjective factors.

So far nothing has been said of the left hand side of the equation—"moral" sex. These six authors maintain that something is moral which is personally fulfilling, helps to integrate the individual, helps the individual engage in a more loving way with others, and is responsible to oneself and to others. Different authors might emphasize different aspects in a moral evaluation, depending on the circumstances. However, each depends on such subjective facts in describing the moral act.

**b. Beliefs.**—As was the case with the Theistic Positivist Disciplinary Matrix, three beliefs will be considered here: (1) Human Purpose, (2) Moral Law, and (3) Negative Moral Absolutes.

**1) Human Purpose.**—Curran is not willing to recognize anything more than a general purpose for human beings revealed by God. Curran does not accept the notion that human nature is determined in such a way that a detailed, comprehensive model is provided for all. He writes: "No a priori models of man can exist today. Morality concerns practical reason which involves a pragmatic calculus."<sup>163</sup> The role of the individual is to be engaged in an active search for his

or her own purpose, not merely to conform in a passive manner to a static human nature.<sup>164</sup> Curran's thinking on natural law leads him to an understanding of human nature which is developing. "[...] The predominate concept can no longer be an immutable and unchanging nature, but rather the concept of historicity."<sup>165</sup>

Dedek treats of human purpose within the context of the individual conscience. It is the responsibility of the individual to form a conscience within an ecclesial context.<sup>166</sup> Once this conscience is formed it then sets out to discover the objective moral order. Maintaining this objective moral order is in contrast to an extrinsicist position. The extrinsicist position is what Dedek wants to avoid. "Man does not create or arbitrarily decide what is right or wrong."<sup>167</sup> In the moral decision, the individual has an active role and has the ultimate responsibility for the decision taken.<sup>168</sup>

Milhaven is quite explicit in denying that anything more than a general purpose for human nature is revealed by God. In considering the responsibility God has given to individuals, Milhaven writes: "According to contemporary interpretation, God's giving man dominion means that he gives man sole responsibility for what goes on in the world."<sup>169</sup> For Milhaven this does not mean that there is some master plan to which all must conform. It is the responsibility of individuals to act in a manner that is in accord with God's will. In following God's will, there is no appeal to a priori laws for Milhaven. Rather one "[...] sees only the ones loved and what experience shows is happening or likely to happen to them."<sup>170</sup>

Harrison does not consider this subject as such. In speaking of the role that God plays in ethics she acknowledges that "Christian ethical discourse is not, in the first instance, language about Deity. It is language about ourselves, our

agency or action."<sup>171</sup> Implied in this statement is that individuals are the active agents in the moral discourse. It is clear from her overall context that Harrison assumes that the individual engages in searching out the purpose of human existence.

Nelson affirms a general purpose for human existence. He writes:

We are nurtured into our humanness in community, and we have some deep, often unarticulated, sense that loving communion is our intended and ultimate destiny. The positive ethical claim upon us, then, is that we are to become what we essentially are.<sup>172</sup>

The individual must come to the gradual discovery of who she or he is. This discovery takes place in community, with others going through the same search.<sup>173</sup>

The community is not left without moral principles. But the principles are always of a tentative nature, and are the best the community has to offer at this particular time.<sup>174</sup>

In line with his own process theology Pittenger sees the human individual as one who is becoming. The purpose, then, of human existence is to become all that one can be. It is not to conform to some static pattern. Pittenger writes:

To speak of man in "process" terms demands that we speak of him as not static, fixed, unchanging being but rather as a "becoming"--a dynamic movement or direction in which each man is going forward to an actualizing of his potentialities or in failing to go forward to that actualizing.<sup>175</sup>

For Pittenger even God is in process and actively engaged in the movement of the universe. In this view there is no possibility for a passive response on the part of individuals to a prearranged mold. Pittenger's ultimate ethical question reflects this ongoing process: "Am I, are you, moving in the direction of deeper and more inclusive love of our neighbor, or am I, are you, moving in the opposite direction?"<sup>176</sup>

Summarizing this first belief, while there is a recognition of God's creative intent, this intention is of a general nature calling individuals to fulfill the potential which is theirs. The purpose of human existence is not fixed in any static manner. God's active involvement with the world continues, and specific purposes for individuals are shaped, molded, created in response to this ongoing divine activity. Human reason has an extremely important function in the discernment of the proper action in a given set of circumstances.

**2) Moral Law.**—These six authors deny that the moral law is revealed in detail. Curran approaches the topic within his consideration of natural law. "The concept of natural law as a deductive methodology based on eternal and immutable essences and resulting in specific absolute norms is no longer acceptable to the majority of Catholic moral theologians."<sup>177</sup> Curran maintains the same position with regard to Scripture. The texts must be examined within their historical context and not lifted as a solution to a twentieth century problem.<sup>178</sup>

Dedek considers the question when he looks at the role of Jesus as the model for individual Christians. For Dedek, "Jesus did teach us that we must respond to God's love by doing his will and living moral lives. But Jesus' moral teaching was secondary. Jesus did not come as an ethical teacher but as our redeemer."<sup>179</sup> When considering Scripture, Dedek takes the same approach as Curran.<sup>180</sup> Scripture provides a witness of people responding to God's continued action in the world. Christians today are called in a similar manner to respond to this God; but the response must be appropriate for today.

Milhaven also respects Scripture as a source of Christian wisdom, but does not accept it as an answer to the contemporary moral problems. "To listen to

God's Word, it is not enough to read sentences out of the Bible, especially if we understand them without a twentieth century mentality and take them as direct answers to our twentieth century questions."<sup>181</sup> For Milhaven what the Christian sees in Scripture is the absolute command to love.<sup>182</sup>

Harrison has only a few brief references to this issue, though within her overall context she is unwilling to turn either to Scripture or to authoritative community statements for the answers to specific questions in ethics. In the same manner she is unwilling to blindly accept solutions from the past merely because they are out of the past.<sup>183</sup>

Nelson is much more direct than Harrison. He writes: "Specific injunctions cannot legitimately be wrenched from their historical context and applied in a mechanical manner to the late twentieth century. Our essential scriptural guidance must come from the larger perspectives of biblical faith."<sup>184</sup> For Nelson, once God's activity in the past becomes normative in an absolute sense then God's present redeeming activity becomes superfluous, at least, in what it has to offer to the ethical discourse.<sup>185</sup>

Pittenger's thinking is very similar to Nelson's. The details for human action are not given by God. What is given is the command to love. "The 'guidance' of God is not dictation nor verbal direction; it is found when a man keeps his eyes open, uses his head, and thus sees opportunities for good opening before him."<sup>186</sup>

This second belief is logically consistent with the first belief. If the purpose of human existence is something which each individual must discover, there is no need to have a static plan somewhere in the universe, a plan which becomes the object of the search. With the emphasis in the first belief on the

ongoing action of God in this world, it follows that the principles and guidelines are of a tentative nature. The response which is called forth from each individual is a response which relates to God's present activity. The response is not one of blind obedience to a set of eternal laws.

**3) Negative Moral Absolutes.**--There is agreement among these six authors that negative moral absolutes defined in terms of the physical structure of the act do not exist.<sup>187</sup> Curran states his position very clearly: "I agree with an increasing number of Catholic theologians who deny the existence of negative moral absolutes [...]."<sup>188</sup> Curran also considers the situation where a community attempts to deliberate on a specific moral issue. "On specific moral questions one cannot have a certitude which excludes the possibility of error."<sup>189</sup>

Dedek is in agreement with Curran. Dedek affirms the existence of general principles as well as concrete moral norms. However, given the existence of these norms "[...] one cannot conclude a priori the possibility that the generally forbidden actions may be morally permissible in some circumstances."<sup>190</sup> Furthermore, a consideration of these circumstances themselves as well as the end of a particular action must be part of the ethical deliberation.

Milhaven entitled the first chapter of his book "No Absolutes." In that chapter he writes: "[...] I submit that those who go with the momentum of the new morality come to a great number of principles, objectively valid, though permitting of exceptions."<sup>191</sup>

Harrison only refers to the absoluteness of norms indirectly. Where general norms are affirmed, they are of the tautological type. She offers an example of this type in the following quote:

Note, then, that a feminist moral norm in sexual relations would rule out hard-core (i.e. not playful) seduction of one person by another, or any sexual relationships or acts absed [sic] upon manipulation and ego-aggrandizement of one person at the expense of another. But such an ethic never condemns, a priori, any sexual act of sexual relationship of equality as such.<sup>192</sup>

She also points out that fresh theological thinking most often rises out of a conflict with tradition, implying that the norms which are held sacred by the tradition are open to revision.<sup>193</sup>

Nelson discusses the existence of general principles within the context of a consideration of Paul Ramsey's thought. Of the various options open to him Nelson sides with the position known as "Summary-Rule Agapism." "Summary rules, then, are summaries of what has usually been found to be the loving act in certain types of situations."<sup>194</sup> While these summary rules are usually applicable, they do admit of exceptions. However, when exceptions are made, the burden of proof rests with the individual to show that more good is accomplished in this instance by not following the rule.<sup>195</sup>

Pittenger is in agreement with the other five authors, though he makes a much more sweeping statement:

[...] Ancient codes, commandments, and the like have no absolute significance; they are the setting down of what our ancestors understood to be their duty and this (as we have seen) meant their particular way of responding to the divine imperative to live and act in love.<sup>196</sup>

The community is responsible for discovering God's present activity. If the ancient codes and principles are still applicable, they are to be followed. The ultimate criteria for Pittenger, however, is whether or not they are in accord with God's present activity.

All of the Historicist authors agree that a negative moral principle defined in terms of the physical structure of the act is not a moral absolute. At

the same time, these authors are not saying that there are no moral principles. The individual and the community have wisdom that is formulated in principles. However, much more than just the physical structure of the act must be included in the consideration.

There are several implications from this world view of the Historicists. While there is a certain creative intent within the universe, the specific purpose of creation seems open-ended. The purpose itself is discovered within the process of actualizing the potential which is there. The biblical imagery of the Kingdom—present now only in germinal form, not fully realized until the eschaton—is an apt description of this thrust toward fulfillment.

Since specific purposes are not revealed, a deductive form of thinking is inappropriate. The inductive method with all of its tenuousness openly acknowledged seems to be the preferred method of reasoning. This method of reasoning draws on whatever sources of information are available. Scripture and the tradition are respected, but they are seen within a historical perspective. Social and physical sciences are also given much importance.

When these beliefs are applied specifically to sexual ethics, they begin to point to some of the unsolved problems in the field of sexual ethics. There is the difficulty in either equation of moral sex or inductively arriving at adequate descriptions of a "loving relationship." There is the difficulty of adequately dealing with the evil or sinful tendencies which exist within many sexual relationships. On the other hand these beliefs set a framework within which various positive aspects of human sexuality can be developed. The framework allows for a greater development of a virtuous life, acknowledging the essential connection between sexuality and personhood, and the powerful driving force that sexuality provides for

the individual. Along with these shared beliefs are shared values which go hand in hand, establishing a background for the global vision.

**c. Values.**--As was explained, shared values dictate the type of conclusions which are permissible. For the sake of comparison, the same three values as were considered in the Theistic Positivist Disciplinary Matrix will be considered here.

**1) Moral Conclusions and Precision.**--For Curran the types of conclusions which are acceptable in moral theology have been one of the major developments in the renewal of Christian ethics. Though the community should strive to clarify what needs to be done in specific issues, nonetheless, there is always a possibility of error at this level of Christian ethics.<sup>197</sup> Curran points out that an older moral theology pretended to have more certitude than was warranted. This assumed certitude permitted precise evaluations on particular acts. Today the evaluation of particular acts is called into question. "Sin is not primarily an act in violation of a law, but the fundamental option theory views sin in terms of the basic personal decision directing and guiding one's life."<sup>198</sup>

Dedek does not treat of this question directly, though in looking at the manner of moral reasoning he uses, it is clear that he is in agreement with Curran as to the type of conclusions which are acceptable. When speaking of the connection between sex and procreation Dedek maintains the connection only in principle.<sup>199</sup> This is a movement away from an older definition and method which maintained that procreation had to be connected in each and every act of sexual intercourse. Dedek has a similar position as Curran's on the fundamental option theory, unwilling to condemn particular acts isolated from the agent's basic life

choices.<sup>200</sup> The question which is asked in the moral discernment is whether or not the action furthers love, or impedes love.<sup>201</sup> Such a method would not particularly value the quality of precision in the moral discussion.

Milhaven acknowledges that the method of the new morality is different. Comparing the older method with the new morality, he writes: "[...] A lack of certainty can be crucial for an ethic based on law. But not for a morality of love. One who loves does not demand certainty before deciding how to help the one he loves. He uses the best evidence at hand."<sup>202</sup> Even in his own condemnation of homosexuality Milhaven admits that "these conclusions of the community's experience are not apodictically certain."<sup>203</sup>

Harrison only refers to the issue by implication. Her preference in the moral discourse would be to deal adequately with the various conflicting principles at stake, rather than absolutizing one principle.<sup>204</sup> The implication is that if one deals with conflicting principles, the conclusion which follows is not going to be nearly as certain as it would be if it were derived from only one principle.

Nelson considers just what the method used in ethics can provide. For him a method is not designed to offer solutions for a difficult ethical question. The method is designed to help the individual make the best decision possible. "[...] A method cannot decide; a person can."<sup>205</sup> Though precision at the concrete level is something which individuals search for, the human condition itself militates against this. "[...] Given the rich complexity of human situations and given the freedom of God to will and do the new things, no moral rule ought to be seen as exceptionless."<sup>206</sup>

From his process background Pittenger is certainly in agreement with the others on this value. He maintains a type of fundamental option theory, though he

does not call it by that name. "The agent is much more important than his particular and supposedly 'discrete' (or separate and separable) acts."<sup>207</sup> Pittenger describes what the moral code ought to look like:

The code, if that is the right word to apply to it, will find its centre in the reality of human loving; it will be built upon an appraisal of human personality which recognizes its processive character; and it will be prepared to make allowances for human imperfection, precisely because it will know that man is not a finished product but is very much "in the making."<sup>208</sup>

All six of these authors agree that precision in the moral decision is not a necessary value.

**2) Moral Conclusions and Authority.**—If there were a need to be able to express the moral conclusion in a clear and precise manner, there might be a corresponding need to base the conclusion on some external authority. However, consistent with the first value, this group of authors does not base the moral decision on some authority.

Curran points out that the philosophical emphasis on subjectivity and historicity speak against an individual passively conforming to laws and to structures.<sup>209</sup> What is required is continual and serious questioning about the meaning and appropriateness of such laws and structures. In tracing some of the developments in moral theology, Curran notes that often times changes and improvements occurred because of the experience of the people and not due to the leadership of the magisterium.<sup>210</sup> Furthermore, it was through human reason that these changes came about. The emphasis on reason has been one of the strengths of the natural law tradition.<sup>211</sup>

Dedek acknowledges the role of authority within the ecclesial context. However, "[...] the individual in giving obedience to legitimate authority cannot abstain from judging about his actions. He cannot mechanically obey the law made by legitimate authority."<sup>212</sup> Rather than authority, the final norm for the individual is his or her own conscience.<sup>213</sup>

Milhaven is similar to Dedek, acknowledging the role of authority while holding to the possibility of dissent from that authority. Referring to Humanae Vitae, he writes: "To outweigh the authority of the encyclical, powerful, positive reasons must be found showing it to be in error."<sup>214</sup>

Harrison does not consider this value, though she does hold that moral decisions are arrived at through rational deliberation.<sup>215</sup> Also, it can indirectly be seen that she is in agreement with the other writers, since she herself never appeals to any authoritative source as the final element in her argument.

Nelson does not directly treat of this topic either. He does have a couple of brief statements about the proper use of Scripture in Christian ethics. "Specific injunctions cannot legitimately be wrenched from their historical context and applied in a mechanical manner to the late twentieth century."<sup>216</sup> Nelson would not formulate ethical principles on the basis of a Scripture text.

Neither is Pittenger willing to base an ethical argument on a Scripture text. Referring to ancient codes and commandments, he writes: "They provide us with guidelines, if you will; but they are not once-and-for-all disclosures nor do they given us divine enactments handed down from heaven or somehow found imbedded in the human conscience."<sup>217</sup>

For these authors the final authority is the individual who is involved in making the moral judgment. Ecclesial authority has a role to play, as does

Scripture, as do the social and physical sciences. In the end, the individual must take all of this information into account and make the decision that seems most appropriate. Not one of these authors would be willing to allow that final decision to be made merely on the basis of an external authority. Something is not moral or immoral because it has been declared as such by an authority. Rather, something is moral or immoral because of what it is. And this may be affirmed by the appropriate authority.

**3) Moral Conclusions and Immutability.**—This group of authors consciously calls for change and development in Christian ethics and specifically in sexual ethics. The changes which are advocated stem from new insights in scriptural studies, in social sciences, and in philosophy. No one of the authors calls for change merely to be "in step" with a current fad.

Curran approaches the topic of change indirectly in the following quote, pointing out the danger of maintaining a closed system of ethics which would not permit development.

Any theological position based on a closed concept of human nature as being something already within man to which he must conform himself and his actions will be an inaccurate understanding of human reality and tend to result in unacceptable moral conclusions.<sup>218</sup>

Rather than a fear of change Curran is fearful of an ethical system which would not allow change and development.

Dedek points out that change and development are found within even the individual's sexual identity.

Our sexuality is not primarily a biological condition given at birth but a condition in process, developing in interaction with cultural forces and the opposite sex. Men define their own maleness in interaction with females

and vice versa, under the guidance and direction of the norms, mores and expectations of their culture.<sup>219</sup>

Along with addressing various elements which have developed in Christian ethics Milhaven makes the point that the very methodology which is being used is new. Furthermore, the method is not unique to moral theology. "Rather, it [the new method] corresponds to a new way of thinking by Americans in general as they enter the last third of the twentieth century."<sup>220</sup>

It is clear from Harrison's writings that she accepts development and change within Christian ethics, particularly in the area of sexual ethics. She writes: "New knowledge per se does not yield new ethical awareness; but the emerging paradigms are themselves more open to humane value questions."<sup>221</sup>

Nelson, in reflecting on the contemporary scene, offers reasons why development is taking place.

Startling technological developments and their social consequences call into question what were once thought by many to be immutable moral laws in such areas as international, economic, and medical ethics. Correlatively (though less obviously) the communal and institutional structures which "live" within the individual have changed at an accelerated pace.<sup>222</sup>

In Pittenger's process theology there is a strong affirmation for change and development. For him much of the new modes of responsible activity are in response to God's new and changing activity in the world.<sup>223</sup>

The three values shared by this group of authors are consistent with their shared beliefs. Since God has revealed only a general purpose for human nature, and since there are no negative moral absolutes, this group would not do ethics in a deductive manner. The approach is not to start with a precise description of a particular act. Rather, the act itself is considered along with the intent of the agent, the circumstances surrounding that person's life, and the foreseeable

consequences that would result. The concern with this group is not to make sure that various acts conform to an external structure. Instead, the concern is with the fulfillment, as much as possible, of the potential which is present.

The moral quality of the person in this world view is based on the dignity of the individual, not on a decision by an ecclesial authority. This dignity is God-given, but it is essential to the individual. The moral act, then, is that which is in accord with one's own dignity as well as the dignity of others. The role of authority and authoritative sources such as Scripture and Tradition in such a world view would be to help clarify the conflicting values in the dilemma, and to challenge the present reality in the light of the eschatological reality. Authority is not expected to declare on the morality or immorality of a particular act in a voluntaristic manner. The authority has no secret source of information in ethics that is not also available to the community. Christian ethics, then, is engaged in a dialogic process, coming to principles in an inductive manner.

Rather than a fear of change, this world view maintains the necessity for change since human itself is not a static concept. Individuals continue to respond to God's ongoing, saving activity. The symbolic generalizations, the shared beliefs, and the shared values all play an important role in the structuring of the exemplars used by this group.

**d. Exemplars.**—All six of the Historicists consider the topic of homosexuality. It serves as an application of the definition of moral sex and thus fulfills Kuhn's description of an exemplar. Since the Roman Catholic Historicists have a different definition of moral sex than the Protestant Historicists, it is reasonable to expect that the approach to homosexuality would also be different. As was already stated,

the Roman Catholic equation for moral sex is: moral sex = sex in a loving, committed, male-female relationship with a procreative dimension present. The Protestant equation is: moral sex = sex in a loving, committed relationship. According to a strict application of the Roman Catholic Historicist equation of moral sex, homosexual activity would be immoral. It does not satisfy the requirements of the male-female relationship, nor is there a procreative dimension present.

Curran begins his consideration of homosexuality acknowledging that homosexual activity has traditionally been contrary to the Christian understanding of human sexuality.<sup>224</sup> Though this thinking from the past has been challenged, often on very legitimate grounds, Curran maintains that the older approach "[...]still seems to correspond to a certain human connaturality condemning homosexuality as wrong."<sup>225</sup> Nonetheless, in the individual case Curran holds that homosexual activity is moral. He comes to this conclusion through an application of his theory of compromise. Curran's argument is not clear on this point.<sup>226</sup> The key elements in the argument seem to be that the individual homosexual is not responsible for the condition of homosexuality, the chances of a change in sexual preference are very slight, and sin is at the basis of the existence of homosexuality. Referring to the permanent homosexual, Curran states his conclusion in the following manner:

In this situation, which reflects the human sinfulness in which all participate in differing ways, the individual homosexual may morally come to the conclusion that a somewhat permanent homosexual union is the best, and sometimes the only, way for him to achieve some humanity.<sup>227</sup>

Dedek begins the same as Curran, pointing out the traditional condemnation. "Homosexual acts are not life-giving acts of love. They separate in

principle the love-union and procreative acts of human sexuality. That is why Christians have always condemned them."<sup>228</sup> Dedek does not agree with Curran's moral evaluation of the particular situation. For Dedek the homosexual should attempt to abstain from all homosexual activity. If there seems to be a sincere attempt on the part of the individual to abstain, any occasional lapses should not be considered seriously immoral. "For if he has not freely chosen homosexuality as a way of life and yet periodically fails because of his limited options, these single acts of homosexuality probably would not be gravely sinful."<sup>229</sup> Where Curran permits the somewhat permanent homosexual union, Dedek cannot. He is only willing to excuse occasional lapses in the individual who is sincerely trying to abstain altogether.

Milhaven applies his own ethical theory to the question of homosexuality. While Christians in the past have condemned homosexuality, the new morality would look to the understanding of experts in this area, particularly the psychologists and psychiatrists.<sup>230</sup> Milhaven maintains that the conclusion of the experts is that homosexuality is a fixation at an immature state of development.<sup>231</sup> This is the basis then of Milhaven's moral evaluation. Since homosexuality is a state of immaturity, then "[...] homosexual behavior is wrong in that it frustrates the man himself."<sup>232</sup> As a final leg of his argument, Milhaven acknowledges the constant condemnation by the magisterium; and to rely on the decisions of the magisterium "[...] is a better way than relying on the evidence of the psychiatrists and psychologists of our secular community."<sup>233</sup> Milhaven does not see an inconsistency in appealing to the magisterium at this point while at the same time maintaining that to merely turn to the traditional condemnations of homosexual behavior is no longer appropriate for the new morality. In the end

Milhaven is not even willing to go as far as Dedek goes in excusing the occasional lapse.

In the three Roman Catholic Historicists the same equation is applied in three different ways. For Curran homosexual activity is viewed as an exception to the definition of moral sex. The basis of the exception status is Curran's understanding of the presence and effect of sin in the world. Moral homosexual activity is a compromise. Therefore, there is no need to change the equation of moral sex. Neither Dedek nor Milhaven is able to condone homosexual activity. Dedek does not accept it on the basis of an application of the equation. Milhaven does not refer to the terms of the equation since the issue ultimately is not a sexual issue for him. He views it as an issue of personal growth. Since homosexuality is an indication that growth is impeded, homosexual activity is wrong. Thus in both Dedek and in Milhaven as well as in Curran the equation remains unchanged following the application to homosexuality.

In considering the Protestant Historicists' approach to homosexuality a different equation for moral sex is the basis of the exemplar, namely: moral sex = sex in a loving, committed relationship.

For Harrison the consideration of homosexuality is seen within the broader context of human liberation. There is never a hint in her writings that homosexual activity is immoral. Going beyond Curran's position of compromise, Harrison advocates full acceptance. "[...] We should rejoice, and accept the gay sexual experience as fresh data in the communal task [sic] of shaping criteria for an adequate morality of sexual-social relations."<sup>234</sup>

Nelson is very similar to Harrison in advocating full acceptance of the homosexual condition. Referring to his own position on the matter, he writes:

"[...]

This position rests on the conviction that same-sex relationships can richly express and be the vehicle of God's humanizing intentions."<sup>235</sup> One of the important elements in Nelson's consideration is the importance of sexuality.

"[...]

Their [homosexuals] sexuality is for them (as for anyone else) of intrinsic importance to their capacity for any kind of human love."<sup>236</sup> For Nelson, then, the exemplar is handled by first evaluating whether or not a loving, committed relationship is present. If it is, whatever sexual expression is appropriate to the depth and quality of the relationship is moral. It does not matter whether the relationship is heterosexual or homosexual.<sup>237</sup>

Pittenger also advocates the full acceptance of homosexuality. For him the basis of the acceptance is the fact that sexuality is essential to being human. The homosexual is no different from the heterosexual in this. Pittenger writes:

[...] The need to give oneself to another who gives in return is so deep in our common humanity that it is not surprising that the homosexual shares it too. It would be incredible if he did not. What he is seeking is love; in this respect he is like all men. [...] Like other men, the homosexual yearns to be in a relationship of commitment, mutuality in giving and receiving, tenderness, loyalty, expectancy, and union.<sup>238</sup>

When homosexual activity is immoral, it is immoral for the very same reasons that heterosexual love is immoral, when the individual "[...]" fails to be a responsible person, refuses to exercise control over his action, and lacks real respect for the one whom he loves, or thinks he loves."<sup>239</sup>

One of the items which is noteworthy in this quote from Pittenger is that it is the person that is moral or immoral, as distinct from the person's action being moral or immoral. This is also implied in the writings of the other five Historicists. When acts are considered they are considered "[...]" in their total

context--in the relationship itself, in society, and in regard to God's intended direction for human life."<sup>240</sup>

The handling of the exemplar by the Roman Catholic and the Protestant Historicists helps clarify the meaning and importance of the individual terms in the two equations of moral sex. The presence of love is essential. Furthermore, human love is intrinsically connected with sexuality, though not necessarily with sexual activity. These authors recognize, however, the ability that individuals have to rationalize many different things in the name of love. Criteria are offered by the authors to help determine whether love is genuine.<sup>241</sup>

The question of commitment in the relationship is also important and intimately connected with love. The loving relationship is necessarily a committed relationship. However, commitment is seen as much more than merely remaining together. Commitment for these authors implies that each is committed to the other's continued growth and development, committed to actualizing the potential that is present within each and within the relationship itself.<sup>242</sup>

Finally, the relationship itself is an important element. No one of these authors is willing to consider a person in isolation. It is within a personal relationship that one comes to personhood, that one can begin to realize some of the potentials which are present, that one can begin to achieve some personal identity. The moral evaluation is conducted within the totality of the relationship, considering intentions, circumstances, level of commitment, social responsibility, and so forth. For these authors, then, the moral is contextual. What is at stake in evaluating the moral is whether or not the potential given by God to the individuals and to society is being realized. Immorality, or sin, is the refusal to develop; those relationships and circumstances which block development are sinful.

The Roman Catholic Historicists have an additional term in their equation which ultimately becomes very important in the moral evaluation. The additional term is "the male-female relationship with a procreative dimension present." In fact, the procreative dimension itself is not that significant. What is significant is the male-female relationship.

With the male-female term in the equation, the Roman Catholic Historicists can go only as far as to make an exception for homosexuals, and this is what Curran does through his Theory of Compromise. However, both Dedek and Milhaven are consistent in condemning homosexuality, using the same equation as Curran uses. For the Roman Catholic Historicists, having a committed, loving relationship is not sufficient. The male-female relationship is viewed as the normal state for sexual relationships. It is precisely at this point where the Protestants and Roman Catholics disagree. The Protestant Historicists maintain that human relationships are the norm, relationships which are heterosexual or homosexual.

**e. Summary of Historicist Disciplinary Matrix.**--Having considered the four components of the disciplinary matrix it is now possible to piece together a "global vision" held in common by the group. As was the case with the Classicist Disciplinary Matrix, there is a definite similarity between this Historicist Disciplinary Matrix and the historically-minded approach described by Lonergan.<sup>243</sup> The description which Lonergan offers is as follows:

[...] One can apprehend mankind as a concrete aggregate developing over time where the locus of development and, so to speak, the synthetic bond is the emergence, expansion, differentiation, dialectic of meaning and of meaningful performance. On this view intentionality, meaning, is a constitutive component of human living; moreover, this component is not

fixed, static, immutable, but shifting, developing, going astray, capable of redemption; on this view there is in the historicity, which results from human nature, an exigence for changing forms, structures, methods [..].<sup>244</sup>

The six authors in this section all emphasize the importance of intentionality and meaning, when considering morality or the purpose of human life in general. Furthermore, change and development are essential components to their ways of thinking.

It is now possible, in a precise manner, to answer the question: What is the Historicist Disciplinary Matrix? It has been seen that for the nature of sex it is necessary to formulate two distinct symbolic generalizations. For the Roman Catholics the symbolic generalization was: moral sex = sex in a loving, committed, male-female relationship with a procreative dimension present. The Protestant equation is similar, omitting the final term on the right-hand side of the equation: moral sex = sex in a loving, committed relationship.

The three shared beliefs of these six authors which were considered help "fill out" the global vision. With regard to human purpose and revelation, nothing more than a general creative intent on the part of God is acknowledged. Built into human nature through this creative intent is a great amount of potential. Human purpose, then, is primarily seen in fulfilling this potential. Human intelligence and intentionality are central in discerning the best way in accomplishing this task both for individuals and for the community. Logically, the second shared belief does not maintain that the details of human existence are revealed by God. What is available are general principles. It is the task of the human community to apply these principles. The third shared belief immediately follows from the other two--

negative moral absolutes defined in terms of the physical structure of the act do not exist.

The shared values support the beliefs of this group and indicate the types of conclusions which are acceptable in the problem-solving task. There does not seem to be a need for the same type of precision that was seen in the Theistic Positivist Matrix. The terms of the two equations formulated as symbolic generalizations are predominately relational; consequently, precise evaluation is very difficult, if not impossible. These six authors seem comfortable with that situation.

The second value can be stated in both a negative and in a positive way. Negatively, this group of authors are not willing to ground their ethical theory on any authority. That is, they are not positivists. Conversely, the other way of formulating this value is to indicate how the ethical theory is grounded. This is difficult. However, generally speaking, these authors see the basis of ethics grounded in human nature, grounded in what the individual is, created by God with a dignity and purpose.

In examining the ethical situation one of the first questions is: What is happening? A whole series of other questions would follow: Who is acting here; how is he or she acting; on whom; why; what are the surrounding circumstances; are there principles out of the past, or experiences from the history of the community that shed light on this present situation; what are the foreseeable consequences; is this the best that can be done for all concerned? Ultimately the individual must weigh all of the evidence and come to a responsible decision.

The third value maintained by this group is development in the moral sphere. Human reason and intentionality operate in a changing, developing

environment. Various aspects of morality will continue to change, keeping pace with the changing world.

It is in the issue of homosexuality, the exemplar, that a difference is seen between the Roman Catholics and the Protestants. The difference is based on the two distinct symbolic generalizations. The Roman Catholics maintain that sexuality is to be viewed within a male-female relationship, whereas the Protestants see sexuality within a human relationship.

Once again, as was the case with the Theistic Positivists, it is now possible to deal with the question raised at the beginning of this chapter: How many disciplinary matrices are there?

Through the application of Kuhn's theory of paradigms it is evident that there is substantial disagreement between the Theistic Positivists and the Historicists when each of the four components of the disciplinary matrix is considered. With such fundamental disagreements there have to be at least two disciplinary matrices corresponding to the initial classification, Classicists (Theistic Positivists) and Historicists.

In addition to the disagreements between Theistic Positivists and Historicists, there was also a significant difference between Roman Catholic Historicists and Protestant Historicists. This difference surfaces initially in the way each formulated the symbolic generalization for moral sex, but the difference in the equations shows itself again when the exemplar of homosexuality is considered. The differences within these two components of the disciplinary matrix are all the more noticeable when seen against the agreement at the level of shared beliefs and shared values. The stated beliefs and values of both groups of Historicists indicate that there is only one disciplinary matrix for all six

Historicists. However, at the level of application, involving symbolic generalizations and exemplars, there are two distinct matrices, determined along confessional lines.

It is difficult to determine which is more indicative of a way of conceptualizing reality, the theoretical or the practical. In the field of sexual ethics the practical application is at least as significant, if not more so, as is the theory of sexual ethics. Therefore, with the differences at the practical level among the Historicists, one could conclude that there are two disciplinary matrices operative among the Historicists. The total of matrices, then, is three: (1) Theistic Positivists, (2) Roman Catholic Historicists, and (3) Protestant Historicists.

As was considered above for the Theistic Positivist Disciplinary Matrix, it can now be asked whether or not the term "historicist" is the best to describe this group of authors. In describing ethical theories many different terms are used. To return to Daniel Maguire, he uses the term "ethical realism" to describe a school of thought which holds that the foundation of morality is the experience of the value of persons and the environment.<sup>245</sup> Such a description fits these six Historicists. There is a concerted effort to ground the moral life within the individual and in the individual's perception of others. Yet, Maguire's description is still general, too general to be an adequate replacement for "historicist." Edward LeRoy Long, Jr., distinguishes three different ethical motifs: deliberative, prescriptive, and relational.<sup>246</sup> The relational motif best fits these Historicists. Long draws extensively from the work of H. Richard Niebuhr, The Responsible Self, to explain the relational motif. For Niebuhr (and Long),

The idea or pattern of responsibility, then, may summarily and abstractly be defined as the idea of an agent's action as response to an action upon him in accordance with his interpretation of the latter action and with his expectation of response to his response; all of this in a continuing community of agents.<sup>247</sup>

Niebuhr's definition of the relational motif is open to the accusation of being a position of relativism, only one step away from situationalism. In fact, Niebuhr does not advocate either relativism or situationalism; however, the terminology itself can be problematic. Also, the six Historicist authors pay more attention to moral principles taken from the past, not a particular point of emphasis in Niebuhr's summary statement.

Nelson equates the term "contextual" with "relational," though his description of contextual seems closer to the thinking of these six authors than any of the other terms which have been considered. Nelson describes four components that are characteristic of the contextualists' approach.

First, the posture of moral reflection is more analytical than prescriptive. [...]

Further, Christian ethics is primarily indicative and only secondarily imperative. [...]

A third characteristic of the relational stance is its understanding and use of moral norms. Using the word at this point in a very general sense to include principles, laws, rules, maxims, etc., we may say that norms are absolutely necessary but that they are not necessarily absolute.

A fourth characteristic, underlying the third is a relational value theory.<sup>248</sup>

The four characteristics which Nelson attributes to the contextualists are central to the thinking of these six authors. However, there is a slight point of emphasis in the six authors which is seemingly absent from Nelson's description—the notion of history. There is a concern to see redemption taking place within salvation history. Moreover, there is a deliberate attempt by these authors not to separate salvation history from "human history." The moral norms which are

brought to bear on the present situation are norms which have been derived from the community's own past. Finally, the very fact of development throughout history tends to relativize moral decisions in the present; that is, a particular decision is needed here and now, but there is no pretense saying that this decision will be valid forever. The community's past experiences advocate a healthy relativism. As awkward as it may sound, the term which seems to best fit these six authors is "Contextual Historicists."

### C. SUMMATION

In the first section of this chapter Kuhn's concept of paradigms was examined. In the second section his four components were used to describe in a more precise manner the disciplinary matrix of the Theistic Positivists and the Contextual Historicists. A significant advantage of the application of Kuhn's disciplinary matrix was the ability to grapple with such a nebulous concept as "world view." In addition, Kuhn's theory helped to verify the initial classification of the twelve authors. The authors had been grouped under the general descriptions "classicists" and "historicists," terminology used by Lonergan. The application of Kuhn's theory allowed for a further refinement of Lonergan's descriptions.

Understandably, the initial descriptions were of a general nature since Lonergan was considering transitions in world views. A significant discovery is made when these twelve authors are considered. It becomes evident that Lonergan's description of classicists does not adequately deal with the central role of authority in these particular authors. Consequently, the six Classicists were

renamed Theistic Positivists to emphasize the role of God's authority along with the uncritical acceptance of that authority. Following a careful examination of the six Historicists, the need for a change in nomenclature is not as pressing as it was with the first group. However, "Contextual Historicists" seems to be a term which places more emphasis on individual responsibility exercised within the totality of the situation and sensitive to the development of the moral norms and the agents involved, essential elements in all these authors' sexual ethics.

Another benefit of Kuhn's theory is that it facilitates the comparison between Theistic Positivists and Contextual Historicists. Breaking down the two matrices into the four components of Kuhn's theory allows a more accurate comparison. While Lonergan's description is accurate, it is of such a general nature that comparisons are difficult.

After the application of Kuhn's theory of paradigms, it is then possible to distinguish the exact number of matrices involved. There seem to be three. The six authors who were initially classified as Classicists all were later classified within the Theistic Positivist Disciplinary Matrix. As was suspected, confessional differences remained between Protestants and Roman Catholics, particularly when it comes to an appeal to authority. Surprisingly, the confessional differences are not significant enough to warrant two disciplinary matrices. While there is disagreement on which authority is most basic, there is agreement at all other levels of the disciplinary matrix, both at the theoretical levels and the practical levels.

Along with the Theistic Positivist Disciplinary Matrix, two other matrices were identified--Protestant Contextual Historicists and Roman Catholic Contextual Historicists. This is the most startling realization of all. There had

been significant reasons to suspect that as a group all Historicists are doing ethics in the same manner, both at the theoretical and practical levels. These reasons are the basis of the initial hypothesis which holds that there can be only one disciplinary matrix for the Historicists. When the two theoretical components of the disciplinary matrix are examined, the shared values and the shared beliefs, there are no significant differences between Protestants and Roman Catholics. The disagreements surface at the practical level, at the level of application. To complicate the matter further, the three Roman Catholic Contextual Historicists do not agree among themselves when the issue of homosexual activity, the exemplar, is considered.

The question remains: Why do the Contextual Historicists not meet the expectations of the initial hypothesis? A related question is: Are Roman Catholic Contextual Historicists different from Protestant Contextual Historicists due to the commonly accepted confessional differences; or, is there another reason? These questions are the focus of the following chapter.

## CHAPTER VI

### CONFESSIONAL DIFFERENCES

In oral communication, notably in casual conversation, a source which is often quoted is the mythical authority "they." "They" is the collected wisdom. At times, such a source exists in scholarly literature, though no author would begin a footnote with "they." The common wisdom in a particular school of thought maintains certain beliefs which are said to be true "in general." It is a continual task of any field of study to critically evaluate such beliefs, to determine whether the truth "in general" is true in this particular case. Such is the task of the present chapter.

The previous chapter applied Thomas S. Kuhn's theory of paradigms to the twelve authors being examined in this study. Three distinct disciplinary matrices surfaced as a result of that application: Theistic Positivists, Roman Catholic Contextual Historicists, and Protestant Contextual Historicists.

The focus of the present chapter is to determine whether the commonly perceived confessional differences exist in this group of representative authors, whether the common wisdom of confessional differences in general is substantiated within these twelve authors. Several questions are involved: Are there confessional differences between these Roman Catholic Theistic Positivists and these Protestant Theistic Positivists? Are there confessional differences between Roman Catholic Contextual Historicists and Protestant Contextual Historicists? Are the different approaches to homosexuality found in the two Contextual Historicist Disciplinary Matrices due to confessional differences?

These questions will be considered in three sections. The first will examine the views of a select group of contemporary authors to determine the

most commonly perceived confessional variations between Roman Catholics and Protestants. The second section will study the Theistic Positivists and the Contextual Historicists to determine whether any confessional differences exist in their writings. The third section will consider the specific question of the exemplar of homosexuality in the two Contextual Historicist Disciplinary Matrices in order to determine whether confessional differences explain the divergent approaches of these authors. It will be shown that the common wisdom is not substantiated by the writings of these twelve authors. As so often is the case, "they" is wrong.

#### A. COMMONLY PERCEIVED CONFSSIONAL DIFFERENCES

There are two main areas of disagreement between some Roman Catholic and Protestant ethicists: (1) the necessity of a teaching office, and (2) the relationship between creation and redemption. Both areas become even more complex due to the lack of a single, monolithic Catholic or Protestant ethic. This lack should be kept in mind in what follows.

##### 1. Teaching Office

Eric Fuchs maintains that a Roman Catholic's moral attitude is often formed without reference to the individual by the magisterium. The magisterium teaches a morality which has been highly systematized, and which is comprehensive enough to include every element of a person's moral life. Furthermore, the weight of the authority itself discourages a personal interpretation or re-examination of

the teaching. The individual member is expected to be obedient to this teaching.<sup>1</sup> Obedience and order within the Roman Catholic Church are often emphasized at the expense of personal freedom.<sup>2</sup>

There are both strengths and weaknesses in Roman Catholic ethics when the role of the magisterium is considered. The magisterium is a part of a well-ordered ecclesial structure. The fact that moral theology takes place within an ecclesial context in the Roman Catholic community is seen as a definite strength by Paul Lehmann. That the context itself is religious helps overcome some of the inherent problems found in philosophical ethics.<sup>3</sup> However, James M. Gustafson points out that working within such a context also has its problems; Roman Catholic moral theologians are required to be loyal to specific moral teachings and doctrines taught by the magisterium.<sup>4</sup> The magisterium sees itself speaking to a universal community and also believes it necessary that all speak with one voice. Thus obedience is not only required from the general membership but particularly from those members who are the teachers: bishops, priests, and theologians.

While recognizing the teaching office of the Roman Catholic Church, Gustafson proposes a set of questions which must still be dealt with, questions which point to some of the residual conflicts involving the teaching office. He asks:

What is the authority of noninfallible moral teaching? Are the arguments made from reason and from Scripture and tradition valid? Can alternate arguments be made from the same bases? How ought the teaching function of the church in matters of morals be carried out? What is the scope of permissible conscientious dissent from moral teaching by individuals, and what are legitimate reasons for it?<sup>5</sup>

For some Roman Catholics especially conservatives, magisterial statements are used as the basis of the moral argument. There is no

acknowledgment of the questions raised by Gustafson. When statements are used in such a manner the result is polemic argumentation with no agreement possible unless all accept the magisterial statements.<sup>6</sup>

The Protestant position on the teaching office is different from that held by Roman Catholics. The moral attitude in Protestantism is more inclined to focus on the individual's inner acceptance of values which are found in Scripture. Each individual has access to Scripture and there is no need for a teaching body to act as mediator between Scripture and the individual. The final "court of appeal" is the individual. The role of the Church is to clarify the values found in Scripture, not to dictate the details of Christian living. The community values a personal responsibility to Gospel values rather than an obedience to moral precepts.<sup>7</sup> Related to personal responsibility is a corresponding emphasis on personal freedom.

The insistence on personal freedom prohibits an authoritative statement being made that would be binding on the whole community. In an article contrasting the two traditions, Edward A. Malloy points out: "The one thing about which Protestant spokespersons agree is that no church can claim that right of infallibility in judging the status of any particular Christian moral teaching. This contributes to the weakening of the authority of Church instruction."<sup>8</sup> Gustafson makes a similar point when he says that there "[...] is a much greater diversity in the history of Protestant ethics than in that of Roman Catholic moral theology."<sup>9</sup>

This is not to say that there was no authority in the Protestant Churches. While there was a climate of freedom for the Protestant theologian, he "[...]" had his contemporary peers judging his work; he had the complex and rich Bible as a character document; he has had the giants in his tradition looking over his shoulder."<sup>10</sup> As it would be false to suggest that there is no personal freedom at

all in Roman Catholic ethics, it would be equally false to say there is no authority in Protestant traditions. Gustafson notes:

[...] The churches could be moral teachers and communities in which the moral outlooks and consciences of their members were formed, but they could not be authoritative teachers in the sense that official pronouncements stated what was to be conformed to by their members.

[...] The Protestant "church" has always been a Magister, a teacher, in matters of morality, but if churches claimed an absolute certitude for teachings beyond the confines of the most traditional rules ("Thou shalt not commit adultery," "Thou shalt not murder"), and if they claimed obedience to teachings on the basis of institutional authority, something essential to Protestantism would be violated.<sup>11</sup>

## 2. Continuity between Creation and Redemption

The second area of disagreement between Roman Catholics and Protestants is over the continuity between creation and redemption. Roman Catholics traditionally see continuity between creation and redemption, a continuity which remains even after sin entered the world. Curran writes:

Catholic theology has generally accepted the goodness of man, a continuity between nature and grace as well as between creation and redemption, and the possibility of going from man to God which has been the basis for a natural theology and a natural law.<sup>12</sup>

In the Catholic viewpoint the basic structures of existence, of good and evil, still are discernible in creation, even after the Fall. Creation is disordered by sin, but not totally distorted. Grace, then, does not radically alter nature; rather, grace builds on nature. Hence, it is possible to move from this creation to God; one would not have to be taken out of this creation into another realm. This fundamental trust in the structures of existence is the basis for the form of ontological ethics characteristic of Roman Catholics. Ontological ethics maintains that the "ought" can be discerned within the metaphysical structures of reality.<sup>13</sup>

Human reason reflecting on the structures of reality is capable of perceiving the internal patterns, relationships, and laws which govern all of reality. "Natural Law" is the term used to identify all these various elements. Natural law is grounded in the very ontological structures themselves; it is discernible within the metaphysical structures of reality.

When the ecclesial teaching authority is the context for the discernment of natural law a considerable amount of certitude is possible when examining a particular moral question. Commenting on Roman Catholic moral theology, Paul Lehmann sees this certitude as a distinct advantage.

Moral theology proposes that the certainty that one's conduct is right or good comes, on the one hand, from the nature of human reason and, on the other hand, from the sacramental nature of the church. The combination of what reason can determine about what is good and what is bad, about what is better and what is worse, about what is probable and what is improbable, with the sacramental power to pursue and achieve what reason can determine, is an enviable ethical possibility. Anyone who has ever undertaken to give ethical counsel to himself or to others might well pause a long time before rejecting it.<sup>14</sup>

While this type of calculation has its advantages, Lehmann goes on to note that it is precisely out of these intricate calculations that a standard objection to Roman Catholic moral theology arises. "[...] Moral theology, while it deals realistically with moral problems, their detail, their complexity, their call for guidance that is confident and certain, does not deal realistically with the ethical problem."<sup>15</sup> For Lehmann, Roman Catholic moral theology discourages the probe into the deeper ethical issues by focusing attention on the details of the act, seeking certitude at that level alone. The ethical nature of the human person is not considered.

This desire for certitude at the level of acts has led to an emphasis on particular acts, or sins, as distinct from the overall sinful situation. The Roman

Catholic ethician feels confident in dealing with particular acts since this is consistent with the perception of reality which sees creation and redemption in continuity. There is a disordering of creation due to sin, but not a complete distortion.<sup>16</sup>

Consistent with this view of particular sinful actions is the tendency on the part of Roman Catholics to have a corresponding view of grace. The conceptualization of grace is often reduced to "[...] a sacerdotal, quasi-physical power."<sup>17</sup> This power would affect particular actions, but would not deal with the underlying ethical issue.

Roman Catholic moral theology's sexual ethics is also based on natural law. According to John L. Thomas there are two dominant concerns in Roman Catholic ethics. The first concern does not deal directly with sexual ethics. It is the concern for the protection of human life. The second concern is a

[...] respect for "nature," that is, for the meaning or significance of an act as revealed in its objective natural structure--hence their [Roman Catholic ethicists] continued insistence on the obligation to respect the integrity of the marital act, and their consequent condemnation of all and various contraceptive techniques.<sup>18</sup>

The two elements which are unique to Roman Catholic moral theology, the emphasis on natural law and on obedience, are found in this understanding of human sexuality. The teaching is based on the metaphysical structure of the sexual act (that is, the teaching is based on natural law). Since these structures reside in nature, they cannot be arbitrarily changed, change would be contrary to nature. Thus, the individual's responsibility is to conform to the perceived structures (that is, the individual must obey).

Protestant ethics begins from a different understanding of the relationship between creation and redemption. Protestants traditionally maintain

that there is a radical discontinuity between creation and redemption. Creation is completely distorted by sin. Lehmann characterizes the traditional Protestant viewpoint when he writes that "[...] the real force of the ethical question is the dimension of radical distortion and reorientation exposed by it."<sup>19</sup> In this way of thinking redemption is not continuous with creation. Sin does not merely disorder creation, creation is completely distorted after the Fall. This distortion is so radical that the very structures of existence have been affected to that point where it is no longer possible to discern the "ought" within these structures.

Rather than be concerned with individual acts, with sins, Protestant ethics deals more with the sinful condition.<sup>20</sup> The role of the individual is emphasized over the individual's actions.<sup>21</sup> The radical freedom of the individual is prized, for it is through this freedom that the individual can accept grace. The acceptance of grace in this context means that "the ethical predicament has been overcome—not piecemeal but by a total renewal of our humanity."<sup>22</sup>

Gustafson claims that a case can be made for a framework in Protestant ethics which corresponds to natural law in Roman Catholic ethics. For Roman Catholic ethics natural law greatly determines the types of arguments and conclusions which are accepted. Natural law is an essential part of the shared beliefs and values in a particular paradigm. Gustafson writes: "Just as the theory of a natural moral law set the boundaries within which debates took place in Catholic moral theology, so it is not unfair to claim that the debates within Protestant ethics took place within the boundaries of Scripture."<sup>23</sup>

The use of Scripture as a foundation for ethics, particularly in the form of sola scriptura is not without problems. Just as Gustafson did with Roman

Catholics, he also suggests a set of methodological questions which must be dealt with, particularly by those Protestants holding to some form of sola scriptura.

If one holds to "verbal inspiration," how does one resolve, theologically and ethically, discrepancies within the Bible? If one has a looser view of the authority of the Bible, how does one determine which theological and ethical principles will be the central ones for interpreting the texts? If one uses biblical theological themes, like hope or liberation, to interpret the moral and religious significance of current events, does one only come to the threshold of ethical reflection, and if so, how is an appropriate course of action determined? If one uses moral teachings of the New Testament, how are these nearly two-thousand-year-old teachings, applicable to the twentieth century? [...] Sola scriptura, adhered to strictly or loosely, does not answer these questions.<sup>24</sup>

For some Protestants, particularly conservatives, Scripture is the basis of moral argumentation. When sola scriptura is pushed to its limits, however, the appeal to Scripture becomes divisive with no consensus being possible unless all agree on the precise interpretation of the Scripture text. Rather than a common source of ethical wisdom from which many different traditions could draw, the text itself is seen as the ethical statement. Edward LeRoy Long, Jr., notes that

[...] in conservative Protestant circles, the objective character of ethical norms has been defended as part of a belief in objective revelation. This defense of objective norms comes closer to a polemic of exclusion than do the requests that relationalists consider factors they may have overlooked.<sup>25</sup>

In considering sexual ethics the Protestant tradition does not have the concern for details and particulars which is characteristic of Roman Catholics. Derrick Sherwin Bailey notes that

the Reformers of the sixteenth century paid less attention than their mediaeval predecessors to matrimonial and sexual questions, and were generally content rather to correct abuses in the existing system than to re-direct the course of Christian thought on sexual matters.<sup>26</sup>

Protestant ethics, in sexual matters and in other matters, continues to be concerned with the individual, with the individual's moral disposition, always

seeking to clarify and strengthen the "grounds for moral judgment."<sup>27</sup>

In summary, among the contemporary writers describing the differences between Protestant and Roman Catholic ethicists, there seems to be a consensus in two broad areas. First, the role of the teaching authority in the Church is a point of distinction between the two traditions. The Roman Catholic tradition accepts the teaching office of the magisterium, an office which instructs even at the level of personal decision making. The Roman Catholic community is universal and a single teaching voice is highly valued. Due to the vastness and complexity of the situation, personal interpretations or disagreements are discouraged. The virtue of obedience is valued.

By contrast, the Protestant tradition has not accepted such a teaching office. For Protestants moral teaching is more concerned with values and ethical reasoning, and leaves the particular decision to the individual. There is no "one voice" in Protestant ethics. A universal statement is not possible, nor is such a statement seen as necessary. Hence, there is much less emphasis on obedience and uniformity than in Roman Catholicism. Stemming from the diversity, personal responsibility is highly valued.

A second point of distinction seems to be the continuity between creation and redemption. Roman Catholics tend to view creation and redemption in continuity. When sin entered creation, creation was disordered but basic structures of human existence and of moral good and of moral evil remained. Due to the trust in these basic structures of existence Roman Catholic moral theologians work out of an ontological model, believing that the very structure of existence reveals natural law. Since these basic structures remain, an individual is seen as capable of improving the situation, drawing on the redemptive forces inherent within

creation; hence, an individual's works are valued. Closely related with the value placed on good works is the converse that individual evil acts also have importance. Consequently, Roman Catholic moral theology is concerned with individual sinful actions, with sins. Faith is not ignored, but it is not emphasized as much as the individual works of persons, since between creation and redemption there is only a disorder.

The Protestant tradition is more inclined to see a definite break between creation and redemption, with evil causing a basic distortion within creation, rather than just a disordering. The distortion is so drastic that no individual act, nor collection of many acts, can bring about a change. In this context grace is seen as a total restoration of human nature, lifting the individual's inner dispositions, rather than demanding conformity to prescriptive or proscriptive lists. The Protestant tradition is more interested with sinful nature rather than with particular sins. Faith is more important than works since between creation and redemption there is a fundamental distortion.

### 3. Convergences

Along with the differences between the two traditions, some writers have noted many areas where the two traditions are converging. As was pointed out in the previous chapter, it is precisely these convergences which give rise to the suspicion that within the historically conscious mindset the traditional differences are no longer present. However, is this suspicion well grounded? When these six representative authors of the historically conscious mindset are examined, is the convergence that significant?

The convergences have only recently emerged. "[...] Before 1960 Catholic books and articles on moral theology hardly ever referred to any Protestant authors. There was no dialogue."<sup>28</sup> According to Curran, the convergences since 1960 have taken place around some of the fundamental questions in ethics. Roman Catholic thought has developed realizing that a certain discontinuity exists between nature and grace. In addition, some Roman Catholics have shifted the emphasis from particular sins to sin and the sinner.<sup>29</sup>

Curran points to two basic reasons why the convergence between Protestant and Roman Catholic thought is now taking place.

On the one hand Catholics and Protestants share the same Scriptural source of their theology and claim a somewhat common history. In addition both are addressing from similar perspectives the same problems that are facing our contemporary world. It is only natural that Protestant and Catholic ethicists *[sic]* must be in contact with one another's work and research.<sup>30</sup>

Gustafson is another author who sees movement occurring on both sides. The two traditions are facing three new sets of issues: (1) The historical particularities of the tradition as well as the common humanity shared by individuals, (2) The consideration of the persistent temporal continuities of human experience ("nature") and the historical changes in it ("history"), and (3) The consideration of dimensions of human freedom and individual existence as well as the limitations of freedom and co-humanity.<sup>31</sup> Since both Protestants and Roman Catholics must deal with these same issues, the traditional confessional differences are disappearing.

In his study Gustafson notes that it is not merely new questions causing the convergence. In addition there is dissatisfaction with the argumentative, polemic positions of both traditions. Simply stated, the ethicists in both traditions

are dissatisfied with the inadequacies of the foundations. Gustafson's description of the dissatisfactions resonates well with Thomas Kuhn's description of a particular disciplinary matrix recognizing the emergence of an anomaly. Gustafson writes:

The direction of the movements [away from the traditional positions] are primarily defended on the basis of the inadequacy (questioning the validity and the relevance) of the substance of the arguments (data, theories, principles, procedures and judgments) made by authors who are part of the recent past in each tradition. They are not defended on the basis of a judgment that the received traditions are incoherent. Put differently, revisions of received tradition are given warrants derived from judgments about the deficiencies in the substance of previous writings more than from judgments about their forms.<sup>32</sup>

The writings of the past dealt with the realities of those times, and dealt with them with the information that was then available. Some of that information was inadequate—the way Scripture was interpreted and used, the deficiencies in the philosophical arguments, inadequate theories of personhood derived without sufficient attention given to the findings of the social sciences.<sup>33</sup> In recognizing the inadequacies of the past neither group is abandoning its tradition. However, the new methodologies used by Protestants and Roman Catholics are attempting to deal in a more adequate manner with the perceived anomaly.

At the conclusion of his study Gustafson is able to say: "Some Roman Catholics have more in common in theological ethics with some Protestants than they do with other Catholics; some Protestants have more in common with some Roman Catholics than they do with other Protestants."<sup>34</sup> Arthur B. Crabtree makes a similar claim, but uses the language of historical mindedness. "The principal methodological contrast today is not between Catholics and Protestants but between those, whether Catholics or Protestants, who think historically and dynamically and those who think unhistorically and statically."<sup>35</sup>

This study disagrees with some of the findings of Curran, Gustafson, Crabtree, and others. It will be shown that in the works of these representative authors confessional differences do remain even in those who think historically and dynamically. This is not to deny that consensus is taking place, as Curran, Gustafson, Crabtree, and others point out. However, at the present time, the consensus seems to be limited to the theoretical level. At the practical level of moral conclusions differences remain. As will be seen, these differences at the practical level are still due to confessionality. Such differences at the practical decision-making level seem all the more out of place with the dialogue that is now taking place between the two traditions. Roderick Hindery asks: "How can disparate moral conclusions appear when identical sources of revelation are employed?"<sup>36</sup> And John H. Yoder asks the same question, and then answers it: "It is unavoidable that the conclusions be disparate if the axioms with which people relate to Jesus and the Scriptures as well as to the ethical agenda itself are different."<sup>37</sup> Thus different conclusions would still indicate differences at the theoretical level of ethics. While there has been much convergence, differences do remain.

Within the twelve authors considered in this study there are different conclusions to ethical questions in sexuality. There are differences even among the Contextual Historicists on the issue of homosexuality. Are these different conclusions based on confessional differences? The following question must still be considered: If the twelve authors in this study are seen as representative of particular schools of thought, are the commonly accepted confessional differences evident in their writings on sexual ethics? An examination of the four elements of each disciplinary matrix will help reveal whether confessional differences are

present; and, if they are, whether the differences are the same as those commonly perceived.

## B. CONFESSIONAL DIFFERENCES IN DISCIPLINARY MATRICES

### 1. Theistic Positivist Paradigm

**a. Symbolic Generalizations.**--In the symbolic generalization concerning the nature of sex there is a difference between the three Roman Catholic Theistic Positivists and the Protestant Theistic Positivists. The difference focuses on the meaning of the term "procreative relationship."

For the Roman Catholic Theistic Positivists the definition of the term in question is given in the encyclical Humanae Vitae. This teaching holds that each and every act of sexual intercourse must be open to the transmission of life.<sup>38</sup> The teaching on sexuality in the encyclical is drawn from the ontological structure out of which the natural law surfaces.<sup>39</sup> Harvey,<sup>40</sup> May,<sup>41</sup> and McFadden<sup>42</sup> all accept this teaching. Whereas the Protestant Theistic Positivists hold a different opinion. Bahnsen does not consider the morality of birth control; Ramsey maintains the connection between sex and procreation only in principle, while at the same time justifying contraception;<sup>43</sup> and Small's thinking is similar to Ramsey's.<sup>44</sup>

Thus while the same equation might be used by all six authors, the precise meaning of the terms within the equation is not the same. The differences, however, will not be evident at the practical level, as is the case when the equation is applied to homosexual activity. Had the equation been applied to the moral question of contraception, the difference would have been more obvious.

Gustafson points this out when considering the convergence taking place between Protestant and Roman Catholic ethicists.

Rapprochement between traditions is easier to achieve with reference to more limited and special areas that can be tested for adequacy [..] than it is to achieve between the basic organizing principles or perceptions around which the base points cohere.<sup>45</sup>

The next two elements in the disciplinary matrix touch upon these organizing principles, or perceptions.

b. **Beliefs.**—All six authors agree in general that as a result of revelation one knows the purpose of human life. However, traditional confessional differences surface here. The Roman Catholics maintain the teaching role of the Church in moral matters. For Harvey the magisterium is necessary even to correctly interpret Scripture.<sup>46</sup> May would like to ground his ethic in "reality-making" factors, but, in the end, submits to the teaching of the magisterium.<sup>47</sup> McFadden also recognizes the authority of the magisterium in interpreting Scripture and in authentically teaching the tradition.<sup>48</sup>

The three Protestant Theistic Positivists, on the other hand, equate revelation with Scripture.<sup>49</sup> Their use of Scripture coincides with Long's description of the conservative Protestant's approach, an approach which ends up in a polemical exclusion of others.<sup>50</sup> The epitome of this style of reasoning is Bahnsen. Even Ramsey bases his ethical theory on the scriptural command of Christ to love the neighbor and grounds his discussion of premarital sex on the biblical account. However, Ramsey does not resort to the polemical argumentation. In keeping with the Protestant tradition, none of the Theistic Positivist Protestants appeals to a teaching office in the Church.

There is agreement among the Theistic Positivists that God has revealed not only broad guidelines for human activity but details as well. This is the second shared belief. This understanding has traditionally been attributed to the Roman Catholic tradition, stemming from the understanding of the teaching office of the Church. Although the Protestant tradition has not been concerned with individual acts, with the details of daily lives, both Bahnsen and Small draw out their conclusions until specific acts are recommended or prohibited. It is at this point that Ramsey parts company with the others, as was noted in Chapter Five. In this instance Ramsey's thinking and conclusions are more similar to the traditional Protestant way of reasoning than are Bahnsen and Small.

The third belief concerns the existence of negative moral absolutes. All six Theistic Positivists agree that negative moral absolutes do exist.

With the three shared beliefs, then, the commonly accepted confessional difference concerning the teaching office of the Church is evident among these six Theistic Positivists, splitting them along confessional lines. What has also been seen, however, is a failure on the part of the Protestant Theistic Positivists to remain within the commonly accepted limits. These Protestant authors go beyond the concern which deals with only the ground of ethical thinking, proceeding all the way to the particular decisions of daily living. This form of reasoning coming from Protestant authors, while it is not typical of the Protestant tradition as a whole, is consistent with what some students of comparative religious ethics have perceived in conservative Protestantism. On the other hand, these Roman Catholic Theistic Positivists remained within the commonly accepted parameters of Roman Catholic moral theology.

**c. Values.**--There is agreement among all six on the need for clear, detailed decisions in moral matters. The surprising aspect in this is that such a value is not characteristically held by Protestant ethicists. Fuchs pointed out that in Protestant ethics the Church is not expected to dictate the details of Christian living.<sup>51</sup> While these three Protestant Theistic Positivists do not want the Church to dictate the details, all three hold that the details are to be found in Scripture.

The second value is the need for the conclusion in a moral question to be based on some authority, and it is from this central value that the alternate term "theistic positivist" is suggested. The difference here is also traditional, the Roman Catholics attributing the final word to the magisterium; the Protestants, to Scripture. Yet, here too the reliance on Scripture by the Protestants seems to go against what Fuchs and others have pointed out as one of the distinguishing characteristics. The Roman Catholics, according to Fuchs, have an external morality, as distinct from the Protestants with an internal morality.<sup>52</sup> Yet, these Protestant Theistic Positivists seem to have an external morality as well, though based on Scripture, not on a magisterium.

The third value is the immutability of the moral order and the corresponding fear of change that is present in the writings of some of these authors. Once again, there is agreement.

In the three shared values, traditional confessional differences surface when the second value is dealt with--the need for an authority as the basis for moral norms. As would be expected, these Roman Catholics accept the teaching of the magisterium as the external authority, and the Protestants accept Scripture. There is agreement in the other two values. Such agreement from the side of the Protestants is more consistent with the description of conservative Protestantism.

Furthermore, the commonly held distinction of faith and works does not seem to be operative in this group of authors. Once again, the Roman Catholics are consistent with the traditional emphasis Catholic moral theologians have placed on particular acts. However, these Protestant Theistic Positivists share the same concern.

**d. Exemplars.**--The issue of homosexuality was offered in this study as an exemplar for this group of authors. Once again, Gustafson's insight that agreement is easier at the practical level than at the theoretical level is born out in the fact that all six Theistic Positivists condemn homosexuality.<sup>53</sup> Had a different exemplar been used, such as birth control, there would have been a difference between Protestants and Roman Catholics at both the theoretical level and the practical level. The Protestant authors are not able to ground the condemnation of birth control in Scripture and do not condemn its practice; whereas the Catholics have the teaching of Humanae Vitae and would condemn any artificial contraception.

The differences which appear in the exemplar of homosexuality are reflections of the differences in the accepted beliefs and values. The Roman Catholics cite scriptural passages, but rely mostly on the constant teaching of the magisterium in this area. The Protestants rely exclusively on Scripture.

In either case there is no substantial argument offered other than one based on some external authority, either the magisterium or Scripture. The information from the social sciences, if and when used at all, does not bring new light to the argument. The citations appear to be used merely to substantiate a preconceived conclusion.<sup>54</sup>

e. **Summary.**--Among the four elements of the Theistic Positivist Disciplinary Matrix two realities are present. First, several of the generally perceived confessional differences are present. Second, it has been the finding of this study that there is a great deal of agreement between Roman Catholic Theistic Positivists and Protestant Theistic Positivists. This finding is contrary to such opinions as voiced by Gustafson, that "[...] the most conservative Catholic and Protestant theologians do not relate to each other at all."<sup>55</sup> While they may not be in dialogue with each other, as Gustafson points out, there is a common base when one considers their practical conclusions.

In the equation defining moral sex, the meaning of "procreative relationship" is different for Protestants and Catholics, reflecting a more basic difference at the level of values and beliefs. Within the accepted beliefs Protestants and Roman Catholics base their ethics on different authoritative sources, Scripture and the magisterium, respectively. This is the main issue of disagreement. What is surprising is that in the shared values there is not more disagreement. In the value concerning the type of conclusions that would be acceptable it was thought that the Protestant authors would merely point out the Gospel values which were involved and then exhort the faithful to make responsible decisions in accord with Scripture. Instead, these Protestant Theistic Positivists go beyond mere exhortation to the same degree as is characteristically attributed to the Roman Catholics. Thus, at the practical level of moral decision making, when the exemplar of homosexuality is considered, there is no distinction between Protestants and Roman Catholics.

Returning to the two traditional areas of disagreement between Protestants and Roman Catholics, when the writings on sexual ethics of these six

Theistic Positivists are considered, one would have to conclude that in many cases this group of authors does not fit the stereotypes. The first traditional difference, the role of the teaching authority of the Church, is in fact a distinction between these two groups of authors. However, even with the different source of authority, the distinction is not as blatant as commonly believed. These Protestant Theistic Positivists, while they begin with Scripture as the authoritative source, go on to derive a system which is similar to the Roman Catholics, though the Roman Catholics base themselves on the magisterium. The Protestant authors are concerned with the details of ethical decision making, with universal exceptionless guidelines or rules, with an ordered moral structure, and with the virtue of obedience—all qualities traditionally attributed to Roman Catholic moral theologians. Though the source of authority is different, how that authority is used is very similar. It is the use of authority by both Roman Catholic Classicists and Protestant Classicists which gives rise to the term "Theistic Positivists."

The second traditional area of disagreement is the continuity between creation and redemption and all that it entails. Even in this second area these authors do not remain within the traditional confessional distinctions. The Roman Catholic Theistic Positivists make no attempt to develop an argument on natural law, though they do admit it exists. The basis of morality is authority. The Protestant Theistic Positivists significantly break with their own tradition in the insistence on the total prohibition of specific acts of sexuality. The concern seems to be more with sins rather than with the sinner, particularly in the area of homosexuality.

Among these six authors in the Theistic Positivist Paradigm a substantial number of the commonly perceived confessional differences are not present in

their works on sexual ethics, contrary to the opinions of other writers. The discrepancies within the traditions are most often within the three Protestant authors. They exhibit conservative traits which set them outside the traditional Protestant stream. The Roman Catholic Theistic Positivists are also at odds with their own tradition, abandoning the natural law foundations and opting for a morality based on authority.

## 2. Contextual Historicist Paradigm

The confessional differences within the two Contextual Historicist Paradigms are more difficult to identify than the differences within the Theistic Positivists. One of the reasons for this is the convergence of Protestant and Roman Catholic ethicists.<sup>56</sup> This convergence is taking place within the historicist mindset, as Gustafson points out.

Several persons have noted that many socially and theologically radical Catholics relate well to their Protestant counterparts, that moderate Catholic theologians relate to moderate Protestant theologians, and that most conservative Catholic and Protestant theologians do not relate to each other at all.<sup>57</sup>

Though it is more difficult to identify these confessional differences within the Contextual Historicist Paradigms, an attempt will still be made, following the same procedure as was used with the Theistic Positivist Paradigm, to distinguish those differences which are based on confessional affiliation.

**a. Symbolic Generalizations.**—A major problem surfaces in the two different formulations on the nature of moral sex. Roman Catholics retain as part of the equation the term "male-female relationship with a procreative dimension

present." This term is not part of the Protestant formulation. The major problem is not that there is a difference; the problem lies in why there is a difference.

Both of the noted traditional confessional differences could be influencing these Roman Catholic authors—the role of the teaching office and the concern with particular acts and natural law. It is on the basis of natural law that heterosexual intercourse must always be open to procreation. The magisterium of the Roman Catholic Church also maintains this same belief, that procreation is integrally connected with the act of sex. To say that these traditional positions could be influencing Curran, Dedek, and Milhaven is far from proving such a claim. More will be said of this below.

What is evident, though, is that there is a basic difference between the Roman Catholic Contextual Historicists' and the Protestant Contextual Historicists' equation of moral sex. The seriousness of this difference becomes more acute when the common beliefs and values are considered.

**b. Beliefs.**—In the three shared beliefs, there do not seem to be any differences which can be attributed to confessional affiliation. All six authors maintain that only a general purpose for human existence is revealed by God. It remains the task of individuals and communities to work out the details of human existence. Consequently, all agree that the details of the moral law are not a part of divine revelation. Finally, they all deny the existence of negative moral absolutes defined in terms of the physical structure of the act.

The consensus of these Contextual Historicists on the shared beliefs is more in keeping with the traditional Protestant understanding of the teaching role of a church. All six authors are concerned with moral values and the quality of

ethical reasoning. There is an acceptance, even among the Roman Catholics, of diversity of opinion in ethical matters. The context of the decision is recognized as an essential element in moral reasoning. Finally, personal responsibility in searching for gospel values and engaging in the ethical quest is emphasized over being merely obedient to a set of rules.

The same convergence can be seen in the traditional differences over the place of faith and works in life. There is little occasion at this theoretical level of shared beliefs to determine whether or not Roman Catholics are operating out of an ontological model. They are equally concerned with the faith-life of the sinner as they are with sins.

It would be interesting to trace where the Roman Catholic Contextual Historicists have parted ways from their tradition as was described by Fuchs.<sup>58</sup> However, such an investigation is beyond the scope of this study. It is sufficient to point out that there are no confessional differences at the level of shared beliefs.

**c. Values.**—As was the case with their common beliefs, there is agreement among these six authors at the level of common values. No confessional differences are discernible. None of the authors sees a need for the type of precision found in the conclusions of the Theistic Positivists. Even though these Contextual Historicists come to definite conclusions, the methodology itself is different. Rather than a deductive method, these authors proceed inductively. Such a method leads to a different type of conclusion; even if the conclusion is definite, it is necessarily more tentative than a conclusion derived in a deductive manner. Neither the Protestants nor Roman Catholics are willing to ground their ethic on some

authority, whether it be Scripture, the magisterium, or any other possibility. Far from fearing change, these six authors see the need for continued development.

The agreement at this level of shared values is similar in kind to the agreement at the level of beliefs. There seems to be a movement on the part of the Roman Catholic writers away from the commonly perceived methodology of moral theology, a methodology which draws heavily on the official teaching office of the Church, and which pays little attention to the inductive form of reasoning.

**d. Exemplars.**—In the exemplar of homosexuality, there is a difference between the approaches of the Roman Catholic Contextual Historicists and the single approach taken by the Protestants. The difference stems from the two separate equations used to describe the nature of moral sex, the Roman Catholics having an additional term in their equation. That additional term insists upon the normativeness of heterosexuality in sexual relationships, a norm which the Protestants deny.

Though there are obvious differences among these six authors at the level of the exemplar, it still is not clear whether the disagreement is based on confessionality. A common characteristic of the Protestant tradition is diversity in moral matters. Yet among these three Protestant Contextual Historicists there is unanimity; a unanimity which is even more surprising given the varied backgrounds--one a Presbyterian, one a Congregationalist, and one an Anglican.<sup>59</sup> Where the Roman Catholic position had been unified, these three Roman Catholics each arrive at a different conclusion. Furthermore, even though there is agreement at the two levels of beliefs and values between Protestants and Roman Catholics, when it comes to the practical application, the exemplar, not only do

the Roman Catholics not agree among themselves, none of them agrees with the Protestant position held by all three Protestant Contextual Historicists. The difference between the Roman Catholics and the Protestants stems not from the beliefs and values, but from the symbolic generalization, that is, the equation for moral sex.

**e. Summary.**--There is disagreement between Roman Catholics and Protestants in the first component of a disciplinary matrix, the symbolic generalization. The equation for moral sex accepted by the Roman Catholics is different from the one used by the Protestants; in addition, the Roman Catholic Contextual Historicist equation for moral sex is also different from the traditional equation exemplified by the Roman Catholic Theistic Positivists. With an equation which is different from the Protestants, one might suspect a corresponding difference at the level of shared beliefs and values. However, this is not the case. There is agreement at these two levels between Protestants and Roman Catholics, with a movement once again on the part of the Roman Catholics away from the traditional position of moral theology. The only agreement of any kind at the level of the exemplar is among the Protestants. Among the three Roman Catholics there is no agreement. Curran views homosexual activity as a compromise situation;<sup>60</sup> Dedek cannot accept it, and is willing to excuse the occasional lapse on the part of one who is making an effort to avoid homosexual activity completely;<sup>61</sup> and Milhaven condemns it, appealing finally to the teaching authority of the Church,<sup>62</sup> contrary to the shared values of this group.

The shared values and beliefs of these two disciplinary matrices call for an examination of all relevant data that pertains to an ethical dilemma; after

gathering all the information available, a decision is made according to an inductive method. By its very nature, such a decision is only probable, but is the best decision possible in this particular set of circumstances. Why, then, does heterosexuality remain normative for Roman Catholics? Why is that term in the equation not challenged? Why have the Protestant writers examined the same data, hold the same values and beliefs, and then arrive at a different equation? The question raised by both Hindery<sup>63</sup> and Yoder<sup>64</sup> is more significant at this point than it was above: "How can disparate moral conclusions appear when identical sources of revelation are employed?"<sup>65</sup>

What appears to be taking place is a paradigm shift with these three Roman Catholic writers caught in the transition. They have moved beyond the Theistic Positivist position with its grounding of ethics on some external authority. Yet, these Roman Catholics are not able to accept the arguments or conclusions of the Protestant Contextual Historicists, even though the beliefs and values are shared. At the core of the anomaly of homosexuality is the additional term in the Roman Catholics' equation, heterosexuality is a norm for moral sex. None of these authors offers an adequate argument for retaining that additional term in the equation.

Contrary to the opinions of Curran, Gustafson, Crabtree, and others, this study maintains that the convergence in the historically conscious mindset has not affected the practical level of ethics to a significant degree when these approaches to homosexuality are considered. The convergence which is taking place, and which has been noted by these authors, is affecting the theoretical level of ethics. Roman Catholics and Protestants often theorize in the same manner. However, these Contextual Historicists come to critical differences at the practical level.

What must still be examined is whether the difference in thinking between the Roman Catholics and Protestants at the levels of the symbolic generalization and the exemplar is due to confessional affiliation. Related questions which must be dealt with are: If there is agreement at the level of values and beliefs between the Protestant and Roman Catholics, why is there such a fundamental disagreement on the very nature of human sexuality? What are the reasons why the Roman Catholic Contextual Historicists continue to maintain that heterosexuality is normative for human sexuality?

### C. ROMAN CATHOLIC CONTEXTUAL HISTORICIST ANOMALY

In the previous section it became clear that within the Theistic Positivist Disciplinary Matrix the greater discrepancy with the traditional confessional position was on the part of the Protestant writers; that is, the Protestant Theistic Positivists were the ones who had moved away from the traditional Protestant position, whereas the Roman Catholic Theistic Positivists remained consistent with their own tradition. Such a move on the part of the Protestants had been predicted by other authors, noting the tendency on the part of conservative thinkers to adopt the values and beliefs that appeared in the Theistic Positivist Paradigm.<sup>66</sup> However, the discrepancy within the Contextual Historicist Disciplinary Matrix was more evident between the group of Roman Catholic authors and their tradition. Why did the movement of these authors not carry them to the same conclusions held by the Protestant Contextual Historicists?

## 1. Components of Ethical Theory

This section will examine the various components of ethical reasoning to determine where these Roman Catholics differ from the Protestants. The individual components are those which appear in the writings of these authors--the ethical foundation and operative philosophy, the use of the social sciences, the ecclesial context, and the use of Scripture.

**a. Ethical Foundation and Operative Philosophy.**--Being sensitive to historical development is an important element in Curran's ethical theory. Such a sensitivity to historicity views the individual as somewhat self-creative, self-directed, influenced by many different aspects.<sup>67</sup> Curran develops his five-fold stance with historicity in mind.<sup>68</sup> With regard to his basic ethical framework he writes:

On the level of ethical model I prefer to accept an ethical model of relationality and responsibility as a third model distinguished from both teleology and deontology. Such a model seems to be more in keeping with both theological and ethical data. Theology views the life of grace and the reality of sin primarily in terms of relationships, as is evident in the concepts of covenant and love.<sup>69</sup>

In Dedek's ethical theory an important aspect is that each individual must be responsible. Being responsible is contrasted with waiting for God's intervention, or succumbing to fate.<sup>70</sup> Consistent with this appreciation for individual responsibility is Dedek's insistence on the freedom of the individual's conscience, even in the ecclesial context.

[...] The individual in giving obedience to legitimate authority cannot abstain from judging about his own actions. He cannot mechanically obey the law made by legitimate authority as if the law will always and necessarily prescribe the true moral good and proscribe the genuine moral evil. Laws made by legitimate authority are not necessarily and automatically good.<sup>71</sup>

Milhaven contrasts the old methodology with the new in Christian ethics. One of the distinguishing elements is the starting point of the new morality—human experience. Human experience falls into two categories: "[...] The direct experience of individual realities here and now present to the individual person, and the indirect cumulative experience a person has of continuing patterns of factual consequences."<sup>72</sup> To derive moral guidelines or principles from human experience one must proceed in an inductive manner, as contrasted with a deductive method which was characteristic of the old morality. Finally, with the different starting point the new method also emphasizes love, a love which leads to responsible moral activity.<sup>73</sup>

One of the difficulties in evaluating Harrison's writings is that she does not articulate a theory. She does admit, however, that her starting point is in the present situation, primarily in those situations dealing with injustices.<sup>74</sup> From this starting point she reflects on the moral principles from the past, but applies them to the present only when they are still appropriate.<sup>75</sup> Thus, there is an acceptance of the central place of historicity in her theory; she does not accept the past merely because it is the way things have always been done. A final point of emphasis for Harrison is her contention that all things are interrelated. This interrelatedness applies particularly to individuals.<sup>76</sup>

As has already been noted, Nelson sees himself as a contextualist, defining that term in a very similar manner as Niebuhr defines his relational motif of ethics.<sup>77</sup> Thus, Nelson's position is very similar to that of Curran, with the same approach regarding the historicity of moral norms,<sup>78</sup> following an inductive method, beginning with the individual experience.

Pittenger follows suit and begins the ethical inquiry with the individual. "[...] A genuinely meaningful portrayal of man is possible only when one looks at, and talks about, the living, acting, feeling quality which we know in our intimate personal experience."<sup>79</sup> The individual, then, is not viewed in isolation, but primarily in terms of his or her relationships with others.<sup>80</sup> This human individual, like everything else in the universe, is in process; thus, Pittenger also would emphasize the historicity of ethical principles.

Though there is a wide variety in the articulation of the fundamental stance, there seems to be basic agreement between these Protestants and Roman Catholics that the starting point for ethics is the individual. Furthermore, the individual is not viewed in isolation, but within the network of relationships, hence the preference for a relational motif. Though the past is not ignored, it is carefully and critically examined since all of these authors maintain the basic historicity of moral principles and teachings. The method of moral reasoning itself would necessarily be inductive.

Also involved in the ethical foundation is the position these authors take with regard to the continuity between creation and redemption. The three Roman Catholics are well grounded in Thomistic philosophy and theology. Their educational background is within the Roman Catholic tradition.<sup>81</sup> Though their understanding of natural law is nuanced, avoiding some of the abuses of the past, there is an acceptance of an ontological position. This is most clearly articulated in Curran's works. He rejects an extrinsicist approach to morality, opting for an application of natural law within a relational-responsible motif.<sup>82</sup> While Milhaven and Dedek are not as precise on their own positions, they both are familiar with Thomism and seem to accept natural law.<sup>83</sup>

These authors' acceptance of a nuanced natural law would not be contradictory with historical consciousness, nor would it dictate a deductive method. Though it is a nuanced position, it is within the Roman Catholic tradition, as all of these Catholic authors try to demonstrate.

The three Protestant authors do not portray the same consistency with their own tradition. Surprisingly, they are more in accord with the Roman Catholic position. There is not an acceptance of creation being completely distorted when sin entered the world. These Protestant authors see creation being disordered, which is more in keeping with the traditional Roman Catholic position. While Harrison does not explicate her own theory in great detail she has several favorable comments toward natural law. She writes: "Here I want to stress that natural law ethics has usually been quicker to recognize the complexity of moral reasoning, and the range of matters to be considered, than has Protestant ethics [..]."84 This is not to say that she accepts the natural law tradition uncritically. Recognizing its weakness in the area of sexuality and those areas dealing with women's issues, she attacks both the arguments and the conclusions based on natural law that have become part of the Christian tradition.85 In addition to her agreement in general with the natural law position, she also seems to be in accord with the traditional Roman Catholic position in her view of sin and the condition of the world after the Fall.

Far more than we care to remember, though, the evil that we do lives on, after us. [..] In a world such as this, actively pursuing the works of love will often mean doing all we can to stop the crucifixions, resisting the evil as best we can, or mitigating the suffering of those who are the victims of our humanly disordered relations. In the midst of such a world, it is still within the power of love, which is the good news of God, to keep us in the knowledge that none of us were [sic] born only to die, that we were meant to have the gift of life, to know the power of relation and to pass it on.86

Thus, for Harrison, sin is present, but sin does not cause the complete distortion that has been characteristic of the Protestant tradition. Furthermore, the context for her writing is liberation theology which would affirm the value of individual works—creation can be improved through a piecemeal approach.

In a similar shift toward the traditional Roman Catholic position, Nelson acknowledges the abuses of natural law, but he is in fundamental agreement with the basic tenets of the theory.

The usual criticisms of traditional natural law are well taken--that it is overly rationalistic, that it tends to be time-bound, culture-bound, and static--and even the recent attempts to place it into a more dynamic framework seem to emphasize the intellect. Yet it is the functional prerequisites of society and the lessons of social experience more than the possession of an innate common rationality that best explain the phenomena to which natural law theories point. Indeed, the bulk of evidence from the social sciences--especially that concerning the interdependence of socialization and moral cooperation--points in this direction.<sup>87</sup>

Nelson also affirms that "the positive ethical claim upon us, then, is that we are to become what we essentially are. We are to realize in our actions and in our human becoming that communion of love."<sup>88</sup> Implied in this statement is that human existence remains ordered and good even after the Fall. Otherwise, it would make no sense to maintain that the individual is to become what one is. As is the case with Harrison, Nelson holds that after the Fall creation has not been completely distorted.

In his treatment of natural law Pittenger agrees with Harrison and Nelson. Pittenger writes: "As it happens, I am myself very sympathetic to the notion of 'natural law' and can see its profound value."<sup>89</sup> However, when it is abused natural law can then be reduced to "[...] a new variety of Jewish legalism of the worst sort."<sup>90</sup> Pittenger is also in agreement with the other two on the radicalness of

the effects of the Fall. He criticizes the position which views the individual as so depraved that only an intervention by God could bring salvation. Pittenger rejects this interventionist approach, maintaining his basic process philosophy stance. He writes:

[..] It is by the proper lure of the potentialities which are not so much inserted into the process from some remote source called "God," as ingredient in any and every occasion for decision through the mysterious but real patterning or ordering which cosmic love makes possible.<sup>91</sup>

The commonly perceived confessional differences with Roman Catholics accepting the continuity between creation and redemption and Protestants rejecting the continuity is not present in this group of authors. Both Roman Catholics and Protestants accept the continuity. As a consequence of this acceptance both groups also affirm an ontological or intrinsic morality . Since the basic structures of existence remain and are discernible to human reason, all of these authors also affirm the existence of natural law.

Though natural law is affirmed by all, the centrality of natural law in the ethical theory of these authors is different. It is here that the difference occurs along confessional lines--the degree of emphasis placed on natural law. For the Roman Catholic authors natural law is much more central than it is for the Protestants. The Roman Catholic authors write articles on natural law; natural law is explicit in their argumentation; they study the writings of St. Thomas; and they go to great lengths to show that their interpretation of natural law, as distinct from the magisterium's interpretation, is in line with the Thomistic tradition. The Protestant authors do not write about any of these concerns. While they affirm natural law they do not explicitly use it in their writings.

b. **Social Sciences.**--On the use of the social sciences in moral theology Curran acknowledges that in the past there was much suspicion on the part of Roman Catholics. This seems particularly ironic since "[...] Catholic moral theology has traditionally proposed a stance or posture which is open to the importance of the data of the sciences in the moral judgment."<sup>92</sup> Curran himself draws on the social sciences in his ethical reasoning.<sup>93</sup>

Dedek does not theorize on the use of the social sciences in ethics. However, he does make use of them in his writings.<sup>94</sup> Such a usage is consistent with his overall theory of ethics which draws heavily on the natural law tradition. Such a tradition maintains there is a basic objective order in human existence, and the social sciences would be one tool in the better understanding of reality.

The starting point in ethics for Milhaven is human experience. There is an immediate positive association with the social sciences.

Since the behavioral scientist, too, concerns himself with clearly delineating significant data of experience, he, too, can do genuine ethics and, by virtue of his science, can do a kind of ethics that the ethicist who happens not to be a behavioral scientist cannot do.<sup>95</sup>

Harrison is another of the writers who does not elaborate a theory justifying the use of the social sciences. Instead, she simply uses them when appropriate. Working out of the liberation perspective which focuses on the human struggle, Harrison sees the social sciences as another means to comprehend the present situation. She notes that some of the changes in ethics have come about through "[...] basic paradigm shifts in social scientific concepts of the nature of our sexuality."<sup>96</sup>

Nelson makes his position very clear. He writes: "Christian ethics, then, is best understood as a discipline interdependent with both theology and 'worldly

wisdom,' and in regard to the latter the social sciences play a key role."<sup>97</sup> Nelson does more than just consider the social sciences at the theoretical level; in his treatment of homosexuality he relies heavily on the findings of the social sciences.<sup>98</sup>

As such, Pittenger does not deal with a theoretical consideration of the merits of the findings of the social sciences in Christian ethics. His starting point for ethics is the human experience. The generalizations which are formulated from a reflection on this experience always return to the same experience for corroboration.<sup>99</sup> From his explanation of the process of moral reasoning, the use of the social sciences is not excluded; on the contrary, the social sciences help organize the immediate experience. When applying his method to the issue of homosexuality, he makes reference to the findings of the social sciences, though he does not go into detail.<sup>100</sup>

With regard to the use of the social sciences in ethics there is not disagreement between these Protestants and Roman Catholics. Both hold that the starting point for Christian ethics is the human experience. The social sciences are helpful in organizing the data of that very same experience. Not only is there no disagreement between the two, but there is also no suspicion toward the social sciences on the part of the Roman Catholics, as there was in the past.

**c. Ecclesial Context.**—The foundation for an ethical theory and the philosophy which undergirds both the initial postulates as well as the methodology are essentially interwoven with an author's perception of the ecclesial context. If one begins the ethical search with a particular individual or community, taking into account all the unique circumstances and consequences, one can not step back from

the initial examination and simply draw on codified statements from the past. Codified statements are part of the present reality, one of the "circumstances," but these statements must be examined for their continued appropriateness along with the rest of the relevant ethical data. The foundation, the "final court of appeal," for Christian ethics can not be an ecclesial statement, according to these authors.

Curran places the ecclesial statements within the broader context of God's ongoing activity. "The Spirit and the law of the Spirit must always remain supreme in the Church. The legislator must always conform himself to the call of the Spirit."<sup>101</sup> When considering particular issues, the call of the Spirit may not be that clear. Often as the issue becomes more specific, the certitude of the moral judgment becomes less certain. This is the theological basis for dissent from particular ecclesial statements: "[...] The impossibility of achieving absolute certitude in the light of the complex elements [is] involved in any specific moral judgment or teaching."<sup>102</sup> This is not to say that the ecclesial context is unimportant in discovering moral answers. Curran's emphasis is that there is a responsibility with all members of the ecclesial community to search for the truth, to listen to the Spirit of God. Such responsibility is not the exclusive domain of the leadership.

It is within Dedek's explanation of the role of the individual conscience that he considers the relationship between the individual and the community. Concerning an individual's conscience he writes: "God's will is always normative for it, and this will is not found solipsistically but in a Christian context, that is to say, in a *koinonia*, a community engaged in conversation."<sup>103</sup> Dedek's views are very similar to Curran's in this matter.

Milhaven is not as clear as the other two Roman Catholics. He too agrees that the ecclesial context is important. He also considers the possibility of dissent, the consideration taking place over the issue of birth control. He writes: "To outweigh the authority of the encyclical, powerful, positive reasons must be found showing it to be in error."<sup>104</sup> Milhaven continues to point out all of the various approaches that have been taken to demonstrate the errors in the encyclical. Yet, Milhaven himself does not come to the same conclusion. In fact, Milhaven does not conclude one way or the other. He merely encourages the particular couple to conclude for themselves.<sup>105</sup> Of the three Roman Catholic authors Milhaven seems to place more weight on the formal ecclesial statements than do the other two. However, even he will accept the possibility of dissent from those statements.

What remains unclear in his writings is the precise role of the teaching authority. Following his consideration and condemnation of homosexuality Milhaven acknowledges that for many Christians there is a simple acceptance of the Church's teaching. Milhaven then goes on to say, "[...] this is a better way than relying on the evidence of the psychiatrists and psychologists of our secular community."<sup>106</sup> This is a different position from Curran's and Dedek's. There is an implication in this statement by Milhaven that the church leaders can ignore the findings of the social sciences in this matter. Such a position has far-reaching implications. Is Milhaven dissatisfied with the findings of the social sciences? If so, what criterion is used to judge these findings? If church authorities do not accept the findings of the social sciences, where does knowledge of the human situation come from? Milhaven does not deal with these issues and the confusion in his theory still remains.

Like the three Roman Catholics Harrison also sees the individual within a community. However, there is no evidence in Harrison's writings of an ecclesial teaching body with a unique role. Most of her concern focuses on the application of moral principles formulated in the past. Her concern is with the manner of application, not on the type of authority exercised.<sup>107</sup>

The community is also important for Nelson's understanding of the ethical quest.<sup>108</sup> Similar to Harrison's thinking, the authority in the community is not the center of concern. What is of concern for Nelson are the principles which are used to help in solving the moral problems with which individuals must deal. These principles

[..] are the patterns of moral wisdom which are part of the Christian's conscience through the mediation of the Christian community. They are experientially based, historically grounded patterns which the Christian takes with great seriousness even while realizing that they are earthen vessels.<sup>109</sup>

These principles are taught by the community, and they are constantly reevaluated by the community. An individual can go against them, but that individual must bear the responsibility of going against the collective wisdom of the community.

The ecclesial context is not as emphasized in Pittenger's works as it is in the works of others, though he does acknowledge that the community is a factor in the ethical thinking of the Christian.<sup>110</sup> Along with the other Protestants there is no mention of a particular authority in the community.

In their consideration of the nature of the ecclesial context differences surface between the Roman Catholics and the Protestants. Both maintain that the community itself is important. However, the Roman Catholics maintain the need for a teaching office in the community—a need for the magisterium. Such a concern is not evident in the Protestant Contextual Historicists. Clearly, the

Roman Catholics' position on the magisterium is not the same as the traditional position which tended toward positivism. Each of these Roman Catholics mounts a substantial argument justifying an individual's dissent from official teaching; in fact, each of them is in disagreement with various aspects of the Church's official teaching.<sup>111</sup> With the Protestants there is no mention of dissent.

**d. Scripture.**—Curran maintains that Scripture does provide the ethicist with general themes which are important in understanding human existence, though Curran reacts strongly against the use of Scripture in a "proof text" fashion.

Obviously the Christian ethicist derives his general orientation from a scriptural base and realizes the importance of particular attitudes and ways of life which are contained in the Scriptures. However, in the case of specific conclusions about specific actions Christian theologians realize the impossibility of any methodological approach which would develop its argument only in terms of individual biblical texts taken out of their context.<sup>112</sup>

Dedek seems to be in agreement with Curran. Dedek himself does not elaborate on his own use of Scripture, though he does hold that "it would be a fundamental misunderstanding of the gospel to interpret the mission of Christ moralistically, as if Jesus came primarily to teach men a moral code and to help them to live good lives."<sup>113</sup> In his book Contemporary Sexual Morality he considers the pertinent scriptural passages, but his conclusion is not based on them. In his article on homosexuality he makes no mention of Scripture.<sup>114</sup>

The approach of Milhaven is similar to Curran and Dedek. Milhaven sees two sources for the Christian's data for ethical decision making.

The Christian, facing an ethical decision, must turn to God's Word as recorded in the Bible, and he must turn to God's purpose as manifested in the realities He created. [..] To listen to God's Word, it is not enough to read sentences out of the Bible, especially if we understand them without

a twentieth century mentality and take them as direct answers to our twentieth century questions.<sup>115</sup>

Harrison's thinking on the place of Scripture in Christian ethics is identical to the others. She is certainly against the abuses of the past, noting particularly those within her own Protestant tradition, abuses which used a "proof-text" approach.<sup>116</sup> Aside from stating abuses, however, she does not articulate what would be the proper use of Scripture.

There is more development in Nelson's writings on the role of Scripture. He also acknowledges that there were abuses in the past.<sup>117</sup> The proper use would be studying the general themes of the Bible, themes which provide general perspectives but not specific injunctions.<sup>118</sup>

Working out of his process philosophy background, Pittenger begins his ethics from immediate experience.<sup>119</sup> He, like the others, sees general themes in Scripture, and, also like the others, does not accept a lifting of texts out of their context.

[...] Ancient codes, commandments, and the like have no absolute significance; they are the setting down of what our ancestors understood to be their duty and this (as we have seen) meant their particular way of responding to the divine imperative to live and act in love.<sup>120</sup>

On the use of Scripture in sexual ethics there is agreement between the Protestant and Roman Catholic Contextual Historicists. All agree that Scripture has been misused in ethics, particularly when texts were taken out of context as is the case in some forms of positivism. The final ethical ground in this type of positivism is the isolated text itself. The Contextual Historicists maintain the importance of Scripture in ethics, for it is there that the ethicist's faith perspective, general biblical themes, and God's ongoing activity with His people are found. All are important elements in the ethical quest.

e. **Summary.**--When these four components of ethical reasoning are examined, differences in two of these components remain between the Roman Catholics and the Protestants. Differences are found in the accepted ethical foundation and operative philosophy as well as in the understanding of the ecclesial context. However, in these four components there are no clear confessional differences running through all four. In the use of Scripture in ethics these Roman Catholics remain within the traditional Catholic position; the Protestants are not in accord with their tradition of sola scriptura. In the social sciences the Roman Catholics are in line with their tradition; the Protestants show some movement away from theirs, though the Protestant position is not explicit in the tradition and can only be derived from the belief in the radical distortion of creation. In the ethical foundations and operative philosophy the Roman Catholics remain within the tradition, though their position is nuanced; the Protestants show quite a substantial break at this point with their own tradition in that they accept natural law. In the final component, the ecclesial context, both Roman Catholics and Protestants are consistent with their own tradition and differ from each other.

What becomes clear is that these Roman Catholics see themselves within the Roman Catholic tradition in each of the four components. The three Protestant writers are the ones who diverge from the traditional Protestant positions in all but one of the components. It is only in their understanding of the ecclesial context that both groups maintain the confessional differences.

To return to the question why there is a difference between Roman Catholic and Protestant Contextual Historicists on the nature of moral sex, the study of the four components has helped narrow the question. In the disciplinary matrix the difference appears at the two levels of symbolic generalization and

exemplar. Now, following the examination of the four components of their ethical theories it is more evident that the unanimity on the two levels of values and beliefs is not as complete as was first believed. In fact, when the philosophical and ethical foundations are studied, subtle differences appear. Likewise, in their consideration of the ecclesial context the confessional differences remain.

Are these two differences--at the level of philosophical and ethical foundations, and the level of ecclesial context--the source of the distinct equations of moral sex? More pointedly, at the level of the philosophical and ethical foundations, if both Roman Catholics and Protestants accept natural law, why do these Catholics hold to the normativeness of male/female in sexuality, and these Protestants do not? Are the subtle distinctions found between the Roman Catholics' use of natural law and the Protestants' use sufficient to explain the difference in the equation? To answer these questions it is helpful to examine the two group's use of natural law, and, at the same time, to see what reasons the Protestant authors give for not accepting the conclusions of natural law tradition in homosexuality.

## 2. Development of Theory on Homosexuality

**a. Roman Catholic Contextual Historicists.**--Among the three Roman Catholic authors Curran has the most elaborate explanation and critique of homosexuality. He traces the history of natural law thinking in this area, acknowledging the many mistakes that are present. He also examines the scriptural evidence. At the heart of the argument is the male/female norm for human sexuality. He states his conclusion:

I would agree that historical circumstance could have influenced the condemnation of a particular form of behavior. Likewise, it is possible that the Christian tradition could have been wrong at a particular point. However, there seems to be no sufficient evidence for such a judgment in the case of homosexuality. Despite all the methodological shortcomings and one-sidedness of the natural law approach proposed by Aquinas, it still seems to correspond to a certain human connaturality condemning homosexuality as wrong.<sup>121</sup>

For Curran, to move away from the male/female norm and accept homosexuality would be to reject an intrinsic form of morality. Curran does not recognize a third option which sees a new norm. This new norm would be based on human relationality, a norm which would still be intrinsic to the structures of human existence but would not be based on the structural polarity of male/female. Rather, with the rejection of the male/female norm he believes that the human person and human relationships do not have meaning in themselves, are morally neutral.<sup>122</sup> Hence, he is not able to move to full acceptance of homosexuality as the Protestant Contextual Historicists do.

In his concluding statement on the morality of homosexuality Curran seems to leave the argument open-ended. At the present time there is "no sufficient evidence" to warrant a change in his thinking. He accepts the male/female structure in creation though he does not elaborate his arguments supporting such a position. While critiquing the abuses in various aspects of the natural law tradition he still uses that tradition as the basis of his argument.

Dedek's position on homosexuality is based on the essential connection between sex and procreation. "Human sexuality is not just for loving. It is for a special kind of loving, the kind that is creative of new beings like ourselves."<sup>123</sup> In one of his more scholarly articles examining Aquinas' thought and the natural law tradition Dedek succinctly states the traditional Roman Catholic position on the

purpose of sex in the context of the condemnation of premarital sex. Premarital sex is wrong because "[...] it is opposed to the natural purpose of sexual intercourse, which is the generation and education of a child."<sup>124</sup> If this is the conclusion of natural law then homosexual activity can not be moral. Dedek goes on to say that natural law protects the common good and avoids a common danger. "Hence there is no room for individual discretion or exception-making."<sup>125</sup> What Dedek does not consider are the reasons which lead to the natural law conclusion. He does not consider the argumentation; in his article on homosexuality he merely accepts the tradition.

Milhaven also comes out of a natural law background. Though, like the others, his position is not uncritical. He has a detailed critique of Aquinas' position on sexual pleasure. In that article Milhaven points to what he considers the central flaw in Aquinas' thinking: "The crucial reason for sexual pleasure's lack of intrinsic value is that it has in it nothing resembling rational knowledge. Unlike higher sense pleasures, it is grounded in pure sense knowledge that has no share in reason."<sup>126</sup>

In another article Milhaven emphasizes the need to base one's ethical reason on human experience. One of the examples he uses in the article is an individual's perception of homosexuality.

If a given individual's factual assumptions concerning homosexuality are shown to have no support and go against the prevailing scientific evidence, his only reason for refusing to integrate the confirmed homosexual into community life is that he does not care much about him. [...] He has little hope of finding an objective answer as long as he has little objective appreciation of the worth of the homosexual as a person and the evil of his social ostracization.<sup>127</sup>

The same emphasis on experience is found in Milhaven's book review of John J. McNeill's The Church and the Homosexual.<sup>128</sup> In that review Milhaven commends

McNeill's approach to the gay question, an approach based on "[...] real life experience, collated by the human sciences, gleaned from pastoral ministry, or witnessed to by individual homosexuals [...]."129 Milhaven himself, in agreement with McNeill, does not base his argument concerning homosexuality on the natural law tradition. "The condemnation of homosexuality as unnatural rests on a kind of metaphysical thinking that is no longer generally accepted by Catholic moral theologians."130 Toward the end of the review Milhaven asks the question:

What would happen if the church--authorities, theologians, laity--told the truth and admitted we do not know the answer to the homosexuality question?

If the church does not know, the individual is free and obliged to muster all the honesty and care he or she can to draw practical conclusions for himself or herself.131

Milhaven's review article was published in 1976. Four years later in 1980 he republished his 1968 article "Homosexuality and the Christian" with only minor changes.132 The overall condemnation of homosexuality remains in the 1980 article. In the review article of 1976 Milhaven's question challenges the traditional teaching and allows for the individual homosexual to make an individual decision in this area. However, four years later he does not acknowledge that possibility.

**b. Protestant Contextual Historicists.**--These Protestant authors, with the exception of Harrison, have been able to trace the development in their own understanding of homosexuality. In Harrison's case, movement in her thinking is not as evident, although it is possible to trace her thinking.

Harrison sees the ethical objection to homosexuality resting on the male/female norm of sexual ethics; that is, since moral sex ought to be between a man and a woman, homosexual activity must be immoral. However, Harrison

believes that the male/female norm is "[...] predicated upon the view that male and female are fundamentally different, even 'opposites,' and that maleness is superior."<sup>133</sup> This position is rejected by Harrison since male and female are equal. In her thinking, once male and female are seen as equal there is no longer a basis for the male/female norm in sexuality, and, therefore, no longer any basis to condemn homosexuality. After removing the condemnation, she advances to a positive acceptance: "Only the collective affirmation of gay experience as positive can offset the power of social stereotype."<sup>134</sup>

Although some of the transitions and steps in her argumentation are underdeveloped, her basic thrust is clear. Her concern is with a group of people who are oppressed, namely, gays. She acknowledges the male/female norm, but sees no reason to maintain it. Furthermore, the same positive reasons that encourage heterosexual activity are equally applicable to homosexual activity.

Nelson admits that his own "journey" began as a teenager with all the standard anti-gay stereotypes. Later he moved to the rejecting-non-punitive position. This position maintains the male/female norm for human sexuality, and because of this norm homosexual activity is immoral, violating the essential nature of things. (Nelson's acceptance of natural law made this position all the more tenable.) He continued into the qualified acceptance position, a position which acknowledges the male/female norm but recognizes that it is not possible for the individual homosexual to live according to that norm. Yet, in this position, homosexual activity is permitted by way of exception or compromise. Nelson describes his own journey:

Having moved somewhat later into the rejecting-non-punitive and then the qualified acceptance positions, several personal friendships with remarkable gay Christian people jarred me into further reflection. I came

to believe that nothing less than full Christian acceptance of homosexuality and of its responsible genital expression adequately represented the direction of both gospel and contemporary research.<sup>135</sup>

It seems significant that what was needed to "jar" Nelson away from the male/female norm was the experience of gay people. Characteristic of the full acceptance position is "[...] the conviction that same-sex relationships can richly express and be the vehicle of God's humanizing intentions."<sup>136</sup> Seeing God's humanizing intentions concretized in living gay persons caused Nelson to abandon the male/female norm.

Pittenger's journey has been similar to Nelson's. Beginning with an affirmation of natural law and the principles of moral living that have been derived by such great thinkers as Thomas Aquinas (explicitly mentioned by Pittenger), Pittenger still feels that in the area of homosexuality the past is wrong.<sup>137</sup> His own preference for natural law has already been noted. In the issue of homosexuality, however, the natural law principle of male/female normativeness is reflected by him.

It is not as obvious in Pittenger's thinking that the reason he came to the full acceptance of homosexuality was his association with homosexuals, though this association is present. He writes:

Thanks to the publication of the books to which I referred earlier, I have come to know well several hundred men and women who are admittedly homosexual in their desires and drives. I have found them for the most part in every way as decent, honorable, and splendid as their heterosexual brothers and sisters, sometimes (I confess) rather more so, since they do not have the heterophobia which is the opposite of the homophobia often found in the heterosexual. [...] I can think at this moment of some fifteen male couples who have lived together, in the complete sense of that word, from five to twenty-five years in utter happiness, genuine love, and remarkable generosity of spirit. [...] According to the possibilities which are theirs, they are entirely normal; they are not deviant, but obviously they are different.<sup>138</sup>

Pittenger's thinking is almost identical to Nelson's. Both are aware of the natural law tradition which held that the male/female norm was decisive in human sexuality. Both have rejected that norm in the face of good, committed, virtuous homosexual couples who do not live according to that norm, have rejected that norm in the face of the anomaly of the homosexual couple. In Harrison's case the norm is also rejected because it is grounded on the inequality of men and women. All three authors recognize the male/female norm, but all three reject it in the face of contradicting evidence.

### 3. Summary of Confessional Differences

#### Among Contextual Historicists

These six Contextual Historicists have an appreciation of natural law. All six are critical of specific conclusions based on natural law thinking. All six see the importance of grounding Christian ethics in human experience. However, there is a significant difference between Roman Catholics and Protestants on the degree of acceptance and the centrality of natural law. When the Protestants considered homosexuality the evidence of the individual homosexual couples caused the authors to abandon the male/female norm. In abandoning that norm they did not slip into an extrinsic morality, a concern of the Roman Catholics.

The Roman Catholic authors do not explicitly accept the arguments of natural law concerning homosexuality, though, they do accept the conclusions. For the Roman Catholics the weight of the evidence of homosexual couples is not sufficient to warrant a change. Thus, critical differences remain at the practical and theoretical levels of ethics between Roman Catholic and Protestant

Contextual Historicists even in the midst of the convergences noted at the beginning of this chapter.

Such a significant discrepancy between Roman Catholics and Protestants would be unfathomable if ethics were nothing more than decisions based on an accumulation of factual data gathered from the social sciences, or solely on the proper interpretation of Scripture, or on a sound ethical stance, or on a proper understanding of the ecclesial context. However, ethics involves much more. An author's ethical theory is one part of his or her world view, his or her paradigm. As was noted in the previous chapter, the paradigm

[...] embodies the sense that activities are defined and controlled by tradition, and that tradition consists of a set of devices, or principles, that have proven their ability to order the experience of a given social constituency. An operative tradition provides a community with criteria to distinguish one activity from another, sets priorities among those activities, and enables the community to perform whatever common activities make it a community at all.<sup>139</sup>

An author's ethical theory is developed within such a framework, a framework which is much more than objective data. Gustafson considers some of the specific subjective elements which are involved in ethics:

A basic perspective toward life accents certain values and shadows others. Attitudes, affections, and feelings of indignation against evil, compassion for suffering, and desire for restoration of wholeness colour one's interpretation and judgement. Imagination, sensitivity, and empathy are all involved.<sup>140</sup>

When considering these subjective elements, it becomes clear that individuals from similar backgrounds, using similar methodologies, viewing the same situation may still arrive at disparate moral conclusions. Though such situations are understandable, it is not always possible to explain the source of the discrepancy. The subjective elements, the various "attitudes, affections, and feelings" of an author, are difficult to identify. It is the contention of this study

that these subjective elements are decisive in understanding the discrepancy on homosexuality within the Contextual Historicists.

The question which has remained suspended through most of this chapter is whether or not the various approaches to homosexuality found in the Contextual Historicists are based on confessional differences. It is now possible to answer that question. The different approaches are based on confessional differences. These confessional differences can easily be overlooked in the midst of so much agreement; yet, they are present. They are present both in the subjective realm, coloring attitudes, affections, and feelings; as well as in an objective world of written words, official pronouncements, and disciplinary actions. These confessional differences are discernible in two distinct, but connected, areas.

The first area concerns the centrality of natural law. All six authors accept natural law, but only the Roman Catholic authors write about natural law itself. They study and critique the writings of Thomas Aquinas, mount arguments against various specific conclusions of natural law taught by the magisterium, and critique the magisterium's interpretation of natural law. Only the Roman Catholics explicitly refer to natural law theology in their own argumentation. Indeed, natural law is a central part of the tradition of Roman Catholic moral theology.

Protestant ethics, on the other hand, has not traditionally accepted natural law. For these Protestant authors to use natural law in their moral method is to break with their own tradition. When appealing to natural law they operate in relative isolation from their Protestant peers as compared with any Roman Catholic moral theologian writing within the tradition of Thomistic theology. The Protestant author, regardless of how convinced she or he may be of the strengths

of the natural law position, does not have her or his imagination, sensitivity, and empathy colored by a tradition that, for all practical purposes, knows nothing else except natural law.

Within such a natural law framework the Roman Catholic moral theologian inherits a well-ordered system of ethics. To disagree with such a tightly knit system would require an overwhelming amount of evidence, particularly in such a fundamental area as the purpose of human sexuality. Within such a system of ethics it seems that the three Roman Catholic authors maintain the male/female norm because there is no compelling reason to change. The three Protestant writers, confronted with the lived experience of homosexual couples, see no compelling reason for maintaining the norm.<sup>141</sup>

The second confessional difference concerns the nature of the ecclesial context. Once again, subjective factors are operative and the actual difference is not immediately obvious. Clearly, the ecclesial structures are different for the Roman Catholics and the Protestants. However, each of these Roman Catholic authors, while affirming the need for a magisterium, defends the right of the individual to dissent from such teaching, maintains that both magisterium and theologians are under the one Spirit, and rejects any form of ethical positivism. If one were to stop at this point, the understanding of the ecclesial structure would be similar--not identical, but similar--to Nelson's and Pittenger's understanding. A distinguishing element would be the official teaching voice affirmed by the Roman Catholics (the traditional preference for no authoritative teaching voice still being evident in the Protestant writers, even though the Protestants also see the need for Christian ethics to be grounded in a Christian community). However, one cannot stop here. Once again, the imagination, sensitivity, and empathy of the Roman

Catholic author are colored by the presence of a magisterium, a magisterium which not only has authority but which also exercises that authority.

The exercise of that authority and the moral methodology used by the magisterium has been a source of conflict for theologians.<sup>142</sup> Many examples of such conflicts can be cited.<sup>143</sup> However, since homosexuality is the exemplar in the two Contextual Historicist Disciplinary Matrices the controversy around John J. McNeill's The Church and the Homosexual is the most appropriate example.

Following the publication of McNeill's book, the Sacred Congregation for the Doctrine of the Faith sent a letter to McNeill's Jesuit superior, Reverend Pedro Arrupe, S.J., ordering McNeill to be silenced. The letter from the Congregation serves as an apt example of both the method of moral reasoning used by the magisterium and the exercise of ecclesial authority, both of which are part of the subjective factors which influence Catholic theologians.

In the first part of the letter the Congregation quotes McNeill's description of the spirit and content of the book:

In their traditional presentation of moral obligation, Aquinas and Alphonsus Liguori, among others, always maintained nulla obligatio imponatur nisi sit certa. Given, as I believe, (1) the uncertainty of clear scriptural prohibition, (2) the questionable basis of the traditional condemnation in moral philosophy and moral theology, (3) the emergence of new data which upset many traditional assumptions, and (4) controversies among psychologists and psychiatrists concerning theory, etiology, treatment, and so on, there obviously is a need to open up anew the question of the moral standing of homosexual activity and homosexual relationships for public debate.<sup>144</sup>

It was for these four reasons that McNeill wanted to reexamine the issue of homosexuality.

The Congregation never addresses McNeill's four questions. His reasons for opening a new discussion are never dealt with. The Congregation merely states

that McNeill "[...] clearly and openly advocates a moral position regarding homosexuality which is contrary to—in theory as well as in practice—the traditional and actual teaching of the Church."<sup>145</sup> The methodology in the letter has positivist overtones. There is no discussion on the pertinent points, nor any attempt to explain the official teaching. The positivist attitude is evident in the argumentation that is used by the Congregation. The argument simply states that McNeill's position is different from the official teaching of the Church.

The letter concludes with disciplinary action against McNeill. "It seems urgent that Father McNeill be prohibited from any further appearance or lecture on the question of homosexuality and sexual ethics, or in promotion of the book."<sup>146</sup> In the end, he was silenced.

The examination of the confrontation between the magisterium and McNeill is offered as an example of the moral methodology used by the magisterium as well as an example of disciplinary action exercised by that same magisterium. The confrontation also serves as an example of what Thomas Kuhn calls incommensurate language, a case where both "[...] approach the same subject from incompatible viewpoints."<sup>147</sup> McNeill and the Sacred Congregation are considering the same human sexuality; yet, there seems to be no common basis of discussion or agreement. .

This example of McNeill is not meant to imply that it is the magisterium which is preventing Curran, Dedek, and Milhaven from developing a full-acceptance position on homosexual activity. However, it is within this context that these authors write. The context has the objective elements of a natural law tradition, repeated magisterial statements, and disciplinary action. It also has the subjective elements associated with the attachment to the tradition of natural law

and to the teaching office. These subjective elements color an author's thinking. Moreover, the disciplinary action also exerts subjective pressure. There is a pressure, sometimes subtle, sometimes explicit, brought to bear on any author differing from the traditional teaching. With authority being exercised in this manner it may be reasonable to assume that only overwhelming arguments could lead to the rejection of an official teaching of the Church. As noted above, the Contextual Historicists all recognize problems with the traditional teaching in sexual ethics, all recognize the presence of an anomaly, to use Kuhn's terminology. However, for the Roman Catholics, merely the recognition of the anomaly is not sufficient reason to abandon the tradition.

#### D. SUMMATION

There is widespread agreement among contemporary authors that there are two broad areas of confessional variation between Roman Catholics and Protestants. The first of these areas is concerned with ecclesial structures, specifically with the need for a teaching office in the church. The second is concerned with the continuity between creation and redemption which is the basis for the acceptance or the rejection of natural law. There is also considerable agreement that these two confessional differences are blatantly obvious among those authors who are of the classicist mindset, whereas those confessional differences are disappearing among authors of the historically conscious mindset. This study does not agree with this common perception.

For the authors within the Theistic Positivist Disciplinary Matrix there is much agreement, both at the theoretical level and at the practical level of sexual

ethics. Confessional differences are not so blatant. The foundation of ethics for these writers is an external authority. Which authority is a distinguishing point; however, once the authority is identified, the manner in which the authority is used is the same for both Roman Catholic Theistic Positivists and Protestant Theistic Positivists. This use of authority colors the Roman Catholics' appreciation of the function of natural law. Though they acknowledge its existence, a traditional confessional difference between them and Protestants, these Roman Catholic Theistic Positivists do not use natural law in their ethical reasoning. The appeal to authority is so strong that nothing else is needed. The traditional confessional differences do remain in that these Roman Catholics maintain the continuity between creation and redemption, whereas for the Protestants there is no continuity since creation is distorted after the Fall.

In the authors within the two Contextual Historicist Disciplinary Matrices the confessional differences still remain. Such a finding is at odds with other authors who perceive such a complete convergence taking place between Roman Catholics and Protestants. Yet, when these six representative authors are studied the differences are immediately obvious at the practical level of the equation of moral sex and with the exemplar of homosexuality. On closer examination differences also appear at the theoretical levels. However, the differences between the Contextual Historicists are more subtle than those between the Theistic Positivists. Particularly among the Roman Catholic Contextual Historicists, subjective factors seem to be influential. While considerable convergence is taking place between historically minded Roman Catholics and Protestants, as is noted by other authors, this study maintains that significant differences remain.

In the first area of confessional variations there is a difference between the Roman Catholic Contextual Historicists and Protestant Contextual Historicists in the understanding of the teaching office in the Church. Despite the qualifications and nuances that are made, including the right to dissent, these Roman Catholics still maintain the need for a magisterium. In the second area there is a difference in the understanding of natural law associated with the continuity between creation and redemption. The depth of commitment to a tradition of natural law and to the use of natural law in the ethical discourse is itself an influence on the Roman Catholics.

For the Contextual Historicists the two areas of confessional difference are closely linked. Roman Catholic moral theologians have been trained in Thomistic philosophy and theology, and they work within a tradition of natural law. To reject the intrinsic connection between sex and procreation and the male/female norm for human sexuality can have far-reaching consequences for all areas of human sexuality. Such a change in thinking is extremely difficult given the centrality of such propositions within the tradition. Complicating the matter further, the magisterium has continued to teach these basic propositions and has disciplined those theologians who have disagreed. Milhaven's struggles could serve as an example. When reviewing McNeill's book Milhaven asks:

But is it yet time for this change [to a full-acceptance position], much less for any new practical conclusions? Should the Church not maintain its traditional condemnation of all homosexual behavior until more evidence comes in and more thinking is done and it is certain that the condemnation is unjustified?<sup>148</sup>

For Milhaven, "Christian tradition has force even if its overt rationale dissolves."<sup>149</sup> This is an extremely important insight. Though such an assumption is implicit in much of the moral reasoning within Roman Catholicism, Milhaven

makes it explicit. The immediate implication, then, is that for Roman Catholics the burden of the argument rests with those who challenge the tradition. The tradition has a force and weight of its own.

For the Protestants, the subjective factors seem to lean toward independence and personal freedom. There is no universal disciplinary action possible within the Protestant traditions. For Protestants, therefore, the burden of the argument rests with those who maintain the tradition.

With these differences it is understandable that the Roman Catholic and Protestant Contextual Historicists would respond differently to the anomaly of homosexuality. The Roman Catholics make every attempt to remain within the tradition. They make every attempt to expand the disciplinary matrix of the group to include the anomaly. Such a process is described by David A. Hollinger.

Change is possible within the terms of an operative tradition [..] insofar as the elements of the tradition are, like principles or precedents in common law, able to expand their implications enough to deal with new experiences while not losing their identity. Such innovation within a tradition is energized by an essentially conservative instinct, to maintain the viability of tried-and-true ways of acting and thinking.<sup>150</sup>

This seems to be an appropriate description of the attempts of the Roman Catholic Contextual Historicists. In attempting to remain within the tradition the fundamental elements of the tradition are being stretched to their limits.

The response of the Protestant Contextual Historicists in the face of the anomaly is different. They recognize that the older disciplinary matrix is no longer capable of dealing with the current crisis. Hollinger describes what follows such a recognition:

Attempts to refurbish the old tradition are replaced by the conscious search for new and more functional devices of organization; tenacity and singleness of purpose are replaced by the intentional proliferation of alternatives.<sup>151</sup>

The Protestants have seen the need to expand the older disciplinary matrix around a different definition of moral sex.

When dealing with the question why different moral conclusions are reached when the same sources of revelation and human knowledge are consulted, John Yoder answered that the difference stems from the axioms, that is, the subjective context, out of which people relate to the sources.<sup>152</sup> Within the Contextual Historicists there are different moral conclusions in the area of homosexuality. The same sources of knowledge are consulted and, for the most part, the same ethical methodology is used by both Roman Catholics and Protestants. However, the axioms themselves involved in relating to the sources of knowledge are different. The differences are found both in the depth of attachment to the natural law tradition and in the expectations of the role of the teaching office.

## POSTSCRIPT

Since the findings and conclusions of this study have already been exposed in Chapter Six, a "Postscript" rather than a "Conclusion" seems to be in order at this point. Within this final section there are two principal considerations. The first recounts the conclusions of this study. Throughout the final two chapters some of the common wisdom of theological circles is impugned. In the course of this discussion numerous questions are raised and answered. It will be helpful to collect here the challenges, questions, and answers in as succinct a manner as possible. The second consideration is a further development of the two concluding concerns, or hopes, of the Introduction. These two concerns are that the ecumenical dialogue may be strengthened, and the hope that differences and problems identified in the ecumenical dialogue may be examined in future works.

This study begins with a challenge to the common wisdom which suggests a convergence of Roman Catholic ethicists and Protestant ethicists in the field of sexual ethics. The common wisdom maintains several positions. First, there is the opinion that between writers of a positivist bent the traditional confessional differences between Catholics and Protestants still remain. Furthermore, these differences are identified by the common wisdom as constellated around the role of a teaching office in the community and around the relationship between creation and redemption.

A second position maintains that theoretical differences are more significant between positivist writers and contextual (or historicist) writers than between Roman Catholics and Protestants. The third position, put forward by the common wisdom, holds that such a great convergence is taking place between

contextual Roman Catholic and contextual Protestant writers that the lingering confessional differences are no longer significant.

When the writings in sexual ethics of the selected twelve representative authors are examined in this study, it is seen that there is a certain basis for the three claims put forward by the common wisdom. However, the findings of this study are at odds with two of those claims.

The first variance concerns the belief that confessional differences remain among positivist writers. The findings of this study do not substantiate such a claim. Roman Catholic Theistic Positivists and Protestant Theistic Positivists studied in this work demonstrate the same mindset, the same world view, and the same disciplinary matrix on almost every point in their ethical theory. The only significant difference is to which authority they appeal. The way the authority is used, namely, in an uncritical, positivist manner, is identical for both the Roman Catholic Theistic Positivists and the Protestant Theistic Positivists. This study identifies only one disciplinary matrix for all six Theistic Positivist authors. These writers theorize about sexual ethics, and they apply their theories in a very similar manner.

The results of this study corroborate the second belief of the common wisdom, namely that differences between positivists and contextual historicists are more significant than the differences between Roman Catholics and Protestants. Both Roman Catholics and Protestants are included within the single paradigm, the Theistic Positivist Disciplinary Matrix. Also, though there are two disciplinary matrices for contextual historicists, one for Roman Catholics and one for Protestants, there is much agreement at many levels, with disagreement between Roman Catholics and Protestants only when the equation for moral sex is the issue.

Whereas between the Theistic Positivist Disciplinary Matrix, on the one hand, and the two Contextual Historicist Disciplinary Matrices, on the other, there is practically no agreement on any level. Thus, there is reason to maintain, as the common wisdom does, that the more significant differences are no longer found between Roman Catholics and Protestants but between positivists and contextual historicists.

It is in examining the third position of the common wisdom that the most striking discovery is made. The third position maintains that in the contextual historicist mindset confessional differences are no longer significant. This study demonstrates that among these six Contextual Historicists there is general agreement at the level of ethical theory, this is in accord with the common wisdom. However, it further demonstrates that there is little agreement at the level of the practical application, and this is at odds with the common wisdom. Given such notable agreement at the theoretical level, the differences at the level of practical application between Roman Catholic and Protestant Contextual Historicists become even more anomalous. Furthermore, this study shows that the basis of the disagreement at the level of practical application is still rooted in the two traditional confessional differences, though in very subtle, nuanced ways.

The first confessional difference identified by contemporary authors is the role of a teaching office in the community. This confessional difference continues to be a subjective influence on Roman Catholic writers. Such an influence is felt both in the mere presence and in the long-standing tradition of a strong, central teaching office as well as in the disciplinary actions of that same office, actions used to maintain conformity from dissident thinkers. It is further shown that the second confessional difference, the relationship between creation

and redemption, is still a powerful determining force in the writings of the Roman Catholic Contextual Historicists. For these writers the continuity between creation and redemption is the basis of natural law, and this same natural law has been the basis of Roman Catholic moral theology. The weight of such a tradition, while difficult to calculate, is still very influential. In the field of sexual ethics, natural law theology and the tradition of natural law exert such a pressure on a theologian that some of the basic tenets of a theory of sexuality can remain unchallenged. The uncritically held tenet of natural law moral theology which is an issue in this study is the normative nature of the male/female polarity for sexual ethics. The Roman Catholic Contextual Historicists all maintain this division, a division which causes their consideration of homosexual activity to differ significantly from their Protestant counterparts.

In summary, this study disagrees with two of the claims put forth by the common wisdom. This study maintains that between positivist writers there are hardly any significant confessional differences, and that between contextual historicists confessional differences still are determinative.

With the recounting of this study's conclusions completed, it is now possible to return to the hopes expressed in the Introduction of this work. Do the findings of this study hold out any encouragement for the future of the ecumenical dialogue? Are there problems which have been identified by this study which still need to be dealt with before convergence in Christian ethics may become a reality?

To begin, it is important to maintain the distinction of the three separate disciplinary matrices, a distinction which results from the application of Kuhn's theory of scientific paradigms. Such a distinction makes a discussion on the

ecumenical dialogue in Christian ethics manageable. Instead of dealing with broad, vague notions, it is possible with the disciplinary matrices to isolate some of the trends toward convergence in the dialogue as well as some of the stumbling blocks.

Within the Theistic Positivist Disciplinary Matrix there is an inherent difficulty which will continue to block any real dialogue. This inherent difficulty in the positivist mindset is the uncritical reliance on an external authority as the basis of Christian ethics. With such a foundation true dialogue is not possible since true dialogue implies a willingness to discuss, to search with others. It implies that truth is to be sought, and that truth is only partially understood at any given moment. True dialogue, then, will appeal to more encompassing systems of logic, or will draw on new data, or will reassemble old data in new ways in order to "convert" the other. The positivist mindset, however, is not able to do any of these things. The only way this barrier to dialogue can be overcome is for the disciplinary matrix itself to be abandoned.

The positivist mindset is a fragile, closed system, and any change would bring about the collapse of the entire superstructure. There can be no appeal to broader principles of logic, since systematic argumentation is not a central methodological element in this system of ethics. The central issue in this system is simply the external authority itself. This external authority, whether it be Scripture or the magisterium, is used in such a way by the positivists that the possibility of change or development is denied.

This is not to say that there can be no agreement between Roman Catholic and Protestant Theistic Positivists. Quite the contrary is true. There is often much agreement, particularly in the area of sexual ethics. The presence of agreement, however, does not imply dialogue. Agreement does not necessitate an

exchange of ideas, nor a development of thought. In fact, due to the polemic nature of the argumentation, and due to the different external authorities, Roman Catholic Theistic Positivists would not even admit that they are in agreement with Protestant Theistic Positivists.

A further complication comes to light when considering the positivist mindset. Obviously, a new mindset has already developed. This new mindset, the contextual historicist mindset, attempts to deal with the numerous anomalous situations which surface within the positivist mindset. Such a realization makes it clear that the positivist mindset is passing away. Due to the nature of the constitutive elements of the disciplinary matrix itself, there is no point in encouraging dialogue within that mindset. Therefore, an ecumenical dialogue among positivists will produce few worthwhile results.

There is more hope for meaningful dialogue to be found within and between the Roman Catholic Contextual Historicist Disciplinary Matrix and the Protestant Contextual Historicist Disciplinary Matrix. Among the Protestant writers in this study there is ample evidence of their dialogue with their own tradition, with the social scientists, with the Scripture scholars, and with their Roman Catholic counterparts. The three Protestant authors trace their own process of development and expose those factors which have influenced their "conversion." This dialogue on the part of the Protestant Contextual Historicists seems genuine, that is, the opposing or enhancing views are taken into account and, where necessary, an author's theory is changed to reflect the new insight. This does not mean that these authors have simply abandoned their tradition, nor have they jettisoned all moral principles. For these authors, traditional moral principles have a great deal of weight. However, if there is sufficient evidence to indicate

that a change may be necessary, these authors seek to formulate those new principles which incorporate the new data surfacing in the dialogue.

The presence of genuine dialogue is evident among the Protestant Contextual Historicists not only at the theoretical level, but at the level of practical application as well. For all three, the theories of Christian ethics and of human sexuality are similar, and for all three, the applications to the issue of homosexual activity are identical. Even in the application itself, each author is concerned that the conclusions regarding homosexuality square with the lived reality of the homosexual Christian, including in the dialogue the moral agent who is responsible for the final decision.

Since the specific topic at hand is the ecumenical dialogue taking place in sexual ethics, it is not sufficient to merely examine the Protestant Contextual Historicist Disciplinary Matrix. For ecumenical dialogue to be taking place there must be discussion with the Roman Catholic Contextual Historicists.

Within the Roman Catholic Contextual Historicist Disciplinary Matrix there are also signs of dialogue, dialogue with the tradition, the social scientists, the Scripture scholars, and with the Protestant ethicists. As is the case with the Protestant Contextual Historicists a genuine dialogue is taking place at both the theoretical level of sexual ethics and at the practical level of application. However, each of the Roman Catholic authors in this study arrives at a different conclusion when considering homosexual activity; and not one of these Roman Catholic authors agrees with the single conclusion drawn by all three Protestant writers. It is at this tension point in the Roman Catholic Disciplinary Matrix that two major problems for the future ecumenical dialogue surface.

The two problems are closely connected. The first deals with the uncritical attachment to the tradition of Roman Catholic moral theology. This attachment is not that evident in these three Roman Catholic authors when they are dealing with theoretical issues. The attachment is more evident when the theory is applied to the case of homosexual activity. Though each of the authors at the theoretical level provides a ground for an acceptance of homosexual activity, no one can make that leap. The tradition continues to influence the practical application even though at the theoretical level the tradition is called into question.

The second problem for the future ecumenical dialogue is the remaining strands of positivist theology employed by parts of the magisterium. Such a positivist theology is more concerned with the reiteration of principles and formulae from the past, than the investigation of the new realities presented to the Christian community by data from social sciences, Scripture, human experience, philosophy, and so on. This positivist mindset exerts external pressure on theologians and others to conform to the tradition as interpreted by the magisterium. In addition, this mindset in the magisterium hinders true dialogue not only between Roman Catholics and Protestants, but even among Roman Catholics themselves. Finally, the pressure applied as a result of this positivist attitude delays the development of the newer, more encompassing, historicist world view.

Since the positivist mindset seems to be in power within the Roman Catholic magisterium, is there any hope that such an obstacle to true dialogue may be overcome? There is, in fact, a strong foundation for hope, a foundation to be found within the very structures of the disciplinary matrices themselves. Since the contextual historicist mindset is a response to anomalies found within the positivist

world view, the contextual historicist view would have to be more encompassing, more inclusive than the positivist, if for no other reason, than to deal with the anomalies. The contextual historicist view eventually will replace the positivist view. The hope, then, lies in the fact that the positivist view is still unable to deal with the anomalies found within its own system. The world view offered by the positivist mindset is dying and can not be revived. The death rattle will be painful and will continue to claim more victims among the dissident voices. But there is no returning to the former way.

As the new mindset becomes more established, it will be easier for Roman Catholics to engage in a critical dialogue with their own tradition, disengaging themselves from some of the unfounded principles of natural law. When this is the case the possibilities for ecumenical dialogue will be greatly increased. There is every indication that progress is being made. There is every indication that convergence in Christian ethics, and in sexual ethics, will pass from the questioned, fledgling state to become a reality.

## NOTES: CHAPTER I

### ROMAN CATHOLIC CLASSICISTS

1 John F. Harvey, "Law and Personalism," Communio: International Catholic Review, Vol. 2, Spring 1975, p. 55.

2 Ibid.

3 Ibid., p. 55-56.

4 Ibid., p. 56.

5 Ibid.

6 Ibid. The "who" in this citation could well be a misprint, since the personal character of the outside influence is not developed any further in the article.

7 Thomas Aquinas, Summa Theologiae, Ia, a. 79, q. 13: "Discendum quod conscientia proprie loquendo non est potentia sed actus."

8 Harvey, "Law and Personalism," p. 56.

9 Ibid., p. 72.

10 Idem, "The Controversy concerning Nomenclature vis-à-vis Homosexuality," The Linacre Quarterly, Vol. 41, August 1974, p. 190.

11 Roderick Hindery, "Pluralism in Moral Theology: Reconstructing Universal Ethical Pluralism," Catholic Theological Society of America Proceedings, Vol. 28, June 18-21, 1973, p. 71-94.

12 Harvey, "Law and Personalism," p. 62-63.

13 See "Theses a Ludovico Eugenio Bautain iussu sui episcopi subscriptae, 8 Sept. 1840," in Enchiridion symbolorum: definitionum et declarationum de rebus fidei et morum. Quod primum edidit Henricus Denzinger et quod funditus retractavit, auxit, notulis ornavit Adolfus Schonmetzer, 35th edition, Friguri Brisgoviae, Herder, 1973, nos. 2751-2754. (Subsequent references to this same edition will be under the shortened title: Denzinger.)

14 See Concilium Vaticanum I, "Constitutio dogmatica 'Dei Filius' de fide catholica," Cap. 4, "De fide et ratione," in Denzinger, nos. 3015-3020.

15 See Concilium Oecumenicum Vaticanum II, "Constitutio pastoralis de ecclesia in mundo huius temporis," in Acta Apostolicae Sedis, Vol. 58, 1966, p. 1037.

16 Harvey, "Law and Personalism," p. 57.

17 Ibid., p. 59.

18 Ibid., p. 58.

19 Ibid., p. 59.

20 Ibid., p. 68. See also a letter to the editor sent by Harvey, published in The Priest, Vol. 38, March 1982, p. 5. In this letter he states: "It is still Catholic moral teaching, supported by the magisterium of the pope and bishops throughout the world, that one cannot mount a solidly probable opinion in favor of a position directly contrary to the received teaching of the same magisterium."

21 Harvey, "Law and Personalism," p. 68.

22 Ibid., p. 72.

23 Ibid., p. 55.

24 Idem, "The Meaning of Humanae Vitae and Its Binding Force," Guild of Catholic Psychiatrists Bulletin, Vol. 16, January 1969, p. 16.

25 Idem, "Controversy concerning the Psychology and Morality of Homosexuality," American Ecclesiastical Review, Vol. 167, November 1973, p. 617.

26 Idem, "Law and Personalism," p. 71.

27 Idem, "The Pastoral Implications of Church Teaching on Homosexuality," The Linacre Quarterly, Vol. 38, August 1971, p. 160.

28 Idem, "Controversy concerning the Psychology and Morality of Homosexuality," p. 615.

29 Harvey, "Law and Personalism," p. 56.

30 Idem, "Homosexuality as a Pastoral Problem," Theological Studies, Vol. 16, March 1955, p. 93.

31 Idem, "The Meaning of Humane Vitae," p. 14.

32 Idem, "The Controversy concerning the Psychology and Morality of Homosexuality," p. 629.

33 Harvey has several references indicating that the basic norm for sexuality is found in Sacred Scripture as constantly taught by the Church: "Morality and Pastoral Treatment of Homosexuality," Continuum, Vol. 5, Summer 1967, p. 291; "The Treatment of Homosexuality in the C.T.S.A. Report on Sexuality," Communio: International Catholic Review, Vol. 4, Winter 1977, p. 391; and "Chastity and the Homosexual," The Priest, Vol. 33, July-August 1977, p. 10.

34 Harvey, "Meaning of Humanae Vitae," p. 12-17, on birth control; see, "Pastoral Implications," p. 160, for a consideration of masturbation.

35 Idem, "Heart Transplants--A Problematic," American Ecclesiastical Review, Vol. 162, April 1970, p. 271-281; and, "Euthanasia: Commentary on a Social Movement," The Linacre Quarterly, Vol. 42, August 1975, p. 189-198.

36 Idem, "Homosexual Marriages," Marriage, Vol. 56, January 1974, p. 19.

37 Ibid., p. 20.

38 New Catholic Encyclopedia, Vol. 7, s.v., "Homosexuality," by John F. Harvey.

39 Idem, "Counseling the Apparent Adolescent Homosexual," Guild of Catholic Psychiatrists Bulletin, Vol. 10, October 1963, p. 207.

40 Idem, "Morality and Pastoral Treatment," p. 289.

41 Ibid., p. 290.

42 Idem, "Counseling the Apparent Homosexual," p. 211. Harvey is quoting Joseph Duhamel, "The Catholic Church and Birth Control," Paulist Press Pamphlet, 1962, p. 17. See also Harvey, "Controversy concerning the Psychology and Morality of Homosexuality," p. 622.

43 Harvey, "Counseling the Apparent Adolescent Homosexual," p. 211; also, "Morality and Pastoral Treatment," p. 292.

44 Idem, "A Critique of John McNeill, S.J. and Gregory Baum, O.S.A. on the Subject of Homosexuality," The Linacre Quarterly, Vol. 43, August 1976, p. 168.

45 Idem, "Meaning of Humanae Vitae," p. 17.

46 Idem, "Homosexual Marriages," p. 22.

47 Idem, "Homosexuality and Marriage," Homiletic and Pastoral Review, Vol. 62, December 1961, p. 230; "Chastity and the Homosexual," p. 14; "Impact of Gay Propaganda upon Adolescent Boys and Girls," The Priest, Vol. 36, March 1980, p. 20; and, "Controversy concerning the Psychology and Morality of Homosexuality," p. 626.

48 Idem, "Homosexual Marriages," p. 22.

49 Idem, "Controversy concerning the Psychology and Morality of Homosexuality," p. 621. See also, "Pastoral Implications," p. 160.

50 Idem, "Impact of Gay Propaganda," p. 15.

51 Harvey, "Morality and Pastoral Treatment," (1967), p. 293; "The Morality Conference in St. Louis Revisited," Homiletic and Pastoral Review, Vol. 69, October 1968, p. 41; "Controversy concerning the Psychology and Morality of Homosexuality," (1973), p. 610; "Homosexual Marriages," (1974), p. 22; and, "Treatment of Homosexuality in C.T.S.A. Study," (1977), p. 389.

52 Idem, "Controversy concerning Nomenclature," p. 189.

53 Idem, "Morality and Pastoral Treatment," p. 289.

54 Idem, "Homosexual Marriages," p. 20. See also, "Morality Conference in St. Louis," p. 41-42; "Female Homosexuality," The Linacre Quarterly, Vol. 36, May 1969, p. 103; "Critique of McNeill and Baum," p. 175; "Homosexuality and Marriage," p. 231-232; and, "Morality and Pastoral Treatment," p. 291.

55 Idem, "Controversy concerning Nomenclature," p. 191.

56 Idem, "Pastoral Implications," p. 158-159; and, "Morality Conference in St. Louis," p. 42.

57 Idem, "Counseling the Invert in Religious Life," Guild of Catholic Psychiatrists Bulletin, Vol. 9, October 1962, p. 212-213.

58 In "Homosexuality and Marriage," Harvey refers to Alfred C. Kinsey, Wardell B. Pomeroy, and Clyde E. Martin, Sexual Behaviour in the Human Male, Philadelphia, W.B. Saunders Co., 1948; and on p. 229 he refers to George W. Henry, All the Sexes, New York, Rinehart and Company, Inc., 1955, p. 81. In "Current Moral Theology: Problems in Counseling the Married Homosexual," American Ecclesiastical Review, Vol. 158, February 1968, on p. 122 he refers to John H. Gagnon and William Simon, "The Sociological Perspective in Homosexuality," Dublin Review, Vol. 241, Summer 1967, p. 96-114. In "The Morality Conference in St. Louis," Harvey refers to Samuel Haddon, "Treatment of Male Homosexuals in Groups," The International Journal of Group Psychology, Vol. 16, January 1966, p. 13-22. And in "Controversy concerning the Psychology and Morality of Homosexuality," Harvey refers to Evelyn Hooker's article, "The Adjustment of the Overt Male Homosexual," Journal of Projective Techniques, Vol. 21, 1957, p. 18-31, which held that projective tests on homosexuals who were not in therapy were unable to reveal any pathologies or the sexual orientations when compared with a control group of heterosexuals.

59 William E. May, "Getting to Know the 'Human,'" The National Catholic Reporter, Vol. 10, October 26, 1973, p. 7.

60 Idem, "What Makes a Human Being to Be a Being of Moral Worth?," The Thomist, Vol. 40, 1976, p. 424. See also May, "The Natural Law, Conscience, and Developmental Psychology," Communio: International Catholic Review, Vol. 2, Spring 1975, p. 11.

61 Idem, "Getting to Know the 'Human,'" p. 7.

62 May, "The Responsible Christian," Religion Teacher's Journal, Vol. 6, March 1972, p. 17. Unless otherwise indicated, emphasis in a quotation is the original author's.

63 Anthony Kosnik, Chairperson, et al., Human Sexuality: New Directions in American Catholic Thought, A Study Commissioned by the Catholic Theological Society of America, New York, Paulist Press, 1977, xvi-322 p.

64 William E. May and John F. Harvey, "On Understanding Human Sexuality: A Critique of the C.T.S.A. Study," Communio: International Catholic Review, Vol. 4, Fall 1977, p. 210. See also May's, "Ethics and Human Identity: The Challenge of the New Biology," Horizons, Vol. 3, Spring 1976, p. 36; and, "Sex, Love and Procreation," Homiletic and Pastoral Review, Vol. 76, May 1976, p. 22.

65 May and Harvey, "On Understanding Human Sexuality," p. 210.

66 Ibid., p. 200-201.

67 May, "What Makes a Human Being to Be a Being of Moral Worth?," p. 421.

68 Idem, "Sexuality and Fidelity in Marriage," Communio: International Catholic Review, Vol. 5, Fall 1978, p. 284. See also May, "Christian Ethics and the Human," American Ecclesiastical Review, Vol. 167, December 1973, p. 659.

69 Idem, Becoming Human: An Invitation to Christian Ethics, Dayton, Ohio, Pflaum Publishing Company, 1975, p. 8.

70 Idem, The Unity of the Moral and Spiritual Life, Chicago, Ill., Franciscan Herald Press, 1979, p. 15.

71 Idem, Becoming Human, p. 15.

72 Idem, "Jesus as the Presence of God in Our Moral Life," in Does Jesus Make a Difference?: Proceedings of the College Theology Society, ed. Thomas M. McFadden, New York, Seabury Press, 1974, p. 119.

73 Idem, The Unity of the Moral and Spiritual Life, p. 18

74 Idem, "Getting to Know the 'Human,'" p. 7.

75 Idem, Becoming Human, p. 3.

76 Ibid., p. 88.

77 Idem, "Christian Ethics and the Human," p. 663.

78 Ibid., p. 666.

79 May, "Christian Ethics and the Human," p. 653. In this quote May is referring to Paul Lehmann's, Ethics in a Christian Context, London, SCM Press, 1963, p. 75-80.

80 May, "Natural Law," p. 24.

81 Idem, Becoming Human, p. 39-40.

82 Ibid., p. 79-80.

83 Ibid., p. 85.

84 Ibid., p. 49.

85 In his work Becoming Human, p. 84-85, May attempts to describe the process of uncovering the truth-making factors. He writes: "[...] We can say that this approach consists basically in asking questions about our acts as realities that consist in the relationships that they establish between a human being as a moral agent and the human world in which he lives and acts. The relevant questions for an ethics of intent + content seem to be the following: (1) What is the act or behavior doing? [...] (2) Who is acting? (3) To whom or in whom is the act being done? (4) How is it being done? (5) When is it being done? (6) Where is it being done? and (7) Why is it being done? In addition, we can ask whether any alternatives to the act in question exist or whether this particular act is the only conceivable means currently possible for securing a given end, and we can also inquire into the foreseeable co-sequences of the act, both short-range and long-run. All these factors enter into the total moral situation."

86 May, Becoming Human, p. 30.

87 Ibid., p. 38.

88 Ibid., p. 39-40.

89 Idem, "Natural Law," p. 13-14.

90 Idem, Becoming Human, p. vii.

91 Idem, "Ethics and Human Identity," p. 23.

92 Idem, "The Moral Meaning of Human Acts," Homiletic and Pastoral Review, Vol. 79, October 1978, p. 12.

93 Idem, Becoming Human, p. 27.

94 Ibid., p. 30.

95 Ibid., p. 62.

- 96 May, "Christian Ethics and the Human," p. 663.
- 97 Idem, "The Responsible Christian," p. 17.
- 98 Idem, "Sexuality and Fidelity in Marriage," p. 285.
- 99 Joseph Fletcher, Situation Ethics, Philadelphia, Westminster Press, 1966, 176 p.
- 100 Richard A. McCormick, "Notes on Moral Theology," Theological Studies, Vol. 33, March 1972, p. 68-119.
- 101 Paul Ramsey, Deeds and Rules in Christian Ethics, Edinburgh, Oliver and Boyd, 1965, viii-110 p.
- 102 Eric D'Arcy, Human Acts: An Essay in Their Moral Evaluation, Oxford, Clarendon Press, 1963, xii-176 p.
- 103 May, Becoming Human, p. 81.
- 104 Ibid., p. 107.
- 105 Ibid., p. 104-105.
- 106 Richard A. McCormick, "Notes on Moral Theology," Theological Studies, Vol. 29, December 1968, p. 715-716.
- 107 May, Becoming Human, p. 67-70.
- 108 Idem, "Christian Faith, the Academic Community, and the Magisterium," Horizons, Vol. 1, Fall 1974, p. 90.
- 109 Idem, Becoming Human, p. 67.
- 110 Ibid., p. 70.
- 111 Ioannes Paulus PP. II, Constitutio Apostolica, "De Studiorum Universitatibus et Facultatibus Ecclesiasticis," Acta Apostolicae Sedis, Vol. 71, 1979, p. 469-499.
- 112 May, Committee Chairman, et al., "Theologians and Authoritative Church Teaching," Origins, Vol. 10, February 19, 1981, p. 575.
- 113 Idem, "Ethics and Human Identity," p. 36.
- 114 Idem, "Sex, Love and Procreation," p. 11-12.
- 115 Ibid., p. 12.

116 May is referring to Richard A. McCormick's, Ambiguity in Moral Choice, Milwaukee, Marquette University Press, 1974, 122 p.

117 May, "Sterilization: Catholic Teaching and Catholic Practice," Homiletic and Pastoral Review, Vol. 77, August-September 1977, p. 10.

118 Ibid., p. 12.

119 Idem, "Sex, Love and Procreation," p. 11; see also May, Sex, Marriage, and Chastity: Reflections of a Catholic Layman, Spouse, and Parent, Chicago, Franciscan Herald Press, 1981, p. 9-12.

120 Idem, "Fertility Awareness and Sexuality," The Linacre Quarterly, Vol. 46, February 1979, p. 21.

121 Ibid., p. 25.

122 Idem, "Sterilization," p. 12.

123 Ibid., p. 14-15.

124 Idem, "Fertility Awareness," p. 22.

125 Ibid., p. 23.

126 Ibid., p. 23-24.

127 Ibid., p. 24.

128 Idem, "Sex, Love and Procreation," p. 20.

129 Ibid., p. 22-23. May is referring to Charles E. Curran, "Divorce from the Perspective of Moral Theology," in Proceedings of the Canon Law Society of America 1974, Washington, D.C., Canon Law Society of America, 1975, p. 7. This is an instance of May's use of homosexuality as an example. A similar use of homosexuality is found in "Understanding Human Sexuality," p. 216-217.

130 May, "Fertility Awareness," p. 25.

131 May and Harvey, "Understanding Human Sexuality," p. 207.

132 May, "Sex, Love and Procreation," p. 24. See also "Fertility Awareness," p. 24; and May's, "Marriage, Divorce, and Remarriage," The Jurist, Vol. 37, 1977, p. 282.

133 May and Harvey, "Understanding Human Sexuality," p. 222. See also, May, "Fertility Awareness," p. 25.

134 William E. May, "Conjugal Love," Catholic Theological Society of America Proceedings, Vol. 33, June 7-10, 1978, p. 141.

- 135 May, "Conjugal Love," p. 139.
- 136 Idem, "Sex, Love and Procreation," p. 25.
- 137 Idem, "Sterilization," p. 19; "Sex, Love and Procreation," p. 25; "Sexuality and Fidelity in Marriage," p. 286; "Conjugal Love," p. 139; and, "Fertility Awareness," p. 26.
- 138 Idem, "Conjugal Love," p. 140.
- 139 Ibid.
- 140 Paul Ramsey, "A Christian Approach to the Question of Sexual Relations outside of Marriage," Journal of Religion, Vol. 45, April 1965, p. 104-107.
- 141 Idem, Basic Christian Ethics, New York, Charles Scribner's Sons, 1951, p. 81.
- 142 See Daniel C. Maguire, The Moral Choice, Garden City, N.Y., Doubleday and Company, Inc. 1978, p. 128-188 for an explanation of what he calls the "reality-revealing questions." Some of his thoughts on contraception are found on p. 269-270 and p. 395-396.
- 143 Charles J. McFadden, Medical Ethics, Philadelphia, F.A. Davis Publishers, 1946; third ed., 1953, p. 26-27.
- 144 Ibid., p. 27.
- 145 Ibid., p. 4-6.
- 146 Ibid., p. 17-18.
- 147 Ibid., p. 1.
- 148 Ibid., p. 2.
- 149 Ibid., p. 3.
- 150 Ibid., p. 14-15.
- 151 Ibid., p. 86.
- 152 Ibid., p. 16.
- 153 Ibid.
- 154 Idem, The Dignity of Life: Moral Values in a Changing Society, Huntington, Ind., Our Sunday Visitor, 1976, p. 30.

- 155 McFadden, Medical Ethics, p. 56.
- 156 Ibid., p. 61.
- 157 Ibid., p. 18.
- 158 Ibid., p. 2.
- 159 Ibid.
- 160 Ibid., p. 18.
- 161 Idem, Challenge to Morality: Life Issues--Moral Questions,  
Huntington, Ind., Our Sunday Visitor, Inc., 1978, 256 p.
- 162 Idem, Medical Ethics, p. 47.
- 163 Ibid., p. 48.
- 164 Ibid.
- 165 Ibid., p. 51.
- 166 Ibid., p. 56.
- 167 Idem, Dignity of Life, p. 34.
- 168 Ibid.
- 169 Idem, Challenge to Morality, p. 27.
- 170 Sacra Congregatio Pro Doctrina Fidei, Declaratio, "De quibusdam  
quaestionibus ad sexualem ethicam spectantibus," Acta Apostolicae Sedis, Vol. 68,  
1976, p. 77-96.
- 171 McFadden, Challenge to Morality, p. 27.
- 172 Ibid., p. 28.
- 173 Idem, Dignity of Life, p. 18.

## NOTES: CHAPTER II

### ROMAN CATHOLIC HISTORICISTS

1 Charles E. Curran, "How My Mind Has Changed, 1960-1975," Horizons, Vol. 2, Fall 1975, p. 187-205; also, "Ongoing Revision: Personal and Theological Reflections," in Ongoing Revision in Moral Theology, Notre Dame, Ind., Fides, 1975, p. 260-294.

2 Idem, Transition and Tradition in Moral Theology, Notre Dame, Ind., University of Notre Dame Press, 1979, p. 74.

3 Ibid.

4 Idem, "Theology and Genetics: A Multi-Faceted Dialogue," Journal of Ecumenical Studies, Vol. 7, Winter 1970, p. 68.

5 Idem, New Perspectives in Moral Theology, Notre Dame, Ind., Fides, 1974; reprint edition Notre Dame, Ind., University of Notre Dame Press, 1976, p. 44.

6 Ibid., p. 6.

7 Idem, New Perspectives, p. 17-18; also Curran, Contemporary Problems in Moral Theology, Notre Dame, Ind., Fides, 1970, p. 160.

8 Idem, "Pluralism in Catholic Moral Theology," Chicago Studies, Vol. 14, Fall 1975, p. 314; also Contemporary Problems, p. 160.

9 Idem, New Perspectives, p. 12.

10 Idem, Transition and Tradition, p. 65.

11 Idem, Catholic Moral Theology in Dialogue, Notre Dame, Ind., Fides, 1972, p. 169; for a more extensive treatment of his natural law theory see Curran's Themes in Fundamental Moral Theology, Notre Dame, Ind., University of Notre Dame Press, 1977, p. 27-70.

12 Idem, "Theology and Genetics," p. 68.

13 Ibid., p. 69-70.

14 Idem, Ongoing Revision, p. 93-94.

15 Idem, ed., Absolutes in Moral Theology?, Washington, D.C., Corpus Books, 1968, p. 135; see also, "Pluralism in Catholic Moral Theology," p. 328.

16 Idem, "How My Mind Has Changed," p. 196.

17 Curran, "How My Mind Has Changed," p. 197; also, Contemporary Problems, p. 204.

18 Idem, "Utilitarianism and Contemporary Moral Theology: Situating the Debates," in Readings in Moral Theology No. 1: Moral Norms and Catholic Tradition, ed. Charles E. Curran and Richard A. McCormick, New York, Paulist, 1979, p. 356.

19 Curran, New Perspectives, p. 13.

20 Ibid., p. 55.

21 Ibid., p. 56.

22 Ibid.

23 Idem, "The Problem of Conscience and the Twentieth-Century Christian," in Ecumenical Dialogue at Harvard, ed. Samuel H. Miller and G. Ernest Wright, Cambridge, Mass., Belknap Press, 1964, p. 269.

24 Curran, New Perspectives, p. 57.

25 Idem, Issues in Sexual and Medical Ethics, Notre Dame, University of Notre Dame Press, 1978, p. 9.

26 Idem, "Law and Conscience in the Christian Context," in Law for Liberty: The Role of Law in the Church Today, ed. James E. Biechler, Baltimore, Helicon Press, 1967, p. 161.

27 Idem, Ongoing Revision, p. 99.

28 Idem, "The Sacrament of Penance Today," Worship, Part I, Vol. 43., November 1969, p. 525.

29 Idem, Catholic Moral Theology, p. 211-212.

30 Idem, "Utilitarianism," p. 359.

31 Josef Fuchs, "The 'Sin of the World' and Normative Morality," Gregorianum, Vol. 61, 1980, p. 66.

32 Curran, Contemporary Problems, p. 13.

33 Piet Schoonenberg, Man and Sin: A Theological View, trans. Joseph Donceel, London, Sheed and Ward, 1965.

34 This was not always the case in Curran's thinking. In his doctoral dissertation Richard Grecco notes that the basis of Curran's Theory of Compromise changed over the years. Originally Curran even rejected the notion of compromise (before 1967). In his writings from 1967 to 1975 Curran bases his theory on both sin and eschatology. However since 1976 the Theory of Compromise is based solely on the notion of sin. See Richard Grecco, "A Theology of Compromise: A Study of Method in the Ethics of Charles E. Curran," D.Th. dissertation, University of St. Michael's College, Toronto, 1982, p. 195-202.

35 Schoonenberg, Man and Sin, p. 106-118.

36 Curran, Transition and Tradition, p. 76.

37 Idem, New Perspectives, p. 75.

38 Ibid., p. 74.

39 Ibid., p. 76.

40 Ibid., p. 78.

41 Ibid., p. 125.

42 Ibid., p. 85.

43 Ibid.

44 Idem, Catholic Moral Theology, p. 67.

45 Ibid., p. 77.

46 Ibid., p. 78.

47 Idem, Ongoing Revision, p. 96.

48 Idem, "Law and Conscience," p. 160; see also Christian Morality Today, Notre Dame, Ind., Fides, 1966, p. 42.

49 Curran, New Perspectives, p. 43.

50 Curran considers Aquinas' statement in Summa Theologiae, I<sup>a</sup>II<sup>ae</sup>, q. 94, a. 4: Sed ratio practica negotiatur circa contingentia, in quibus sunt operationes humanae; et ideo, si in communibus sit aliqua necessitas, quanto magis ad propria descenditur tanto magis invenitur defectus.

51 Idem, "Pluralism," p. 311.

52 Curran, Ongoing Revision, p. 32. For a more extensive treatment of dissent see Curran's Dissent in and for the Church: Theologians and Humanae Vitae, New York, Sheed and Ward, 1969. Also, for a consideration of academic freedom and theological pluralism see Curran's "Academic Freedom: The Catholic University and Catholic Theology," in Readings in Moral Theology No. 3: The Magisterium and Morality, ed. Charles E. Curran and Richard A. McCormick, New York, Paulist Press, 1982, p. 388-407. On page 402 of this article he states: "Church authority as such has no direct power to intervene juridically in academe, for then the autonomy of academe is violated. Church teaching authority can point out for the good of the Church that the theory of a particular theologian is erroneous, but the judgment about dismissal must be made by academic peers giving weight to official Church teaching."

53 Idem, Themes, p. 114-115.

54 Idem, Catholic Moral Theology, p. 27.

55 Ibid., p. 37; also, Curran's New Look at Christian Morality, Notre Dame, Ind., Fides, 1968, p. 90-91.

56 Idem, Catholic Moral Theology, p. 27.

57 Idem, Ongoing Revision, p. 88-89.

58 Idem, Catholic Moral Theology, p. 30. Curran discusses at length the differences between the teleological and the deontological models of ethics. He himself sides with H. Richard Niebuhr, advocating an ethical model of relationality and responsibility. Niebuhr's views are presented in his The Responsible Self, San Francisco, Harper and Row, 1963. Curran presents his own understanding in Catholic Moral Theology, p. 150-183.

59 Curran, Catholic Moral Theology, p. 33.

60 Ibid., p. 35.

61 Ibid., p. 187.

62 In addition to his writings in the area of sexual morality, Curran has also written on social justice, medical ethics, war, and divorce and remarriage.

63 Curran, Contemporary Problems, p. 161.

64 Ibid.

65 Ibid., p. 163-167.

66 Idem, Issues, p. 37.

67 Curran, ed., Contraception: Authority and Dissent, New York, Herder and Herder, 1969, p. 161.

68 Sacra Congregatio Pro Doctrina Fidei, Declaratio, "De quibusdam quaestionibus ad sexualem ethicam spectantibus," Acta Apostolicae Sedis, Vol. 68, 1976, p. 77-96.

69 Curran, Issues, p. 37.

70 Idem, Contemporary Problems, p. 170-175.

71 Ibid., p. 174; see also, Issues, p. 47.

72 Idem, Christian Morality Today, p. 50; the same is found in "Sexuality and Sin: A Current Appraisal," Homiletic and Pastoral Review, Part II, Vol. 69, October 1968, p. 29; Dissent in and for the Church (1969), p. 165; Catholic Moral Theology (1972), p. 204; Issues (1978), p. 47; and in Transition and Tradition (1979) one of his critiques of Human Sexuality is that not enough attention is given to the aspect of procreation, p. 41.

73 Idem, Christian Morality Today, p. 76.

74 Idem, "Sexuality and Sin: A Current Appraisal," Homiletic and Pastoral Review, Part I, Vol. 68, September 1968, p. 1013.

75 Idem, Absolutes in Moral Theology?, p. 111.

76 See Curran's Catholic Moral Theology (1972), p. 202; Issues (1978), p. 47; and Transition and Tradition (1979), p. 41 and 71.

77 Idem, Issues, p. 47.

78 Idem, Contemporary Problems, p. 173.

79 Idem, Issues, p. 47.

80 Idem, Contemporary Problems, p. 173.

81 Idem, Catholic Moral Theology, p. 187.

82 Ibid.

83 Ibid., p. 189.

84 Karl Barth, Church Dogmatics: A Selection, trans. and ed. G.W. Bromiley, Edinburgh, T. & T. Clark, 1961, p. 194-229.

85 John Giles Milhaven, Toward a New Catholic Morality, Garden City, New York, Doubleday, 1970, p. 59-68.

- 86 Curran, Catholic Moral Theology, p. 191.
- 87 Ibid. In this citation Curran is quoting from Milhaven's Toward a New Catholic Morality, p. 61-62.
- 88 Curran, Catholic Moral Theology, p. 191. In this citation Curran is quoting from Milhaven's Toward a New Catholic Morality, p. 65.
- 89 Curran, Catholic Moral Theology, p. 192.
- 90 Ibid., p. 193.
- 91 Ibid., p. 195-196.
- 92 Ibid., p. 196-197.
- 93 Ibid., p. 197-198.
- 94 Ibid., p. 199.
- 95 Ibid.
- 96 Ibid., p. 202-203.
- 97 Ibid., p. 203.
- 98 Ibid., p. 204.
- 99 Ibid.
- 100 Ibid., p. 205.
- 101 Karl Rahner, "Experiment: Man," Theology Digest, Vol. 16, Sesquicentennial Issue, 1968, p. 58.
- 102 Curran, Catholic Moral Theology, p. 206.
- 103 Ibid., p. 208.
- 104 Ibid., p. 209.
- 105 Helmut Thielicke, The Ethics of Sex, trans. John W. Doberstein, New York, Harper and Row, 1964, p. 281-287.
- 106 H. Kimball Jones, Toward a Christian Understanding of the Homosexual, New York, Association Press, 1966, p. 108.
- 107 Curran, Catholic Moral Theology, p. 211.

108 Curran, Catholic Moral Theology, p. 211.

109 Ibid., p. 216.

110 Ibid., p. 217.

111 Curran, Catholic Moral Theology, p. 217.

112 Ibid., p. 218; see also Transition and Tradition, p. 42, where Curran develops an argument to prohibit adultery: "Within my perspective of giving more importance to promoting and defending the institution of marriage and the family, I would insist more strongly on a norm prohibiting all adultery. This is necessary to protect the institution of marriage in our society."

113 Idem, "Utilitarianism," p. 359.

114 Grecco, "A Theology of Compromise," p. 193-194. The author notes in his dissertation that the source of sin in the question of homosexuality is never explained by Curran.

115 Curran, "Sexuality and Sin," Part II, p. 31.

116 Idem, Transition and Tradition, p. 71.

117 John F. Dedek, "Moral Responsibility in Caring for the Dying," Chicago Studies, Vol. 11, Fall 1972, p. 228.

118 Idem, "The Moral Law," Chicago Studies, Vol. 13, Fall 1974, p. 229.

119 Ibid., p. 230.

120 Ibid., p. 233.

121 Idem, "The New Morality, Catholic Style," Chicago Studies, Vol. 6, Summer 1967, p. 116.

122 Idem, "Intrinsically Evil Acts: An Historical Study of the Mind of St. Thomas," The Thomist, Vol. 43, July 1979, p. 385.

123 Ibid.

124 Ibid., p. 409-410.

125 Ibid., p. 410-411.

126 Idem, "Remaking Man," Chicago Studies, Vol. 11, Spring 1972, p. 15-

1971. 127 Dedek, Contemporary Sexual Morality, New York, Sheed and Ward,
- 128 Idem, "Freedom of the Catholic Conscience," Chicago Studies, Vol. 7, Summer 1968, p. 117.
- 129 Idem, "Moral Law," p. 232.
- 130 Dedek, "Freedom of Conscience," p. 117.
- 131 Ibid., p. 118.
- 132 Ibid., p. 119.
- 133 Ibid.
- 134 Ibid., p. 122.
- 135 Ibid., p. 124.
- 136 Ibid.
- 137 Idem, "Moral Law," p. 234.
- 138 Ibid., p. 230.
- 139 Ibid., p. 231.
1975. 140 Idem, Contemporary Medical Ethics, New York, Sheed and Ward,
- 141 Idem, Contemporary Sexual Morality, p. 40; see also, Contemporary Medical Ethics, p. 80-81.
- 142 Idem, Contemporary Sexual Morality, p. 9.
- 143 Idem, Contemporary Medical Ethics, p. 96.
- 144 Ibid., p. 58.
- 145 Ibid.
- 146 Idem, "Two Moral Cases: Invalid Marriage and Homosexuality," Chicago Studies, Vol. 13, Spring 1974, p. 20-33.
- p. 28. 147 Idem, "Two Moral Cases: Invalid Marriage and Homosexuality,"
- 148 Ibid.

- p. 29. 149 Dedek, "Two Moral Cases: Invalid Marriage and Homosexuality,"
- 150 Ibid., p. 30.
- 151 Ibid.
- 152 Ibid.
- 153 Ibid., p. 31.
- 154 Ibid., p. 32.
- 155 Idem, Contemporary Medical Ethics, p. 85.
- p. 32. 156 Idem, "Two Moral Cases: Invalid Marriage and Homosexuality,"
- 157 Ibid., p. 33.
- 158 Ibid.
- 159 Ibid.
- 160 Idem, Contemporary Sexual Morality, p. 60.
- 161 Idem, "Masturbation," Chicago Studies, Vol. 10, Spring 1971, p. 41-42.
- 162 John Giles Milhaven, Toward a New Catholic Morality, Garden City, New York, Doubleday, 1970.
- 163 Ibid., p. 16-17.
- 164 Ibid., p. 20.
- 165 Ibid., p. 22.
- 166 Idem, "The Behavioral Sciences and Christian Ethics," in Projections: Shaping an American Theology for the Future, ed. Thomas F. O'Meara and Donald M. Weisser, Garden City, New York, Doubleday, 1970, p. 134.
- 167 Ibid., p. 135-136.
- 168 John Giles Milhaven, "The Voice of Lay Experience in Christian Ethics," Proceedings, Vol. 33, June 7-10, 1978, p. 49.
- 169 Idem, "How Far Has God Shared His Dominion with Man?" American Ecclesiastical Review, Vol. 162, January 1970, p. 61.

- 170 Milhaven, Toward a New Catholic Morality, p. 41.
- 171 Idem, "Voice of Lay Experience," p. 49. The author speaks here of two different types of experience: the direct experience of the present situation, and the indirect, cumulative experience of the past. Both are considered in the ethical discernment.
- 172 Idem, Toward a New Catholic Morality, p. 36-37.
- 173 Milhaven, Toward a New Catholic Morality, p. 36.
- 174 Idem, "Objective Moral Evaluation of Consequences," Theological Studies, Vol. 32, September 1971, p. 408.
- 175 Idem, "Behavioral Sciences," p. 138.
- 176 Idem, "Objective Evaluation," p. 424.
- 177 Ibid., p. 429-430.
- 178 Idem, Toward a New Catholic Morality, p. 62.
- 179 Germain Grisez, Contraception and the Natural Law, Milwaukee, Bruce Publishing Company, 1964.
- 180 John Giles Milhaven, "Contraception and the Natural Law: A Recent Study," Theological Studies, Vol. 26, September 1965, p. 424.
- 181 Idem, Toward a New Catholic Morality, p. 62.
- 182 Idem, "Conjugal Sexual Love and Contemporary Moral Theology," Theological Studies, Vol. 35, December 1974, p. 702.
- 183 Idem, Toward a New Catholic Morality, p. 64-65; see also his article "Voice of Lay Experience," p. 38-41, for a further development of the limitations found in ethical decision making. Milhaven provides an additional argument for the need for an entirely new method in ethics in his article "Exit for Ethicists," Commonweal, Vol. 91, October 31, 1961, p. 138.
- 184 Idem, "The Grounds of the Opposition to 'Humanae Vitae,'" Thought, Vol. 44, Fall 1969, p. 353.
- 185 Ibid., p. 344-345.
- 186 Ibid., p. 357.
- 187 Idem, Toward a New Catholic Morality, p. 60.
- 188 Ibid., p. 61.

- 189 Milhaven, "Voice of Lay Experience," p. 53.
- 190 Idem, "Sex and Love and Marriage and Love and Sex ...," The National Catholic Reporter, Part I, Vol. 14, January 13, 1978, p. 7.
- 191 Idem, "Church Neglects Physical Love," The National Catholic Reporter, Vol. 11, January 24, 1975, p. 7.
- 192 Milhaven, "Conjugal Sexual Love," p. 695.
- 193 Ibid., p. 697.
- 194 Ibid., p. 702.
- 195 Idem, "Sex and Love and Marriage," Part I, p. 8.
- 196 Idem, "Church Neglects," p. 7.
- 197 Idem, "Christian Evaluations of Sexual Pleasure," in American Society of Christian Ethics Selected Papers 1976, ed. Max Stackhouse, Missoula, Mont., Scholars Press, 1976, p. 68.
- 198 Ibid., p. 69.
- 199 Ibid.
- 200 Idem, "Sex and Love and Marriage," Part I, p. 8.
- 201 Idem, "Sex and Love and Marriage and Love and Sex ...," The National Catholic Reporter, Part II, Vol. 14, January 20, p. 8.
- 202 Ibid.
- 203 Ibid., p. 14.
- 204 Idem, "Homosexuality and the Christian," Homiletic and Pastoral Review, Vol. 68, May 1968, p. 663-669.
- 205 Idem, Toward a New Catholic Morality, p. 59-68.
- 206 Idem, "Homosexuality and Love," in Homosexuality and Ethics, ed. Edward Batchelor, Jr., New York, Pilgrim Press, 1980, p. 63-70.
- 207 John J. McNeill, The Church and the Homosexual, Kansas City, Sheed, Andrews, and McMeel, 1976.
- 208 Milhaven, "What If the Church Admitted Lacking Gay Answer?," The National Catholic Reporter, Vol. 12, October 8, 1976, p. 12.

- 209 Milhaven, "What If the Church Admitted," p. 12.
- 210 Ibid.
- 211 Idem, "Homosexuality and the Christian," p. 665.
- 212 Ibid., p. 665-666.
- 213 Milhaven, "Homosexuality and the Christian," p. 666.
- 214 Ibid.
- 215 Ibid., p. 667.
- 216 Ibid.
- 217 Ibid., p. 667-668.
- 218 Ibid., p. 669.
- 219 André Guindon, The Sexual Language: An Essay in Moral Theology, Ottawa, Ottawa University Press, 1976, p. 335-342.
- 220 Philip S. Keane, Sexual Morality: A Catholic Perspective, New York, Paulist, 1977, p. 84-90.
- 221 Milhaven, "Voice of Lay Experience," p. 52.
- 222 Milhaven, "Sex and Love and Marriage," Part II, p. 14.
- 223 Milhaven has an extensive treatment of this topic in his article "The Grounds of the Opposition to 'Humanae Vitae,'" cited above.

## NOTES: CHAPTER III

### PROTESTANT CLASSICISTS

1 Greg L. Bahnsen, Homosexuality: A Biblical View, Grand Rapids, Michigan, Baker Book House, 1978, p. 69

241. 2 Idem, Theonomy in Christian Ethics, Nutley, N.J., Craig Press, 1977, p.

3 Ibid., p. xv.

4 Ibid., p. 12-13.

5 Ibid., p. 253.

6 Idem, Homosexuality, p. 113.

7 Ibid., p. 6.

8 Ibid., p. 56 and p. 80; see also Theonomy, p. 305.

9 Idem, Theonomy, p. 18, see also Homosexuality, p. 125.

10 Idem, Homosexuality, p. 55.

11 Idem, Theonomy, p. 234.

12 Ibid., p. 151.

13 Ibid., p. 252-253.

14 Ibid., p. 213.

15 Ibid., p. 435.

16 Idem, Homosexuality, p. 28-29.

17 Ibid., p. 60.

18 Ibid., p. 127.

19 Ibid., p. 5.

20 Ibid., p. 75.

21 Ibid., p. 97.

22 Ibid., p. 82.

- 23 Bahnsen, Homosexuality, p. 95-96.
- 24 Ibid., p. 96.
- 25 Ibid., p. 61.
- 26 Ibid., p. 111.
- 27 Ibid., p. 133.
- 28 Paul Ramsey, Basic Christian Ethics, New York, Charles Scribner's Sons, 1951, p. 44.
- 29 Ibid., p. 41.
- 30 The term "ethic of Jesus" for Ramsey seems to refer more to the way Jesus lived than what Jesus taught. On page 23 of Basic Christian Ethics Ramsey writes: "Christian ethics necessarily means a religious ethics 'about' Jesus irreducible to the so-called 'simple' religious ethics 'of' Jesus."
- 31 Ramsey, Basic Christian Ethics, p. 194-195.
- 32 Ibid., p. 34.
- 33 Idem, "The Biblical Norm of Righteousness," Interpretation, Vol. 24, October 1970, p. 422.
- 34 Ibid., p. 422-423.
- 35 Idem, Nine Modern Moralists, Englewood Cliffs, N.J., Prentice-Hall, Inc., 1962, p. 36.
- 36 Idem, "Biblical Norm of Righteousness," p. 422.
- 37 Idem, Basic Christian Ethics, p. 39.
- 38 Ibid., p. 39-40.
- 39 Idem, Deeds and Rules in Christian Ethics, Edinburgh, Oliver and Boyd, 1965, p. 97.
- 40 Idem, Basic Christian Ethics, p. 115-116.
- 41 Ibid., p. 101.
- 42 Idem, "Biblical Norm of Righteousness," p. 423.
- 43 Ibid.

- 44 Ramsey, "Biblical Norm of Righteousness," p. 423-424.
- 45 Idem, Deeds and Rules, p. 2. Ramsey is referring to William K. Frankenna, Ethics, Englewood Cliffs, N.J., Prentice-Hall, Inc., 1963, p. 42-44.
- 46 Ramsey, Deeds and Rules, p. 94.
- 47 Ibid., p. 95.
- 48 Ibid., p. 9, 11-14, and 37. See also Ramsey's War and the Christian Conscience: How Shall Modern War be Conducted Justly?, Durham, N.C., Duke University Press, 1961, p. 5.
- 49 Idem, Basic Christian Ethics, p. 56.
- 50 Ibid., p. 20.
- 51 Idem, "The Case of the Curious Exception," in Norm and Context in Christian Ethics, ed. Gene H. Outka and Paul Ramsey, London SCM Press, 1968, p. 112.
- 52 For comments on Ramsey's style see: Roger L. Shinn, "Paul Ramsey's Challenge to Ecumenical Ethics," Christianity and Crisis, Vol. 27, October 30, 1967, p. 243; Richard A. McCormick, "Genetic Medicine: Notes on the Moral Literature," Theological Studies, Vol. 33, September 1972, p. 537; Charles E. Curran, "Paul Ramsey and Traditional Roman Catholic Natural Law Theory," in Love and Society: Essays in the Ethics of Paul Ramsey, ed. James T. Johnson and David H. Smith, Missoula, Mont., Scholars Press, 1974, p. 49; and John R. Fry, The Immobilized Christian: A Study of His Pre-ethical Situation, Philadelphia, Westminster Press, 1963 (there is an entire section entitled "The Prose of Paul Ramsey," p. 149-163).
- 53 Ramsey, "Case of the Curious Exception," p. 134.
- 54 Idem, Deeds and Rules, p. 27. Ramsey is quoting from John Arthur Thomas Robinson, Christian Morality Today, London, SCM Press, 1964, p. 16.
- 55 Ramsey, Basic Christian Ethics, p. 75.
- 56 Ibid., p. 81.
- 57 Idem, Who Speaks for the Church?, Nashville, Tenn., Abingdon Press, 1967, p. 34.
- 58 See Charles E. Harris, Jr., "Love as the Basic Moral Principle in Paul Ramsey's Ethics," The Journal of Religious Ethics, Vol. 4, Fall 1976, p. 239; and Norman H. G. Robinson, "Agape and Agapism," Canadian Journal of Theology, Vol. 13, April 1967, p. 79-85.

- 59 Ramsey, Deeds and Rules, p. 2.
- 60 Idem, Basic Christian Ethics, p. 95.
- 61 Ibid., p. 95.
- 62 Ibid., p. 238.
- 63 Ibid., p. 100.
- 64 Ibid., p. 78.
- 65 Idem, "On Taking Sexual Responsibility Seriously Enough," Christianity and Crisis, Vol. 23, January 6, 1964, p. 247-251 (this article is reprinted in Deeds and Rules); One Flesh: A Christian View of Sex within, outside, and before Marriage, Bramcote Notts., Grove Books, 1975; third reprint ed., 1980, 23 p. (This is a reprint of "A Christian Approach to the question of Sexual Relations outside of Marriage"); "The Marriage of Adam and Eve," Moravian Seminary Bulletin, [no volume number], 1960, p. 35-56; and "Reply to T.F. Driver," Christianity and Crisis, Vol. 23, November 11, 1963, p. 204-206.
- 66 Idem, "Reply to T.F. Driver," p. 204.
- 67 Idem, "Freedom and Responsibility in Medical and Sex Ethics: A Protestant View," New York Law Review, Vol. 31, November 1956, p. 1194.
- 68 Idem, Nine Modern Moralists, p. 90.
- 69 Idem, "Freedom and Responsibility," p. 1199.
- 70 Idem, "A Christian Approach to the Question of Sexual Relations outside of Marriage," Journal of Religion, Vol. 45, April 1965, p. 102.
- 71 Ibid., p. 100-101.
- 72 Idem, Nine Modern Moralists, p. 106-107; see also "The Marriage of Adam and Eve," p. 40.
- 73 Idem, "A Christian Approach," p. 100, 104, and 105; see also "Marriage of Adam and Eve," p. 46.
- 74 Idem, "A Christian Approach," p. 110.
- 75 Ibid.
- 76 Idem, Deeds and Rules, p. 27-40.
- 77 Idem, "Taking Sexuality Seriously," p. 249.

- 78 Ramsey, "A Christian Approach," p. 107.
- 79 Ibid.
- 80 Ibid., p. 110.
- 81 Ibid., p. 109-113.
- 82 Ibid., p. 112.
- 83 Ibid., p. 113.
- 84 Idem, "Freedom and Responsibility," p. 1195.
- 85 Idem, "A Christian Approach," p. 110.
- 86 Idem, Nine Modern Moralists, p. 71-109.
- 87 Dwight Hervey Small, The Right to Remarry, Old Tappan, New Jersey, Fleming H. Revell Company, 1975. p. 108.
- 88 Ibid., p. 108.
- 89 Ibid.
- 90 Ibid., p. 112.
- 91 Ibid., p. 115.
- 92 Ibid., p. 116.
- 93 Ibid., p. 118.
- 94 Ibid.
- 95 Ibid., p. 113.
- 96 Idem, Christian: Celebrate Your Sexuality, Old Tappan, New Jersey, Fleming H. Revell Company, 1974, p. 105.
- 97 Ibid.
- 98 Ibid., p. 130.
- 99 Ibid.
- 100 Idem, Design for Christian Marriage, Old Tappan, New Jersey, Spire Books, 1971; fifth printing, 1976, p. 32.

101 Small, Christian: Celebrate Your Sexuality, p. 115-123. The rest of the conclusions which he draws are: (2) God made man a creature of affect, a creature sharing His emotionality; (3) God made man a creature of choice; (4) God made man a moral being, a creature with values; (5) God made man a self-conscious being; and (6) God made man self-transcendent, a creature with an immortal spirit.

With the Fall the divine image in the human person is corrupted, with the following consequences: (1) Man could no longer know God and understand His way. Intellectual intimacy with Him ceased. (2) Man could no longer receive and reciprocate divine love. Emotional intimacy with God ceased. (3) Man could no longer choose the will of God for his life. Volitional intimacy with God ceased. (4) Man no longer had moral guidance and motivation from God. Moral intimacy with God ceased. (5) Man no longer perceived his own intrinsic worth as deriving from God. His consciousness of self was alienated because intimacy with God ceased. (6) Man no longer perceived his spiritual worth and destiny since his personal intimacy with God ceased.

102 Ibid., p. 12.

103 Ibid., p. 119.

104 Idem, Marriage as Equal Partnership, Grand Rapids, Michigan, Baker Book House, 1980, p. 16-17.

105 Idem, Right to Remarry, p. 111.

106 Idem, Christian: Celebrate Your Sexuality, p. 176.

107 In Christian: Celebrate Your Sexuality, p. 42, Small writes: "While the debate continues as to the origin and development of homosexuality, the vast majority of cases are thought to be psychogenic in origin—at an early stage of psychosexual maturation, the object-orientation of the sex impulse becomes fixed at the like-sex level, for any number of possible causes. Homosexuality, in this view, is a learned defect." In this quote no references are offered to support his claim.

Then, on pages 168-169 in the same work, Small offers some conclusions concerning homosexuality: "[...] Scripture inescapably declares that: (1) it [homosexuality] cannot express the purpose of sexuality which the Scriptures set forth, (2) it is nowhere commended or condoned as compatible in any way with this fundamental purpose, and (3) it is specifically condemned in both the Old and New Testaments."

108 Idem, Christian: Celebrate Your Sexuality, p. 18.

109 Idem, Design for Christian Marriage, p. 93.

110 Ibid.

111 Idem, Right to Remarry, p. 147.

- 112 Small, Christian: Celebrate Your Sexuality, p. 183.
- 113 Ibid., p. 168.
- 114 Ibid., p. 12.
- 115 Ibid.
- 116 Ibid., p. 168.
- 117 Idem, Design for Christian Marriage, p. 97.
- 118 Idem, Christian: Celebrate Your Sexuality, p. 176.
- 119 Idem, Design for Christian Marriage, p. 97.
- 120 Idem, Christian: Celebrate Your Sexuality, p. 178.
- 121 Idem, The Right to Remarry, p. 17; also Christian: Celebrate Your Sexuality, p. 86.
- 122 Idem, Design for Christian Marriage, p. 94.
- 123 Ibid., p. 100.
- 124 Idem, Christian: Celebrate Your Sexuality, p. 190.
- 125 Idem, Design for Christian Marriage, p. 175.
- 126 Ibid., p. 176.
- 127 Ibid., p. 178.
- 128 Idem, Christian: Celebrate Your Sexuality, p. 183.
- 129 Idem, Design for Christian Marriage, p. 195-196.
- 130 Ibid., p. 198-199.
- 131 Ibid., p. 199.

## NOTES: CHAPTER IV

### PROTESTANT HISTORICISTS

1 Beverly W. Harrison, "The Power of Anger in the Work of Love: Christian Ethics for Women and Other Strangers," Union Seminary Quarterly Review, Vol. 36, Supplementary Issue 1981, p. 41-57.

2 Ibid., p. 50.

3 Ibid.

4 Ibid.

5 Idem, "Misogyny and Homophobia: The Unexplored Connections," Integrity Forum, Vol. 7, Lent 1981, p. 8-9.

6 Idem, "Power of Anger," p. 51.

7 Ibid., p. 51-52.

8 Idem, "The Older Person's Worth in the Eyes of Society," paper presented under the direction of Presbyterian Senior Services at Union Theological Seminary, January 26, 1979.

9 Idem, "Free-Choice: A Feminist Perspective," Church and Society, Vol. 71, March - April 1981, p. 15.

10 Idem, "Older Person's Worth."

11 Idem, "Power of Anger," p. 47.

12 Ibid., p. 46-48.

13 Beverly W. Harrison and James Harrison, "Some Problems for Normative Family Ethics," in American Society of Christian Ethics: 1977 Selected Papers, ed. Max Stackhouse, Missoula, Mont., Scholars Press, 1977, p. 80-81.

14 Idem, "Power of Anger," p. 51.

15 Ibid. p. 48. Harrison refers to the book by Boston Women's Health Course Collective, Our Bodies, Our Selves: A Course by and for Women, Boston, Boston Women's Health Course Collective and New England Free Press, 1971.

16 Beverly W. Harrison, "The New Consciousness of Women: A Socio-Political Resource," Cross Currents, Vol. 24, Winter 1975, p. 456.

17 Idem, "Power of Anger," p. 48; see also "Statement by Beverly Harrison," in Theology in the Americas, ed. Sergio Torres and John Eagleson, Maryknoll, N.Y., Orbis Books, 1975, p. 369.

18 Harrison, "Misogyny and Homophobia," p. 7.

19 Ibid., p. 12.

20 Idem, "Free-Choice," p. 17.

21 Idem, "Power of Anger," p. 48.

22 Idem, "Older Person's Worth."

23 Idem, "Some Ethical Issues in the Women's Movement," paper delivered to the American Society of Christian Ethics, January 18, 1974. She entitles a section of this paper "The Socio-Ethical Significance of Feminist Consciousness." Here she points out the reasons why, following the Watergate experience in the United States, there is a growing tendency for some to "[...] plunge into isolated subjectivity which repudiates altogether the connection between the interpersonal self and its social world."

24 Idem, "Power of Anger," p. 46; see also, "The New Consciousness of Women," p. 458.

25 Idem, "Toward a Just Social Order," Journal of Current Social Issues, Vol. 15, Spring 1978, p. 63.

26 Idem, "Some Problems," p. 76.

27 Ibid., p. 77.

28 Idem, "Misogyny and Homophobia," p. 7.

29 Idem, "Power of Anger," p. 43.

30 Ibid., p. 44.

31 Idem, "Power of Anger," p. 45.

32 Ibid., p. 45. It should be noted that she does not accept liberation theology uncritically. In one of her footnotes she points out: "I want to stress the similarity of hermeneutical assumptions made by feminists and by other liberation theologians even though many male-articulated liberation theologies often relish misogynist and masculinist idolatrous assumptions. (See, for example, Juan Luis Segundo, The Liberation of Theology, [Maryknoll, N.Y.: Orbis Press, 1976], p. 37-38, n. 55. Segundo would reserve the term 'Christian' for the male element in revelation.)"

33 Harrison, "Power of Anger," p. 49.

34 Ibid.

- 35 Harrison, "Free-Choice," p. 16.
- 36 Ibid., p. 17.
- 37 Idem, "New Consciousness of Women," p. 445-446.
- 38 Idem, "Toward a Just Social Order," p. 65.
- 39 Idem, "When Fruitfulness and Blessedness Diverge," Religion in Life, Vol. 41, Winter 1972, p. 485.
- 40 Ibid.
- 41 Idem, "Power of Anger," p. 52.
- 42 Idem, "Sexism and the Language of Christian Ethics: Some Basic Theses for Discussion," paper circulated by Faith and Order Department of the National Council of Churches, October 1976, p. 1.
- 43 Idem, "Misogyny and Homophobia," p. 12.
- 44 Idem, "Toward a Just Social Order," p. 70.
- 45 Idem, "Some Problems," p. 77; see also "Misogyny and Homophobia," p. 11 and 12.
- 46 Idem, "Toward a Just Social Order," p. 70.
- 47 Idem, "Misogyny and Homophobia," p. 11.
- 48 Idem, "Toward a Just Social Order," p. 65.
- 49 Idem, "Some Problems," p. 78-79; see also "Misogyny," p. 12, where she points out that the sexual norm of patriarchy holds to an ethic of ownership, of control of the other.
- 50 Idem, "Misogyny and Homophobia," p. 11.
- 51 Ibid., p. 12; see also, "Toward a Just Social Order," p. 70.
- 52 Idem, "Misogyny and Homophobia," p. 11.
- 53 Idem, "Free-Choice," p. 7.
- 54 Idem, "Misogyny and Homophobia," p. 11.
- 55 Ibid., p. 12.
- 56 Ibid.

57 Harrison, "Misogyny and Homophobia," p. 12.

58 Ibid., p. 11.

59 Ibid.

60 John Boswell, Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century, Chicago, University of Chicago Press, xviii-424 p.

61 Harrison, "Misogyny and Homophobia," p. 9.

62 Ibid., p. 7.

63 Idem., "Toward a Just Social Order," p. 67.

64 Ibid., p. 68.

65 Idem., "Misogyny and Homophobia," p. 8.

66 Idem., "Some Problems," p. 73.

67 Ibid., p. 74.

68 Idem., "Misogyny and Homophobia," p. 7.

69 Ibid., p. 11.

70 Ibid., p. 9.

71 Idem., "Toward a Just Social Order," p. 67.

72 Idem., "Misogyny and Homophobia," p. 12.

73 Idem., "Some Problems," p. 78.

74 Idem., "Toward a Just Social Order," p. 64.

75 James B. Nelson, Moral Nexus: Ethics of Christian Identity and Community, Philadelphia, Westminster Press, 1971, p. 20-21; he is quoting from James Gustafson's "Christian Ethics and Social Policy," in Faith and Ethics: The Theology of H. Richard Niebuhr, ed. Paul Ramsey, New York, Harper Brothers, 1957, p. 124.

76 James B. Nelson, "Contextualism and the Ethical Triad," in The Situation Ethics Debate, ed. Harvey Cox, Philadelphia, Westminster Press, 1968, p. 171.

77 Nelson, "The Moral Significance of the Church in Contemporary Protestant Contextual Ethics," Journal of Ecumenical Studies, Vol. 4, Winter 1967, p. 68.

78 Idem, "Contextualism," p. 172.

79 Ibid., p. 173.

80 Idem, "Moral Significance," p. 69.

81 Idem, "Contextualism," p. 171-172.

82 Nelson refers to Paul Ramsey's three-fold distinction with regard to ethical orientation: act-agapism, summary-rule agapism, and general-rule agapism. This distinction is found in Ramsey's "Two Concepts of General Rules in Christian Ethics," Ethics, Vol. 76, April 1966, p. 192-207.

83 Nelson, "Contextualism," p. 184.

84 Ibid., p. 182.

85 Idem, "Moral Significance," p. 73.

86 Idem, "Contextualism," p. 174.

87 Ibid.

88 Idem, Moral Nexus, p. 27.

89 Idem, "Contextualism," p. 176.

90 Ibid., p. 175-184.

91 Ibid., p. 181.

92 Ibid.

93 Idem, "Moral Significance," p. 73.

94 Ibid., p. 76.

95 Ibid., p. 77.

96 Idem, "Contextualism," p. 173.

97 See "Moral Significance," p. 78-79.

98 Idem, Moral Nexus, p. 21.

- 99 Nelson, "Moral Significance," p. 71.
- 100 Idem, Moral Nexus, p. 29.
- 101 Ibid., p. 53.
- 102 Ibid., p. 53-54.
- 103 Idem, "Moral Significance," p. 72.
- 104 Ibid., p. 81.
- 105 Idem, Moral Nexus, p. 194.
- 106 Idem, "Moral Significance," p. 83.
- 107 Ibid., p. 85.
- 108 Ibid.
- 109 Idem, "Abortion: Protestant Perspectives," in Encyclopedia of Bioethics, Warren T. Reich, editor in chief, New York, Free Press a division of Macmillan, 1978, 4v, Vol. 1, p. 15.
- 110 Idem, Embodiment: An Approach to Sexuality and Christian Theology, Minneapolis, Minn., Augsburg Publishing House, 1978, p. 51-52.
- 111 Ibid., p. 181.
- 112 Ibid., p. 153.
- 113 Idem, "Contextualism," p. 186.
- 114 Idem, Embodiment, p. 16.
- 115 Idem, Rediscovering the Person in Medical Care, Minneapolis, Minn., Augsburg Publishing House, 1976, p. 75.
- 116 Idem, Embodiment, p. 18.
- 117 Ibid.
- 118 Ibid., p. 27.
- 119 Ibid., p. 29.
- 120 Ibid., p. 34.
- 121 Ibid., p. 105.

- 122 Nelson, Embodiment, p. 105-106.
- 123 Idem, Rediscovering the Person, p. 73.
- 124 Alexander Lowen, The Betrayal of the Body, New York, Collier Books, 1967, 307 p.
- 125 Alan Bell, "Homosexuality: An Overview," in Male and Female: Christian Approaches to Sexuality, ed. Ruth Tiffany Barnhouse and Urban T. Holmes, III, New York, Seabury Press, 1976, p. 131-143.
- 126 Rollo May, Love and Will, New York, W. W. Norton and Co., 1969, 352 p.
- 127 Nelson, Rediscovering the Person, p. 76.
- 128 Ibid.
- 129 Ibid.
- 130 Ibid.
- 131 Ibid., p. 77.
- 132 Idem, Embodiment, p. 41.
- 133 Idem, Rediscovering the Person, p. 77.
- 134 Idem, Embodiment, p. 46-47.
- 135 Ibid., p. 44.
- 136 Ibid., p. 47-48; here Nelson refers to Genesis 2 and 3, the Song of Songs, Ruth, Jeremiah 31:15-22, and Hosea 4:14; noting as well that female imagery is occasionally used for God.
- 137 Idem, Embodiment, p. 49.
- 138 Ibid., p. 50.
- 139 Ibid., p. 53-54.
- 140 Idem, Rediscovering the Person, p. 80.
- 141 Ibid., p. 79-80.
- 142 PP Paulus VI, Litterae Encyclicae, "Humanae Vitae," Acta Apostolicae Sedis, Vol. 60, 1968, p. 481-503.

143 Nelson, Embodiment, p. 129.

144 Ibid.

145 Idem, Rediscovering the Person, p. 81.

146 Idem, Embodiment, p. 105.

147 Ibid., p. 244.

148 Ibid., p. 181. Nelson has a succinct treatment of homosexuality from the counseling perspective. See Nelson, "Religious and Moral Issues in Working with Homosexual Clients," Journal of Homosexuality, Vol. 7, Winter/Spring, 1981/'82, p. 163-175. In this article he briefly discusses the various elements in the normal issue of homosexuality which are pertinent to the therapeutic situation.

149 Nelson, Embodiment, p. 182.

150 Ibid., p. 182-185.

151 Nelson refers to: Derrick Sherwin Bailey, Homosexuality and the Western Christian Tradition, London, Longmans, Green, 1955, xii-181p.; John J. McNeill, The Church and the Homosexual, Kansas City, Sheed, Andrews and McMeel, 1976, xiii-211p.; Joseph C. Weber, "Does the Bible Condemn Homosexual Acts?," Engage/Social Action, Vol. 3, May 1975, p. 28-31; Helmut Thielicke, The Ethics of Sex, trans. John W. Doberstein, New York, Harper and Row, 1964, xiii-338 p.; H. Kimball Jones, Toward a Christian Understanding of the Homosexual, New York, Association Press, 1966, 160 p.; and James T. Clemons, "Toward a Christian Affirmation of Human Sexuality," Religion in Life, Vol. 43, Winter 1974, p. 425-435.

152 Nelson, Embodiment, p. 185.

153 Ibid., p. 185-186.

154 Ibid., p. 188.

155 Ibid., p. 189.

156 Ibid.

157 Ibid., p. 191.

158 Ibid., p. 195-196.

159 Ibid., p. 196.

160 Ibid., p. 197.

161 Nelson, Embodiment, p. 197.

162 Ibid., p. 198-199.

163 Ibid., p. 200.

164 Ibid., p. 109.

165 Ibid., p. 118.

166 Ibid., p. 122-123. Nelson distinguishes between "principle" and "rule." A principle is a norm which asserts certain moral qualities which would be present in a broad range of acts. It would be general. Whereas a rule is action-specific, naming certain types of actions, specifying them as obligatory or permissible or forbidden.

167 Idem, Embodiment, p. 125.

168 Ibid., p. 126-127.

169 Ibid., p. 199.

170 Ibid., p. 207.

171 Ibid., p. 208-209.

172 Ibid., p. 210.

173 W. Norman Pittenger, Love Is the Clue, London, A. R. Mowbray and Company, Ltd., 1967, p. 40; Pittenger recognizes that, in fact, theology has often tended to speculate in a manner that was not grounded in the lived experience. In an article entitled "A Theological Approach to Understanding Homosexuality," in Male and Female: Christian Approaches to Sexuality, ed. Ruth T. Barnhouse and Urban T. Holmes, III, New York, Seabury Press, 1976, p. 158, he writes: "By theology I do not mean recondite or pedantic discussion of speculative issues, although often enough theology has seemed to be just that. What I am talking about is the thoughtful and faithful development of the consequences of the Christian faith about God and man and the world in the light of, and as the inevitable result of, acceptance of Jesus Christ as the disclosure in act of what God does in the world and hence what God is as creator and redeemer and enabler of that world in its ongoing movement—or, as most of us would say nowadays, the evolutionary process."

174 Idem, The Lure of Divine Love: Human Experience and Christian Faith in a Process Perspective, New York, Pilgrim Press, 1979, p. 17-18

175 Idem, Making Sexuality Human, Philadelphia, United Church Press, 1970; third printing, Philadelphia, Pilgrim Press, 1975, p. 18.

176 Pittenger, Love and Control in Sexuality, Philadelphia, United Church Press, 1974, p. 18; see also Love is the Clue, p. 45.

177 Idem, Making Sexuality Human, p. 15; see also Lure of Divine Love, p. 65.

178 Idem, Making Sexuality Human, p. 18 and 29.

179 Idem, The Christian Situation Today, London, Epworth Press, 1969, p. 57.

180 Idem, Lure of Divine Love, p. 59.

181 Idem, Making Sexuality Human, p. 71.

182 Ibid., p. 71

183 Idem, Love is the Clue, p. 45.

184 Ibid., p. 47; see also Pittenger, Time for Consent: A Christian's Approach to Homosexuality, London, SCM Press, 1967, p. 19.

185 Idem, Love is the Clue, p. 47.

186 Idem, "Theological Approach," p. 159-160.

187 Ibid., p. 160.

188 Idem, Love is the Clue, p. 33.

189 Idem, Lure of Divine Love, p. 55.

190 Idem, Making Sexuality Human, p. 40.

191 See Pittenger's article, "Toward a Christian Theology of Sexuality," Union Seminary Quarterly Review, Vol. 30, Winter-Summer 1975, p. 125: "Since this aim [to become a lover] is given by God and the movement towards its fulfilment is lured by him, we must speak of the divine prevenience or initiative."

192 See Making Sexuality Human, p. 47: "[...] We were made for each other, we live with one another, we help one another, and without the others we cannot ourselves come to whatever fulfilment is intended for us."

193 Idem, Love Looks Deep, London, A. R. Mowbray and Company, Ltd., 1969, p. 63.

194 Idem, Lure of Divine Love, p. 60.

195 Ibid., p. 57.

- 196 Pittenger, "Theological Approach," p. 160.
- 197 Idem, Lure of Divine Love, p. 62.
- 198 Idem, Time for Consent, p. 28.
- 199 Idem, Love and Control, p. 49.
- 200 Idem, Time for Consent, p. 28 and 29.
- 201 Idem, Lure of Divine Love, p. 20.
- 202 Idem, Time for Consent, p. 53.
- 203 Idem, Love and Control, p. 119.
- 204 Ibid., p. 119-120; see also Time for Consent, p. 33, 56, and 57; and Lure of Divine Love, p. 56.
- 205 Idem, Making Sexuality Human, p. 88-89.
- 206 Ibid., p. 78.
- 207 Idem, Lure of Divine Love, p. 54.
- 208 Idem, Making Sexuality Human, p. 8.
- 209 Ibid.
- 210 Ibid., p. 16.
- 211 Ibid., p. 30; see also Love and Control, p. 20-21.
- 212 Idem, Making Sexuality Human, p. 16.
- 213 Idem, "Theological Approach," p. 161.
- 214 Ibid., p. 162; see also Making Sexuality Human, p. 32.
- 215 Idem, "Toward a Christian Theology of Sexuality," p. 126.
- 216 Idem, "Theological Approach," p. 161-162.
- 217 Idem. "Toward a Christian Theology of Sexuality," p. 124.
- 218 Idem, Making Sexuality Human, p. 32-33.
- 219 Idem, Love and Control, p. 51; see also "Toward a Christian Theology of Sexuality," p. 128.

- 220 Pittenger, Making Sexuality Human, p. 11.
- 221 Idem, Lure of Divine Love, p. 70; see also, "Toward a Christian Theology of Sexuality," p. 129.
- 222 Idem, Love and Control, p. 60-61.
- 223 Idem, Time for Consent, p. 9.
- 224 Idem, "Theological Approach," p. 163; see also Love Looks Deep, p. 86.
- 225 Idem, "Theological Approach," p. 163; see also Love and Control, p. 29.
- 226 Idem, Making Sexuality Human, p. 61.
- 227 Ibid., p. 60.
- 228 Idem, "Theological Approach," p. 165; see also Love and Control, p. 30; and Lure of Divine Love, p. 68.
- 229 Idem, Time for Consent, p. 55.
- 230 Idem, Lure of Divine Love, p. 68-69.
- 231 Idem, "Theological Approach," p. 165.
- 232 Idem, Making Sexuality Human, p. 32-33.
- 233 Ibid., p. 68.
- 234 Idem, Time for Consent, p. 41.
- 235 Idem, Making Sexuality Human, p. 67.
- 236 Idem, "Theological Approach," p. 166.
- 237 Idem, Time for Consent, p. 10.
- 238 Idem, Love Looks Deep, p. 86.
- 239 Idem, Time for Consent, p. 52.
- 240 Ibid., p. 48.
- 241 Idem, Making Sexuality Human, p. 67.

## NOTES: CHAPTER V

### THE CLASSICIST AND HISTORICIST PARADIGMS

1 Thomas S. Kuhn, The Structure of Scientific Revolutions, Chicago, University of Chicago Press, 1962; second ed., enlarged, fourth printing, University of Chicago Press, 1973. Following references to this work will be indicated by the abbreviation SSR.

2 Gary Gutting, ed., Paradigms and Revolutions: Appraisals and Applications of Thomas Kuhn's Philosophy of Science, Notre Dame, Ind., University of Norte [sic] Dame Press, 1980. The book contains an extensive bibliography (p. 321-339) of works written on various aspects of Kuhn's theory.

3 Dudley Shapere, "The Structure of Scientific Revolutions," Philosophical Review, Vol. 73, July 1964, p. 383-394.

4 Margaret Masterman, "The Nature of a Paradigm," in Criticism and the Growth of Knowledge, ed. Imre Lakatos and Alan Musgrave, Cambridge, Cambridge University Press, 1970, p. 59-89.

5 Thomas S. Kuhn, "Second Thoughts on Paradigms," in The Structure of Scientific Theories, ed. Frederick Suppe, Urbana, Ill., University of Illinois Press, 1973; second ed., 1977, p. 459-460. Page numbers in parenthesis refer to Kuhn's SSR.

6 Idem, SSR, p. 175.

7 Ibid., p. 176.

8 Ibid., p. 177.

9 Ibid.

10 Ibid.

11 Gutting, Paradigms and Revolutions, p. 12.

12 David A. Hollinger, "T. S. Kuhn's Theory of Science and Its Implications for History," in Paradigms and Revolutions: Appraisals and Applications of Thomas Kuhn's Philosophy of Science, ed. Gary Gutting, Notre Dame, Ind., University of Norte [sic] Dame Press, 1980, p. 197.

13 Kuhn, SSR, p. 179.

14 Ibid., p. 182.

15 Ibid., p. 183.

16 Kuhn, SSR, p. 184.

17 Ibid.

18 Ibid., p. 185.

19 Ibid., p. 187.

20 Kuhn offers some examples of the process by which students arrive at new knowledge through the solving of problems. See his article "Logic of Discovery or Psychology of Research?," in Criticism and the Growth of Knowledge, ed. Imre Lakatos and Alan Musgrave, London, Cambridge University Press, 1970, especially pages 16-19.

21 Though his article is predominantly critical of Kuhn, Grünfeld explains the function of the exemplar in the education of the scientist. See Joseph Grünfeld, "Kuhn's Paradigm: Science as History," Science et Esprit, Vol. 34, janvier-avril 1982, p. 99.

22 Alan E. Musgrave, "Kuhn's Second Thoughts," in Paradigms and Revolutions: Appraisals and Applications of Thomas Kuhn's Philosophy of Science, ed. Gary Gutting, Notre Dame, Ind., University of Notre Dame Press, 1980, p. 49.

23 Ibid., p. 41.

24 Douglas Lee Eckberg and Lester Hill, Jr., "The Paradigm Concept and Sociology: A Critical View," in Paradigms and Revolutions: Appraisals and Applications of Thomas Kuhn's Philosophy of Science, ed. Gary Gutting, Notre Dame, Ind., University of Notre Dame Press, 1980, p. 121.

25 Kuhn, SSR, p. 53.

26 Hollinger, "T. S. Kuhn's Theory," p. 198.

27 T. Howland Sanks, Authority in the Church: A Study in Changing Paradigms, (American Academy of Religion's Dissertation Series, No. 2), Missoula, Montana, Scholars' Press, 1974, p. 130.

28 The paradigm remains subservient to the findings of science examining nature itself. Jonathan Schell describes the independent progression of science in its study of nature, independent of any preconceived paradigm or of any scientist's inquiry. He writes: "A disturbing corollary of the scientists' inability even to foresee the path of science, to say nothing of determining it, is that while science is without doubt the most powerful revolutionary force in our world, no one directs that force. For science is a process of submission, in which the mind does not dictate to nature but seeks out and then bows to nature's laws, letting its conclusions be guided by that which is, independent of our will." Jonathan Schell, The Fate of the Earth, New York, Avon Books, 1982, p. 105.

29 For a further, more detailed explanation of the different ways that a paradigm can expand in the face of an anomaly, see Masterman, "Nature of a Paradigm," p. 79-87.

30 Kuhn, SSR, p. 65.

31 Hollinger, "T. S. Kuhn's Theory," p. 198-199.

32 Kuhn, SSR, p. 91.

33 Gutting, Paradigms and Revolutions, p. 15.

34 J. G. A. Pocock, Politics, Language and Time: Essays on Political Thought and History, New York, Atheneum, 1971, p. 13-15.

35 Basil Mitchell, The Justification of Religious Belief, New York, Seabury Press, 1973.

36 Ibid., p. 69.

37 Sanks, Authority in the Church.

38 Kuhn, SSR, p. 136.

39 Ibid., p. 177.

40 Sanks, Authority in the Church, p. 6.

41 Kuhn, SSR, p. 182-183.

42 John F. Harvey, "Homosexual Marriages," Marriage, Vol. 56, January 1974, p. 19.

43 William E. May, "Fertility Awareness and Sexuality," The Linacre Quarterly, Vol. 46, February 1979, p. 22.

44 Idem, "Sex, Love and Procreation," Homilectic and Pastoral Review, Vol. 76, May 1976, p. 24.

45 Charles J. McFadden, Medical Ethics, Philadelphia, F. A. Davis Publishers, 1946; third ed., 1953, p. 48.

46 Ibid., p. 56.

47 Greg L. Bahnsen, Homosexuality: A Biblical View, Grand Rapids, Michigan, Baker Book House, 1978, p. 60.

48 Paul Ramsey, "A Christian Approach to the Question of Sexual Relations outside of Marriage," in Journal of Religion, Vol. 45, April 1965, p. 110.

49 Dwight Hervey Small, The Right to Remarry, Old Tappan, New Jersey, Fleming H. Revell Company, 1975, p. 147.

50 Idem, Christian: Celebrate Your Sexuality, Old Tappan, New Jersey, Fleming H. Revell Company, 1974, p. 187.

51 See Harvey's understanding of the objectivity of moral norms in "Law and Personalism," Communio: International Catholic Review, Vol. 2, Spring 1975, p. 56; also his treatment of sex apart from intention in "Homosexual Marriages," p. 19. For May's treatment of intent + content see Becoming Human: An Invitation to Christian Ethics, Dayton, Ohio, Pfluum Publishing Company, 1975, p. 81; and May's application of his theory to sex is found in "Fertility Awareness," p. 23-24, and in "Sex, Love and Procreation," p. 20. McFadden deals with the unchangeableness of the nature of sex in Medical Ethics, p. 51. For Bahnsen's treatment of the individual's attitude see Homosexuality, p. 127. Ramsey's treatment of this topic is very nuanced, and it is found in his book Basic Christian Ethics, New York, Charles Scribner's Sons, 1951, p. 100. Finally, Small's treatment is found in Christian: Celebrate Your Sexuality, p. 119.

52 Kuhn, SSR, p. 183.

53 Harvey, "Law and Personalism," p. 56.

54 Idem, "Homosexuality as a Pastoral Problem," Theological Studies, Vol. 16, March 1955, p. 93.

55 May, Becoming Human, p. 62.

56 Idem, Committee Chairman, et al., "Theologians and Authoritative Church Teaching," Origins, Vol. 10, February 19, 1981, p. 575.

57 McFadden, Medical Ethics, p. 18.

58 Bahnsen, Homosexuality, p. 61.

59 Ibid., p. 21.

60 Ibid., p. 18.

61 Ramsey, Basic Christian Ethics, p. xvii.

62 Idem, "The Biblical Norm of Righteousness," Interpretation, Vol. 24, October 1970, p. 423-424.

63 Small, Christian: Celebrate Your Sexuality, p. 119.

64 Idem, Marriage as Equal Partnership, Grand Rapids, Michigan, Baker Book House, 1980, p. 16.

65 See note 51 above in this same chapter for references to the particular authors on these points.

66 Harvey treats of the superiority of Scripture in his article "Law and Personalism," p. 56. Bahnsen deals with this in his book Theonomy in Christian Ethics, Nutley, N.J., Craig Press, 1977, p. 18. Small also treats of it in Christian: Celebrate Your Sexuality, p. 119.

67 For the authors' positions on the role of the Church in interpreting the purpose of human existence, see Harvey, "Law and Personalism," p. 72; May, "Theologians," p. 575; and McFadden, Medical Ethics, p. 2 contrasted with p. 18.

68 Harvey, "Homosexual Marriages," p. 19.

69 Idem, "Counseling the Apparent Adolescent Homosexual," Guild of Catholic Psychiatrists Bulletin, Vol. 10, October 1963, p. 211.

70 John F. Harvey and William E. May, "On Understanding Human Sexuality: A Critique of the C. T. S. A. Study," Communio: International Catholic Review, Vol. 4, Fall 1977, p. 207.

71 McFadden, Medical Ethics, p. 18.

72 Bahnsen, Theonomy, p. xv.

73 Paul Ramsey, Deeds and Rules in Christian Ethics, Edinburgh, Oliver and Boyd, 1965, p. 95.

74 Small, Marriage, p. 16.

75 John F. Harvey, "Morality and Pastoral Treatment of Homosexuality," Continuum, Vol. 5, Summer 1967, p. 289.

76 On birth control see Harvey's article "The Meaning of Humanae Vitae and Its Binding Force," Guild of Catholic Psychiatrists Bulletin, Vol. 16, January 1969, p. 15; and on masturbation his article entitled "Pastoral Implications of Church Teaching on Homosexuality," The Linacre Quarterly, Vol. 38, August 1971, p. 160.

77 Harvey and May, "Understanding Human Sexuality," p. 205.

78 May, "Sex, Love and Procreation," p. 24.

79 McFadden, Medical Ethics, p. 18.

80 Idem, The Dignity of Life: Moral Values in a Changing Society, Huntington, Ind., Our Sunday Visitor, 1976, p. 34.

81 Bahnsen, Homosexuality, p. 60.

82 Ramsey, Deeds and Rules, p. 27.

83 Idem, "A Christian Approach," p. 110.

84 Small, Marriage, p. 17.

85 Idem, Right to Remarry, p. 147.

86 Idem, Christian: Celebrate Your Sexuality, p. 168.

87 For Harvey's all-inclusive definition of sex see his article "Homosexual Marriages," p. 20; also his "Counseling the Apparent Adolescent Homosexual," p. 211. May indicates that a "problem" should have a clear solution in the article he wrote with Harvey, "Understanding Human Sexuality," p. 207. McFadden's position is made clear in Medical Ethics, p. 51. Bahnsen has a clear statement of his position in Homosexuality, p. 28-29. Ramsey is not as definite, though he has similar thoughts; see "A Christian Approach," p. 100, 104, 105, and 110. For Small's thinking on this see Right to Remarry, p. 147.

88 Harvey compares the other sciences to Scripture in "Law and Personalism," p. 56; also, in his treatment of homosexuality he takes a contrary position to the American Psychiatric Association in the same article. May does not have a clear statement on this matter, though in his method there is no appeal to any other sources of knowledge. He proceeds from the definition of sex and merely applies the definition. McFadden places ethical reasoning squarely within revelation in Medical Ethics, p. 18. For Bahnsen's views on this point see Homosexuality, p. 56 and p. 80; also, Theonomy, p. 305. Ramsey has similar thoughts, found in "A Christian Approach," p. 110. Finally, Small has a clear statement on this in Christian: Celebrate Your Sexuality, p. 119.

89 John F. Harvey, "The Controversy Concerning Nomenclature vis-à-vis Homosexuality," The Linacre Quarterly, Vol. 41, August 1974, p. 191.

90 Idem, "Law and Personalism," p. 68.

91 William E. May, "Sterilization: Catholic Teaching and Catholic Practice," Homiletic and Pastoral Review, Vol. 77, August-September, 1977, p. 14-15.

92 Harvey and May, "Understanding Human Sexuality," p. 207.

93 Charles J. McFadden, Challenge to Morality: Life Issues--Moral Answers, Huntington, Ind., Our Sunday Visitor, Inc., 1978, p. 27-28.

94 Bahnsen, Homosexuality, p.127.

95 For Ramsey's position see his article, "Biblical Norm of Righteousness," p. 419-429.

96 Paul Ramsey, "Reply to T. F. Driver," Christianity and Crisis, Vol. 23, November 11, 1963, p. 204.

97 Idem, "A Christian Approach," p. 110.

98 Small, Marriage, p. 16-17.

99 Idem, Christian: Celebrate Your Sexuality, p. 190.

100 Harvey, "Law and Personalism," p. 72.

101 May, "Theologians," p. 575.

102 McFadden, Medical Ethics, p. 18.

103 Bahnsen, Homosexuality, p. 28-29.

104 Ramsey, "A Christian Approach," p. 110.

105 Small, Christian: Celebrate Your Sexuality, p. 119.

106 For Harvey's use of the sources see "Homosexual Marriages," p. 19; and "Counseling the Apparent Adolescent Homosexual," p. 207. McFadden uses Scripture and magisterial statements in a non-critical manner--see his book Challenge to Morality, p. 27. Bahnsen acknowledges commonly accepted principles of interpreting Scripture, though when it comes to apply the texts he uses Scripture in a proof-text fashion. See his book Homosexuality, p. 19-26. Ramsey does not refer to the authoritative sources to work out his ethical conclusions. Though Small does not theorize on the use of Scripture, the way he uses texts indicates a non-critical method--see Christian: Celebrate Your Sexuality, p. 168, and his book Design for Christian Marriage, Old Tappan, New Jersey, Spire Books, 1971; fifth printing, 1976, p. 199.

107 Harvey, "Counseling the Apparent Adolescent Homosexual," p. 211. Harvey is quoting Joseph Duhmel, "The Catholic Church and Birth Control," Paulist Press Pamphlet, 1962, p. 17.

108 May, "Sex, Love and Procreation," p. 22-23.

109 Bahnsen, Homosexuality, p. 111.

110 For a treatment of Penitentials and their development see John T. Noonan, Jr., Contraception: A History of Its Treatment by the Catholic Theologians and Canonists, Cambridge, Harvard University Press, 1965, p. 152-170.

111 See Thomas N. Tentler, Sin and Confession on the Eve on the Reformation, Princeton, N.J., Princeton University Press, 1977, especially, "Summas for Confessors," p. 31-39; "Manuals of Confession and Pastoral Care," p. 39-49; and "Sex and the Married Penitent," p. 162-232.

112 Sacred Congregation for Catholic Education, document, "The Theological Formation of Future Priests," sent directly to bishops and to heads of seminaries on February 22, 1976; not in Acta Apostolicae Sedis nor in L'Osservatore Romano; English version in Origins, Vol. 6, September 2, 1976, p. 173-190.

113 Sacra Congregatio Pro Doctrina Fidei, Declaratio, "De quibusdam quaestionibus ad sexualem ethicam spectatibus," Acta Apostolicae Sedis, Vol. 68 1976, p. 77-96.

114 Ibid.

115 Article 3: "These fundamental principles, which can be grasped by reason, are contained in 'the divine law--eternal, objective and universal--whereby God orders, directs and governs the entire universe and all the ways of the human community, by a plan conceived in wisdom and love. Man has been made by God to participate in this law, with the result that, under the gentle disposition of divine Providence, he can come to perceive ever increasingly the unchanging truth'. This divine law is accessible to our minds." The quote within is taken from Sacrosanctum Concilium Oecumenicum Vaticanum II, Declaratio, "De libertate religiosa," Acta Apostolicae Sedis, Vol. 58, art. 3, 1966, p. 931. English translation is taken from Human Sexuality: New Directions in American Catholic Thought, Anthony Kosenik, et al., New York, Paulist Press, 1977, p. 299-316.

116 Article 7: "This opinion [favoring premarital sex] is contrary to Christian doctrine, which states that every genital act must be within the framework of marriage."

117 Article 8: "At the present time there are those who, basing themselves on observations in the psychological order, have begun to judge indulgently, and even to excuse completely, homosexual relations between certain people. This they do in opposition to the constant teaching of the Magisterium and to the moral sense of the Christian people."

118 Article 9: "This opinion [favoring masturbation] is contrary to the teaching and pastoral practice of the Catholic Church."

119 Article 5: "Since sexual ethics concern certain fundamental values of human and Christian life, this general teaching equally applies to sexual ethics. In this domain there exist principles and norms which the Church has always unhesitatingly transmitted as part of her teaching, however much the opinions and morals of the world may have been opposed to them."

120 Article 1: "In the present period, the corruption of morals has increased, and one of the most serious indications of this corruption is the unbridled exaltation of sex."

121 James M. Gustafson, Protestant and Roman Catholic Ethics, Chicago, University of Chicago Press, 1978, p. 32; see also Edward A. Malloy, "The Christian Ethicist in the Community of Faith," Theological Studies, Vol. 43, September 1982, especially p. 400-412.

122 Harvey, "Pastoral Implications," p. 159.

123 Ibid.

124 Harvey and May, "Understanding Human Sexuality," p. 216-217.

125 McFadden, Challenge to Morality, p. 27.

126 Bahnsen, Homosexuality, p. 127.

127 Ramsey, "Reply to T. F. Driver," p. 204.

128 Small, Christian: Celebrate Your Sexuality, p. 169.

129 Examples of this form of ethical reasoning abound. As a sampling of the literature, see Joseph Buckley, Christian Design for Sex: Principles and Attitudes for Parents and Teachers, Chicago, Fides Publishers Association, 1952; and George A. Kelly, ed., Human Sexuality in Our Time: What the Church Teaches, Boston, St. Paul Editions, 1979.

130 See Appendix 1 for an explanation of the two surveys.

131 Bernard Lonergan, "The Transition from a Classicist World View to Historical Mindedness," in Law for Liberty: The Role of Law in the Church Today, ed. James E. Biechler, Baltimore, Helicon Press, 1967, p. 129-130.

132 Daniel C. Maguire, The Moral Choice, Garden City, N.Y., Doubleday and Company, Inc., 1978, p. 69.

133 Ibid.

134 Edward Schillebeeckx, "The Magisterium and Ideology," Journal of Ecumenical Studies, Vol. 19, Spring 1982, p. 7-8.

135 Roger Mehl, Catholic Ethics and Protestant Ethics, trans. James H. Farley, Philadelphia, Westminster Press, 1971 (translation of Ethique catholique et éthique protestante, Neuchâtel, Switzerland, De'archaux & Niestlé, 1970), p. 43.

136 Charles E. Curran, Issues in Sexual and Medical Ethics, Notre Dame, University of Notre Dame Press, 1978, p. 38-43.

137 For a comparison among the deontological, the teleological, and the relational-responsible modes of moral reasoning see H. Richard Niebuhr, The Responsible Self: An Essay in Christian Moral Philosophy, San Francisco, Harper and Row, 1963, p. 47-68; and for a review of the Roman Catholic literature which attempts to clarify the terms "deontology" and "teleology" see Lisa Sowle Cahill, "Teleology, Utilitarianism, and Christian Ethics," Theological Studies, Vol. 42, December 1981, p. 601-629.

138 Kosnik, Human Sexuality, p. 49. For other examples of lists of factors indicating the presence of an anomaly in sexual ethics see James P. Hanigan, What Are They Saying about Sexual Morality?, New York, Paulist Press, 1982, p. 7-27; John G. Milhaven, Toward a New Catholic Morality, Garden City, New York, Doubleday, 1970, p. 15-28; and James B. Nelson, Embodiment: An Approach to Sexuality and Christian Theology, Minneapolis Minn., Augsburg Publishing House, 1978, p. 16.

139 Curran, Issues, p. 47.

140 Ibid.

141 John F. Dedek, Contemporary Sexual Morality, New York, Sheed and Ward, 1971, p. 4.

142 Idem, Contemporary Medical Ethics, New York, Sheed and Ward, 1975, p. 59.

143 Idem, "Two Moral Cases: Invalid Marriage and Homosexuality," Chicago Studies, Vol. 13, Spring 1974, p. 29.

144 John G. Milhaven, "Church Neglects Physical Love," The National Catholic Reporter, Vol. 11, January 24, 1975, p. 7+.

145 Idem, "Christian Evaluations of Sexual Pleasure," in American Society of Christian Ethics Selected Papers 1976, ed. Max Stackhouse (Seventeenth Annual Meeting, Washington, D.C., January 16-18, 1976), Missoula, Mont., Scholars' Press, 1976, p. 69.

146 Idem, "The Grounds of the Opposition to 'Humanae Vitae,'" Thought, Vol. 44, Fall 1969, p. 352-353.

147 Beverly W. Harrison, "Misogyny and Homophobia: The Unexplored Connections," Integrity Forum, Vol. 7, Part 1981, p. 12.

148 Ibid., p. 11

149 Ibid., p. 7.

150 Ibid., p. 11.

151 For a detailed explanation of her proposal for a national policy on population regulation see Harrison, "When Fruitfulness and Blessedness Diverge," Religion in Life, Vol. 41, Winter 1972, p. 485-493.

152 Nelson, Embodiment, p. 18.

153 Ibid., p. 34.

154 Ibid., p. 105-106.

155 Ibid., p. 126-127.

156 Ibid., p. 128.

157 Ibid., p. 126-127.

158 W. Norman Pittenger, "A Theological Approach to Understanding Homosexuality," in Male and Female: Christian Approaches to Sexuality, ed. Ruth T. Barnhouse and Urban T. Holmes, III, New York, Seabury Press, 1976, p. 162.

159 Ibid.

160 Idem, Making Sexuality Human, Philadelphia, United Church Press, 1970; third printing, Philadelphia, Pilgrim Press, 1975, p. 16.

161 For an affirmation of the connection between heterosexual sex and procreation see Pittenger, "Theological Approach," p. 161-162; and for a listing of the evaluative guidelines for sexual activity see Pittenger, The Lure of Divine Love: Human Experience and Christian Faith in a Process Perspective, New York, Pilgrim Press, 1979, p. 70-71.

162 The Protestant Historicists are not willing to include procreation as a significant element in the moral evaluation of sexual activity. When Nelson lists what he considers the three divinely appointed purposes of human sexuality there is no mention of procreation. The first purpose is that sexuality is intrinsic to what the person is. The second is that sexuality expresses the human need and desire for communion. The third is found within the question asking to what degree and in what manner an act of sex nurtures and sustains love-communion. See James B. Nelson, "Faith, Ethics, and Sexuality," in Human Sexuality: A Preliminary Study, The United Church of Christ, New York, United Church Press, 1977, p. 88-89.

163 Charles E. Curran, New Perspectives in Moral Theology, Notre Dame, Ind., Fides Publishers, Inc., 1974; reprint ed., Notre Dame, Ind., University of Notre Dame Press, 1976, p. 12.

164 Idem, Transition and Tradition in Moral Theology, Notre Dame, Ind., University of Notre Dame Press, 1979, p. 65; and Catholic Moral Theology in Dialogue, Notre Dame, Ind., Fides Publishers, Inc., 1972, p. 169.

165 Curran, "Theology and Genetics: A Multi-Faceted Dialogue," Journal of Ecumenical Studies, Vol. 7, Winter 1970, p. 70.

166 John F. Dedek, "Freedom of the Catholic Conscience," Chicago Studies, Vol. 7, Summer 1968, p. 117.

167 Idem, "The Moral Law," Chicago Studies, Vol. 13, Fall 1974, p. 232.

168 Idem, "Freedom of the Catholic Conscience," p. 119.

169 John G. Milhaven, "How Far Has God Shared His Dominion with Man?," American Ecclesiastical Review, Vol. 162, January 1970, p. 61.

170 Idem, Toward a New Catholic Morality, p. 62.

171 Beverly W. Harrison, "Sexism and the Language of Christian Ethics: Some Basic Theses for Discussion," paper circulated by Faith and Order Department of the National Council of Churches, October 1976, p. 1.

172 Nelson, Embodiment, p. 104.

173 Idem, Moral Nexus: Ethics of Christian Identity and Community, Philadelphia, Westminster Press, 1971, p. 33.

174 Idem, "Contextualism and the Ethical Triad," in The Situation Ethics Debate, ed. Harvey Cox, Philadelphia, Westminster Press, 1968, p. 181.

175 W. Norman Pittenger, Love and Control in Sexuality, Philadelphia, United Church Press, 1974, p. 18.

176 Idem, Lure of Divine Love, p. 55.

177 Curran, New Perspectives, p. 6.

178 Idem, Ongoing Revision in Moral Theology, Notre Dame, Ind., Fides, 1975, p. 88-89.

179 Dedek, "The Moral Law," p. 229.

180 Ibid., p. 230.

181 Milhaven, Toward a New Catholic Morality, p. 60.

182 Ibid., p. 61.

183 Beverly W. Harrison, "The New Consciousness of Women: A Socio-Political Resource," Cross Currents, Vol. 24, Winter 1975, p. 445-446.

184 Nelson, Embodiment, p. 51.

- 185 Nelson, "Contextualism," p. 176.
- 186 Pittenger, Making Sexuality Human, p. 88-89.
- 187 This understanding of negative moral absolutes is distinguished from what could be considered tautological statements. If "murder" is defined as the unjust taking of a human life, then by the very definition murder will always be immoral. The definition itself becomes tautological.
- 188 Curran, New Perspectives, p. 17.
- 189 Idem, "Pluralism in Catholic Moral Theology," Chicago Studies, Vol. 14, Fall 1975, p. 311.
- 190 Dedek, "The Moral Law," p. 233.
- 191 Milhaven, Toward a New Catholic Morality, p. 24.
- 192 Harrison, "Misogyny and Homophobia," p. 12.
- 193 Idem, "When Fruitfulness and Blessedness Diverge," p. 485.
- 194 Nelson, "Contextualism," p. 182.
- 195 Idem, Embodiment, p. 151.
- 196 Pittenger, Love and Control, p. 119.
- 197 Curran, "Pluralism," p. 311.
- 198 Idem, Ongoing Revision, p. 99.
- 199 Dedek, Contemporary Medical Ethics, p. 58.
- 200 Idem, "Two Moral Cases: Invalid Marriages and Homosexuality," p. 33.
- 201 Idem, Contemporary Sexual Morality, p. 60.
- 202 Milhaven, Toward a New Catholic Morality, p. 65.
- 203 Idem, "Homosexuality and the Christian," Homilectic and Pastoral Review, Vol. 68, May 1968, p. 667.
- 204 Beverly W. Harrison, "Free-Choice: A Feminist Perspective," Church and Society, Vol. 71, March-April 1981, p. 17.
- 205 Nelson, "Contextualism," p. 186.

- 206 Nelson, Embodiment, p. 125.
- 207 W. Norman Pittenger, Time for Consent: A Christian's Approach to Homosexuality, London, SCM Press, 1967, p. 53.
- 208 Idem, Making Sexuality Human, p. 78.
- 209 Curran, Catholic Moral Theology in Dialogue, p. 169.
- 210 Idem, "Absolute Norms and Medical Ethics," in Absolutes in Moral Theology?, ed. Charles E. Curran, Washington, D.C., Corpus Books, 1968, p. 135.
- 211 Idem, Issues in Sexual and Medical Ethics, p. 9.
- 212 Dedek, "Freedom of the Catholic Conscience," p. 118.
- 213 Ibid., p. 124.
- 214 Milhaven, "Grounds of the Opposition," p. 353.
- 215 Harrison, "Free-Choice," p. 16.
- 216 Nelson, Embodiment, p. 51.
- 217 Pittenger, Love and Control, p. 119.
- 218 Curran, "Theology and Genetics," p. 69-70.
- 219 Dedek, Contemporary Sexual Morality, p. 9.
- 220 John G. Milhaven, "The Behavioral Sciences and Christian Ethics," in Projections: Shaping an American Theology for the Future, ed. Thomas F. O'Meara and Donald M. Weisser, Garden City, N.Y., Doubleday, 1970, p. 135.
- 221 Beverly W. Harrison, "Toward a Just Social Order," Journal of Current Social Issues, Vol. 15, Spring 1978, p. 65.
- 222 Nelson, "Contextualism," p. 171-172.
- 223 Pittenger, Love and Control, p. 119.
- 224 Curran, Catholic Moral Theology in Dialogue, p. 202.
- 225 Ibid., p. 203.
- 226 For a more complete consideration of this problem in Curran's theory see Richard Grecco, "A Theology of Compromise: A Study of Method in the Ethics of Charles E. Curran," D.Th. dissertation, University of St. Michael's College, Toronto, 1982, p. 193-194.

- 227 Curran, Catholic Moral Theology in Dialogue, p. 217.
- 228 Dedek, "Two Moral Cases: Invalid Marriage and Homosexuality,"  
p. 28.
- 229 Ibid., p. 33.
- 230 Milhaven, "Homosexuality and the Christian," p. 666.
- 231 Ibid.
- 232 Ibid., p. 667.
- 233 Ibid., p. 669.
- 234 Harrison, "Misogyny and Homophobia," p. 11.
- 235 Nelson, Embodiment, p. 197.
- 236 Ibid., p. 200.
- 237 For a further explanation of Nelson's evaluative criteria please refer to the section on Nelson entitled "Application of Theory: Homosexuality" in Chapter Four above.
- 238 Pittenger, Time for Consent, p. 41.
- 239 Idem, Making Sexuality Human, p. 67.
- 240 Nelson, Embodiment, p. 198-199; see also John G. Milhaven, "Objective Moral Evaluation of Consequences," Theological Studies, Vol. 32, September 1971, p. 429-430.
- 241 See Nelson, Embodiment, p. 198-199; see also W. Norman Pittenger, Love Looks Deep, London, A. R. Mowbray & Co., Ltd., 1969, p. 86.
- 242 Pittenger, Lure of Divine Love, p. 70.
- 243 Lonergan, "Transition," p. 126-133.
- 244 Ibid., p. 130.
- 245 Maguire, The Moral Choice, p. 72.
- 246 Edward LeRoy Long, Jr., A Survey of Christian Ethics, New York, Oxford University Press, 1967, p. 45-164.
- 247 Niebuhr, The Responsible Self, p. 65.

248 Nelson, Moral Nexus, p. 25-27.

## NOTES: CHAPTER VI

### CONFESSIONAL DIFFERENCES

1 Eric Fuchs, "Sociological and Theological Differences in 'Catholic' and 'Protestant' Morality as Seen in Their Confrontation in a Denominationally Mixed Country (Switzerland)," Concilium, Vol. 150, 1981, p. 24-25.

2 Charles E. Curran, New Perspectives in Moral Theology, Notre Dame, Ind., Fides Publishers, Inc., 1974 (reprint ed., Notre Dame, Ind., University of Notre Dame Press, 1976), p. 35.

In the mind of the magisterium, an individual's response in obedience is the fulfillment of one's personal freedom; that is, one is free to be obedient to God's will as interpreted by a legitimate authority. Thus, for the magisterium personal freedom is not sacrificed for the sake of obedience and order.

3 Paul Lehmann, Ethics in a Christian Context, London, SCM Press, 1963, p. 316.

4 James M. Gustafson, Protestant and Roman Catholic Ethics, Chicago, University of Chicago Press, 1978, p. 5.

5 Ibid., p. 133.

6 Edward LeRoy Long, Jr., A Survey of Christian Ethics, New York, Oxford University Press, 1967, p. 299.

7 Fuchs, "Sociological and Theological Differences," p. 24-25. Avery Dulles categorizes the way revelation is seen and used in five different models in his book Models of Revelation, Garden City, New York, Doubleday, 1983. See pages 36-114 for an explanation of the five different models: (1) Revelation as Doctrine, (2) Revelation as History, (3) Revelation as Inner Experience, (4) Revelation as Dialectical Presence, and (5) Revelation as New Awareness. On page 16 Dulles writes: "From the recent theological literature it seems that many of the divergences regarding revelation are theological rather than confessional. The theological schools in the field of revelation cut right across the lines between denominations." Thus, it is not possible to identify any one of the five models as the Roman Catholic position or as the Protestant position on revelation.

8 Edward A. Malloy, "The Christian Ethicist in the Community of Faith," Theological Studies, Vol. 43, September 1982, p. 413.

9 Gustafson, Protestant and Roman Catholic Ethics, p. 5.

10 Ibid., p. 6.

11 Ibid., p. 131.

- 12 Curran, New Perspectives, p. 28.
- 13 Idem, Catholic Moral Theology in Dialogue, Notre Dame, Ind., Fides Publishers, Inc., 1972, p. 262.
- 14 Lehmann, Ethics in a Christian Context, p. 317-318.
- 15 Ibid., p. 319.
- 16 Ibid., p. 322.
- 17 Ibid., p. 323.
- 18 John L. Thomas, "The Catholic Tradition for Responsibility in Sexual Ethics," in Sexual Ethics and Christian Responsibility: Some Divergent Views, ed. John Charles Wynn, New York Association Press, 1970, p. 132.
- 19 Lehmann, Ethics in a Christian Context, p. 320.
- 20 Curran, New Perspectives, p. 32.
- 21 Ibid., p. 36.
- 22 Lehmann, Ethics in a Christian Context, p. 321.
- 23 Gustafson, Protestant and Roman Catholic Ethics, p. 21.
- 24 Ibid., p. 29.
- 25 Long, A Survey of Christian Ethics, p. 298.
- 26 Derrick Sherwin Bailey, "Sexual Ethics in Christian Tradition," in Sexual Ethics and Christian Responsibility: Some Divergent Views, ed. John Charles Wynn, New York, Association Press, 1970, p. 150.
- 27 Malloy, "The Christian Ethicist," p. 424.
- 28 Charles E. Curran, "How My Mind Has Changed," Horizons, Vol. 2, Fall 1975, p. 189.
- 29 Idem, New Perspectives, p. 33.
- 30 Idem, Catholic Moral Theology, p. 260.
- 31 Gustafson, Protestant and Roman Catholic Ethics, p. 60-61.
- 32 Ibid., p. 148.
- 33 Ibid.

34 Gustafson, Protestant and Roman Catholic Ethics, p. 156.

35 Arthur B. Crabtree, "Methodological Consensus? A Protestant Perspective," Journal of Ecumenical Studies, Vol. 17, Winter 1980, p. 79-80.

36 Roderick Hindery, "Catholicity of Ethical Sources: Neglected Key to Christian Unity," Journal of Ecumenical Studies, Vol. 15, Fall 1978, p. 614.

37 John H. Yoder, "Radical Reformation Ethics in Ecumenical Perspective," Journal of Ecumenical Studies, Vol. 15, Fall 1978, p. 659.

38 P.P. Paulus VI, Litterae Encyclicae, "Humanae Vitae," Acta Apostolicae Sedis, Vol. 60, 1968, Article 11, p. 488.

39 In fairness, it should be noted that an argument justifying the position taken is not offered in the encyclical although there are numerous appeals made to natural law in the document. See, for example, Article 4, p. 483: "Cuius certe generis quaestiones ab Ecclesiae Magisterio novam eamque altiore considerationem postulabant circa principia moralis doctrinae de matrimonio, quae in lege naturali, divina Revelatione illustrata ditataque, nititur." Also, Article 11, p. 488: "Verumtamen Ecclesia, dum homines commonet de observandis praeceptis legis naturalis, quam constanti sua doctrina interpretatur, id docet necessarium esse, ut quilibet matrimonii usus ad vitam humanam procreandam per se destinatus permaneat."

40 John F. Harvey, "The Meaning of Humanae Vitae and Its Binding Force," Guild of Catholic Psychiatrists Bulletin, Vol. 16, January 1969, p. 12-17.

41 William E. May, "Marriage, Divorce, and Remarriage," The Jurist, Vol. 37, 1977, p. 282; and "Sex, Love and Procreation," Homiletic and Pastoral Review, Vol. 76, May 1976, p. 24.

42 Charles J. McFadden, The Dignity of Life: Moral Values in a Changing Society, Huntington, Ind., Our Sunday Visitor, 1976, p. 85.

43 Paul Ramsey, "A Christian Approach to the Question of Sexual Relations outside of Marriage," Journal of Religion, Vol. 45, April 1965, p. 100 and p. 104-105.

44 Dwight Hervey Small, Christian: Celebrate Your Sexuality, Old Tappan, New Jersey, Fleming H. Revell Company, 1974, p. 187.

45 Gustafson, Protestant and Roman Catholic Ethics, p. 150. In the original text this entire citation is italicized to highlight it.

46 John F. Harvey, "Law and Personalism," Communio: International Catholic Review, Vol. 2, Spring 1975, p. 72.

47 William E. May, Committee Chairman, et al., "Theologians and Authoritative Church Teaching," Origins, Vol. 10, February 19, 1981, p. 575.

48 Charles J. McFadden, Medical Ethics, Philadelphia, F. A. David Publishers, 1946; third ed., 1963, p. 18.

49 Please refer to the individual sections on each of the author's use of Scripture found in Chapter Three.

50 Long, A Survey of Christian Ethics, p. 298.

51 Fuchs, "Sociological and Theological Differences," p. 24-25.

52 Ibid.

53 Gustafson, Protestant and Roman Catholic Ethics, p. 150.

54 Harvey is the only author who refers to the findings of psychology. For further treatment of this, please refer to the summary of Harvey's theory of sexuality in Chapter One.

55 Gustafson, Protestant and Roman Catholic Ethics, p. 30.

56 On the convergence which has been taking place, see such works as: Curran, New Perspectives, p. 1-46; Malloy, "The Christian Ethicist," p. 399-427; and Gustafson, Protestant and Roman Catholic Ethics, p. 114 and p. 138-159.

57 Gustafson, Protestant and Roman Catholic Ethics, p. 30.

58 Fuchs, "Sociological and Theological Differences," p. 24-25.

59 For the detailed backgrounds of each author, please see Appendix 2.

60 Curran, Catholic Moral Theology, p. 217.

61 John F. Dedek, "Two Moral Cases: Invalid Marriage and Homosexuality," Chicago Studies, Vol. 13, Spring 1974, p. 33.

62 John G. Milhaven, "Homosexuality and the Christian," Homiletic and Pastoral Review, Vol. 68, May 1968, p. 667-669.

63 Hindery, "Catholicity of Sources," p. 614.

64 Yoder, "Radical Reformation Ethics," p. 659.

65 Hindery, "Catholicity of Sources," p. 614. For the various meanings given to the notion of revelation see Dulles' Models of Revelation, p. 36-114. At the heart of Yoder's question is the fact that the sources of revelation themselves are used in disparate ways.

66 See Long, Survey of Christian Ethics, p. 298; and Gustafson, Protestant and Roman Catholic Ethics, p. 30.

67 Charles E. Curran, "Theology and Genetics: A Multi-Faceted Dialogue," Journal of Ecumenical Studies, Vol. 7, Winter 1970, p. 68.

68 Idem, New Perspectives, p. 56-86.

69 Idem, "Utilitarianism and Contemporary Moral Theology: Situating the Debates," in Readings in Moral Theology No. 1: Moral Norms and Catholic Tradition, ed. Charles E. Curran and Richard A. McCormick, New York, Paulist Press, 1979, p. 356.

70 John F. Dedek, "Moral Responsibility in Caring for the Dying," Chicago Studies, Vol. 11, Fall 1972, p. 228.

71 Idem, "Freedom of the Catholic Conscience," Chicago Studies, Vol. 7, Summer 1968, p. 117.

72 John G. Milhaven, "The Voice of Lay Experience in Christian Ethics," Proceedings of the Catholic Theological Society of America, Vol. 33, June 7-10, 1978, p. 49.

73 Idem, "The Behavioral Sciences and Christian Ethics," in Projections: Shaping an American Theology for the Future, ed. Thomas F. O'Meara and Donald M. Weisser, Garden City, N.Y., Doubleday, 1970, p. 138.

74 Beverly W. Harrison, "The Power of Anger in the Work of Love: Christian Ethics for Women and Other Strangers," Union Seminary Quarterly Review, Vol. 36, Supplementary Issue 1981, p. 45.

75 Idem, "When Fruitfulness and Blessedness Diverge," Religion in Life, Vol. 41, Winter 1972, p. 485.

76 Idem, "Power of Anger," p. 50; see also, "Misogyny and Homophobia: The Unexplored Connections," Integrity Forum, Vol. 7, Lent 1981, p. 12.

77 James B. Nelson, "Contextualism and the Ethical Triad," in The Situation Ethics Debate, ed. Harvey Cox, Philadelphia, Westminster Press, 1968, p. 172-175.

78 Ibid., p. 184.

79 W. Norman Pittenger, Love is the Clue, London, A. R. Mowbray and Co., Ltd., 1967, p. 40.

80 Idem, Making Sexuality Human, Philadelphia, United Church Press, 1970; third printing, 1975, p. 47.

81 For the educational background of these authors please refer to Appendix 2.

82 Curran, Catholic Moral Theology, p. 203 and 208-209.

83 Dedek has several articles dealing with various aspects of natural law within the tradition: "Intrinsically Evil Acts: An Historical Study of the Mind of St. Thomas," The Thomist, Vol. 43, July 1979, p. 385-413; "Moral Absolutes in the Predecessors of St. Thomas," Theological Studies, Vol. 38, December 1977, p. 654-680; "Premarital Sex: The Theological Argument from Peter Lombard to Durand," Theological Studies, Vol. 41, December 1980, p. 643-667; and "Quasi Experimentalis Cognito: A Historical Approach to the Meaning of St. Thomas," Theological Studies, Vol. 22, 1966, p. 357-390. Milhaven also considers some of the teachings of natural law, "Contraception and the Natural Law: A Recent Study," Theological Studies, Vol. 26, September 1965, p. 421-427; "Moral Absolutes and Thomas Aquinas," in Absolutes in Moral Theology?, ed. Charles E. Curran, Washington, Corpus Books, 1968, p. 154-185; and "Thomas Aquinas on Sexual Pleasure," The Journal of Religious Ethics, Vol. 5, Fall 1977, p. 157-181.

84 Harrison, "Free-Choice," p. 17.

85 Ibid., p. 7.

86 Idem, "Power of Anger," p. 53.

87 Nelson, Moral Nexus: Ethics of Christian Identity and Community, Philadelphia, Westminster Press, 1971, p. 200-201.

88 Idem, Embodiment: An Approach to Sexuality and Christian Theology, Minneapolis, Minn., Augsburg Publishing House, 1978, p. 104.

89 W. Norman Pittenger, Time for Consent: A Christian's Approach to Homosexuality, London, SCM Press, 1967, p. 56.

90 Ibid.

91 Idem, Making Sexuality Human, p. 71.

92 Curran, Catholic Moral Theology, p. 66.

93 In the context of his discussion of homosexuality Curran maintains that part of the task of the moral theologian is to reflect on the findings of the behavioral sciences. See Catholic Moral Theology, p. 189-197.

94 In the various topics in his book Contemporary Sexual Morality, New York, Sheed and Ward, 1971, Dedek has separate sections dealing with the findings of the social sciences with regard to such issues as premarital petting, masturbation, and so on.

95 John G. Milhaven, "Objective Moral Evaluation of Consequences," Theological Studies, Vol. 32, September 1971, p. 428.

96 Beverly W. Harrison, "Toward a Just Social Order," Journal of Current Social Issues, Vol. 15, Spring 1978, p. 65.

97 Nelson, Moral Nexus, p. 21.

98 Idem, Embodiment, p. 200-205.

99 Pittenger has an explanation of this process in Lure of Divine Love: Human Experience and Christian Faith in a Process Perspective, New York, Pilgrim Press, 1979, p. 17-18.

100 Idem, "A Theological Approach to Understanding Homosexuality," in Male and Female: Christian Approaches to Sexuality, ed. Ruth T. Barnhouse and Urban T. Holmes, III, New York, Seabury Press, 1976, p. 163; also, Pittenger, Love and Control, Philadelphia, United Church Press, 1974, p. 29.

101 Charles E. Curran, "Law and Conscience in the Christian Context," in Law for Liberty: The Role of Law in the Church Today, ed. James E. Biechler, Baltimore, Helicon Press, 1967, p. 160.

102 Idem, Ongoing Revision in Moral Theology, Notre Dame, Ind., Fides, 1975, p. 32.

103 Dedek, "Freedom of the Catholic Conscience," p. 117.

104 John G. Milhaven, "The Grounds of the Opposition to 'Humanae Vitae,'" Thought, Vol. 44, Fall 1969, p. 353.

105 Ibid., p. 357.

106 Idem, "Homosexuality and the Christian," p. 669.

107 Harrison, "Free-Choice: A Feminist Perspective," Church and Society, Vol. 71, March-April, 1981, p. 16-17.

108 Nelson, Moral Nexus, p. 28-30; see also, "The Moral Significance of the Church in Contemporary Protestant Contextual Ethics," Journal of Ecumenical Studies, Vol. 4, Winter 1967, p. 70-72.

109 Idem, "Contextualism," p. 184.

110 Pittenger, Lure of Divine Love, p. 57.

111 The dissent of these three authors, among others, has been well noted by their critics. In 1979 Kenneth Baker, Editor of Homiletic and Pastoral Review, cited these three authors, and stated that some of the results of their dissent has been confusion among the faithful and many defections from the priesthood and religious life. He goes on to offer a solution to the problem: "Thus, it seems to me, the Church should force compliance on basic issues from her sons and daughters--especially from theologians and intellectuals. If, after adequate dialogue, as explained above, they refuse to submit to the Magisterium of the Church, then their erroneous opinions should be condemned and they should be excommunicated." See Kenneth Baker, "Magisterium and Theologians," Homiletic and Pastoral Review, Vol. 79, April 1979, p. 23.

112 Curran, Catholic Moral Theology, p. 187.

113 John F. Dedek, "The Moral Law," Chicago Studies, Vol. 13, Fall 1974, p. 229.

114 Idem, "Two Moral Cases: Invalid Marriage and Homosexuality," p. 28-33.

115 John G. Milhaven, Toward a New Catholic Morality, Garden City, N.Y., Doubleday, 1970, p. 60.

116 Harrison, "Free-Choice, p. 7.

117 James B. Nelson, "Abortion: Protestant Perspectives," in Encyclopedia of Bioethics, editor in chief Warren T. Reich, New York, Free Press, a Division of Macmillan, 1978, Vol. 1, p. 15.

118 Idem, Embodiment, p. 153.

119 Pittenger, The Lure of Divine Love, p. 17.

120 Idem, Love and Control, p. 119.

121 Curran, Catholic Moral Theology, p. 203.

122 Ibid., p. 205.

123 Dedek, "Two Moral Cases: Invalid Marriage and Homosexuality," p. 29.

124 Idem, "Premarital Sex," p. 667.

125 Ibid.

126 Milhaven, "Thomas Aquinas on Sexual Pleasure," p. 167.

127 Idem, "Objective Moral Evaluation," p. 418.

128 John J. McNeill, The Church and the Homosexual, Kansas City, Sheed, Andrews, and McMell, 1976.

129 John G. Milhaven, "What If Church Admitted Lacking Gay Answer?," The National Catholic Reporter, Vol. 12, October 8, 1976, p. 12.

130 Ibid.

131 Ibid.

132 Milhaven's earlier article is "Homosexuality and the Christian," Homiletic and Pastoral Review, Vol. 68, May 1968, p. 663-669; the article was reprinted as "Homosexuality and Love," in Homosexuality and Ethics, ed. Edward Batchelor, Jr., New York, Pilgrim Press, 1980, p. 63-70.

133 Harrison, "Misogyny and Homophobia," p. 7.

134 Idem, "Toward a Just Social Order," p. 67.

135 Nelson, Embodiment, p. 199.

136 Ibid., p. 197.

137 W. Norman Pittenger, Time For Consent, p. 57.

138 Idem, "A Theological Approach," p. 165.

139 David A. Hollinger, "T. S. Kuhn's Theory of Science and Its Implications for History," in Paradigms and Revolutions: Appraisals and Applications of Thomas Khun's Philosophy of Science, ed. Gary Gutting, Notre Dame, Ind., University of Norte [sic] Dame Press, 1980, p. 197.

140 James M. Gustafson, "A Christian Approach to the Ethics of Abortion," Dublin Review, [no Vol.] no. 514, Winter 1967-68, p. 357.

141 The appeal to experience by either Roman Catholics or Protestants, as important as such an appeal is in ethics, does little to simplify the debate. In an article being prepared for publication, entitled "Theology and Experience: The Chicago School," Owen Clark Thomas examines a number of the complexities involved when a theologian appeals to "human experience." In the article the works of Shubert M. Ogden, Landgon Gilkey, and David Tracy are examined in order to determine the precise way in which "human experience" is used within their theological writings. In the summation of the article Thomas writes: "In large part their [Ogden, Gilkey, and Tracy] various appeals are not to the actual experience of people as determined by their testimony, but rather to speculative metaphysical construction of experience or of the conditions of the possibility of all experience."

Though the article of Thomas is concerned mostly with doctrinal statements in theology, there are some important implications for ethics as well. An appeal to human experience in ethics usually would maintain the distinction

between "is" and "ought," the distinction between what a segment of the community is actually doing and what that segment should be doing. Can human experience alone be the basis of determining the "ought", or the "should," in ethics? If not, other factors must be included, the basis of selection of these other factors must be determined, and the relationship of these additional factors to each other and to human experience are all matters of serious study.

Thomas offers an illustration which demonstrates some of the issues involved when attempting to base theology on human experience. "Let us assume that our project is to investigate the degree to which a particular theological proposal is confirmed or disconfirmed in the experience of Christians. Let us assume that the proposal is a thesis of liberation theology that God in Christ by the Spirit liberates us from social, economic, and political oppression. First, the meaning of the key terms, oppression and liberation, must be specified clearly. Second, the scope of research must be decided, namely, whose experience is to be investigated? Those who have been baptized with water in the triune name of God? Will they be limited to those who are active as defined by weekly or monthly attendance at public worship, private prayer, and contribution, financial or otherwise, to the work of the church? If major Protestant, Orthodox, and Roman Catholic bodies are to be included, is the research to be limited to one area in one nation, to a scientific sample of members of the various churches in different areas in one nation or many nations? What is the minimum research project which could be considered significant in assessing a theological proposal? How is this to be decided?"

Such questions are not explicitly considered by these six Contextual Historicists. The appeal to human experience is not limited to the evaluation of the objective conclusions of sociological surveys. What is often the case in the appeal to experience is the confirmation of an author's previous position. Such a confirmation is based on a mixture of subjective and objective elements.

**142** In an article surveying statements by the magisterium on the role of the theologian, Lucien Richard poses the question: "[...] Is it possible to be a Roman Catholic theologian and be a theologian at all?" His point is that when free investigation is prohibited, the very nature of the discipline is violated. See Lucien Richard, "The Enigma of Theologians in the Roman Catholic Church," Encounter (Indianapolis), Vol. 42, August 1981, p. 343.

For a study of some of the different issues involved in the relationship between theologians and the magisterium see Readings in Moral Theology No. 3: The Magisterium and Morality, ed. Charles E. Curran and Richard A. McCormick, New York, Paulist, 1982. See also Karl Rahner, "Theology and Magisterium: Self-Appraisals," Theology Digest, Vol. 29, Fall 1981, p. 257-261; and Gerard J. Hughes, "Infallibility in Morals," Theological Studies, Vol. 34, September 1973, p. 415-428.

**143** A controversy in sexual ethics arose over the book Human Sexuality: New Directions in American Catholic Thought, Anthony Kosnik, Chairperson, et al., A study commissioned by the Catholic Theological Society of America, New York, Paulist, 1977. The Vatican Congregation for the Doctrine of the Faith criticized the conclusions of the book for being too subjective, as distinct from objective. In its criticism the Congregation expressed concern that moral absolutes had been discarded and without them it would no longer be possible to

evaluate clearly moral acts. Thus, at issue was not only the conclusions of the book but the methodology as well.

The Congregation wrote: "This subjection of theological and scientific arguments to evaluation by criteria primarily derived from one's present experience of what is human or less than human gives rise to a relativism in human conduct which recognizes no absolute values." The letter entitled "Doctrinal Congregation Criticizes 'Human Sexuality' Book," is published in Origins, Vol. 9, August 30, 1979, p. 169.

A major source of disagreement between theologians and the magisterium in the field of sexual ethics has been the Church's official teaching on artificial contraception. For a compilation of articles on this topic see Contraception: Authority and Dissent, ed. Charles E. Curran, New York, Herder and Herder, 1969.

The Church's teaching on birth control was reiterated by Pope John Paul II in "Familiaris Consortio," in Acta Apostolicae Sedis, Vol. 74, 1982, Articles 29-32, p. 114-120. There is an appeal made to priests and theologians to adhere to the teaching and to speak with one voice. In Article 34 he writes: "Uniquely important in this field is the unity of moral and pastoral judgment by priests, a unity that must be carefully sought and ensured, in order that the faithful may not have to suffer anxiety of conscience." The English translation by the Canadian Conference of Catholic Bishops.

144 Vatican Congregation for the Doctrine of the Faith, "Vatican Directive regarding Priest-Author of Book on Homosexuality," Origins, Vol. 7, March 16, 1978, p. 612-613.

145 Ibid., p. 612.

146 Ibid., p. 615.

147 Thomas S. Kuhn, The Structure of Scientific Revolutions, Chicago, University of Chicago Press, 1962; second ed., enlarged, fourth printing, University of Chicago Press, 1973, p. 177.

148 Milhaven, "What If Church Admits Lacking Gay Answer?," p. 12.

149 Ibid. Examples of this type of reasoning can be found in recent magisterial statements, reasoning which does not offer convincing arguments. Two examples are offered here.

In "Humanae Vitae," Article 28, Pope Paul VI writes: "For, as you know, the Pastors of the Church enjoy a special light of the Holy Spirit in teaching the truth. And this, rather than the arguments they put forward, is why you are bound to such obedience. Nor will it escape you that if men's peace of soul and if the unity of the Christian people are to be preserved then it is of the utmost importance that in moral as well as in dogmatic theology all should obey the magisterium of the Church and should speak as with one voice." English translation from Humanae Vitae and the Bishops: The Encyclical and the Statements of the National Hierarchies, ed. John Hogan, Shannon, Ireland, Irish University Press, 1972. [emphasis added]

More recently, Pope John Paul II in "Familiaris Consortio," Article 34, also addresses the Church's teaching on birth control. "They [married couples] cannot however look on the law as merely an ideal to be achieved in the future: they must consider it as a command of Christ the Lord to overcome difficulties with constancy." In this text no scriptural references, nor any other references are offered to support the claim that the Church's teaching on birth control is in fact a "command of Christ the Lord." English translation from Canadian Conference of Catholic Bishops.

150 Hollinger, "T. S. Kuhn's Theory of Science," p. 198.

151 Ibid., p. 199.

152 Yoder, "Radical Reformation Ethics," p. 659.

## APPENDIX 1

### DESCRIPTION OF SURVEYS

The basis of this research project has been the study of twelve American theologians writing in the field of sexual ethics. These were classified by virtue of religious affiliation, Protestant and Roman Catholic, and the tendency to follow either a classicist or historically-minded approach. There were to be three authors in each of the four grouping: Roman Catholic Classicists, Roman Catholic Historicists, Protestant Classicists, and Protestant Historicists. The selection of these authors was initially determined by means of a survey.

Since the area of consideration was the United States, a prepared survey was sent to institutions within that country. The institutions were selected from the Association of Theological Schools' 1978 Bulletin. Eighty-one (81) letters were sent to those universities, colleges, and schools of theology which were associated in either clusters or consortia. Since the survey was seeking both Protestant and Roman Catholic authors in the field of sexual ethics, it was thought that these inter-denominationally grouped schools would more likely be familiar with authors from the various traditions. The text of that letter and the accompanying form are found at the end of this appendix on p. 484 and 485.

Eighteen (18) of the eighty-one (81) schools responded, a twenty-two percent (22%) return. In the Roman Catholic Classicist category sixteen (16) names were suggested, in the Roman Catholic Historicist sixteen (16) names, in the Protestant Classicist nineteen (19) names, and in the Protestant Historicist twenty-two (22) names. Following the compilation of the seventy-three (73) names, research on each author was conducted to verify the classification. What had to be determined initially was whether those listed as Protestant authors were in fact

Protestant, with same applying to Roman Catholics. For example, Rosemary Ruether was listed as a Protestant even though she is Roman Catholic. Another point was whether the author was American. Bernard Häring, Karl Rahner, Joseph Fuchs, Helmut Thielicke, and Gustavo Gutierrez were all listed as American authors.

There were three stages leading to the final twelve names. First, biographical listings in such works as Contemporary Authors, Directory of American Scholars, and Who's Who in Religion were consulted to determine religious affiliation, whether the author had written in the area of sexual ethics, and whether the author was American. Second, the amount of material an author had published in sexual ethics was considered, preference being given to that author with the greater number of publications. Third, if the other qualifications were equal, the author with the largest number of votes on the survey was selected. However, relying on the number of votes was a factor only in a few of the authors. From the eighteen (18) respondents, William E. May received thirteen (13) votes, Charles E. Curran thirteen (13) votes, Paul Ramsey twelve (12) votes, and James B. Nelson ten (10) votes. After all these various factors were weighed, twelve (12) authors were selected.

A second survey was then sent back to the original eighty-one (81) schools, indicating the results of the first survey, and asking for confirmation of the twelve (12) authors who had been selected. There were also eighteen (18) answers to this second survey, a twenty-two percent (22%) return. However, the eighteen (18) respondents to the second survey were not the same eighteen (18) who responded to the first survey. There were thirteen (13) respondents to the second survey who did not respond to the first, which means only five (5) responded to both

surveys. If all respondents to the second survey confirmed a particular author, that author received a one hundred percent (100%) confirmation; if five (5) of the eighteen (18) respondents suggested a change, that author received a seventy-two percent (72%) confirmation. The text of the second letter and accompanying form are found at the end of this appendix on p. 486 and 487. The percentage of confirmation derived from the results of the second survey follows:

#### Roman Catholic Classicists

John F. Harvey	100%
William E. May	100%
Charles J. McFadden	100%

#### Roman Catholic Historicists

Charles E. Curran	94%
John F. Dedek	89%
John G. Milhaven	94%

#### Protestant Classicists

Gregory L. Bahnsen	83%
Paul Ramsey	100%
Dwight H. Small	72%

#### Protestant Historicists

Beverly W. Harrison	100%
James B. Nelson	100%
W. Norman Pittenger	89%

There was some question as to whether Dwight H. Small should remain as a typical representative of the Protestant Classicists, as he received a confirmation of only seventy-two percent (72%). Five (5) respondents to the second survey expressed dissatisfaction with Small's name being listed as a Protestant Classicist. While the five (5) respondents offered four (4) other authors as replacements, none of the four (4) replacements was suggested in the first survey. Since thirteen (13) respondents approved the choice, and since he did satisfy the other criteria, it was decided to retain Small, even though he had the lowest percentage of confirmation.

The twelve authors selected as a result of the two surveys were the basis of this research project.

902-A, 201 Bell Street North  
Ottawa, Ontario K1R 7E2

April 8, 1981

Dear Madam/Sir:

I am a graduate student at St. Paul University and am working on a research project. As a starting point I am attempting to learn which theologians are considered by you as being representative and as meeting the following criteria: (1) they have been writing on human sexuality and the ethical dimensions involved in that area, (2) they have been publishing in the United States, and (3) they have continued to publish since 1965.

I would appreciate it if you could furnish me with the names of 6 Roman Catholics and 6 Protestants. Within each group of 6 I would like to further distinguish between a "classicist" approach and a "historically-minded" approach.

The "classicist" approach would emphasize the immutable, the eternal, giving great importance to rationality, objectivity, order and substance viewed in themselves. It would tend to be more a priori and deductive.

The "historically-minded" approach would stress the particular, the temporal, and the changing, and would view rationality as only a part of man appreciating the importance of the subjective and the intersubjective. It would tend to be more a posteriori and inductive.

Thus, there would be 4 distinct groups: 3 classicist Roman Catholics, 3 historically-minded Roman Catholics, 3 classicist Protestants, and 3 historically-minded Protestants.

Would you please fill out the enclosed form with the most representative names in each area and return it to me as soon as possible in the self-addressed envelope. Thank you for your help in this matter.

Sincerely yours,

Joe Lazor

Enclosures

ROMAN CATHOLICS

Classicists:

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_

Historically-minded:

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_

PROTESTANTS

Classicists:

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_

Historically-minded:

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_

Name: \_\_\_\_\_

Institution: \_\_\_\_\_

Position: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Religious Tradition: \_\_\_\_\_

902-A, 201 Bell Street North  
Ottawa, Ontario K1R 7E2

December 1, 1981

Dear Madam/Sir:

Last April of this year I sent to your institution a questionnaire as part of a research project seeking the names of twelve theologians who were currently writing in the field of sexual ethics in the United States. Seventy-five questionnaires were sent out and, surprisingly, only eighteen were returned (24%).\*

There were two divisions asked for: Protestant/Roman Catholic and Classicist/Historically-minded. The "classicist" emphasized the immutable, the eternal, giving great importance to rationality, objectivity, order, and substance viewed in themselves. It would tend to be more a priori and deductive. The "historically-minded," on the other hand, stressed the particular, the temporal, the changing, and would view rationality as only a part of the human, appreciating the importance of the subjective and the intersubjective. It would tend to be more a posteriori and inductive.

The results of that initial survey are given on the enclosed form. Would you agree with the twelve names being the most representative in the four categories? Or, would you suggest changes? If you agree, merely return the enclosed form with your name and other information. If you wish to suggest a change, please strike through any name and write an alternate in the space behind that name. Kindly return the form in the enclosed, self-addressed envelope as soon as possible. Your cooperation in this matter is greatly appreciated.

Sincerely yours,

Joe Lazor

Enclosures

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\* When this letter was sent the first survey had been miscounted. Where this letter says seventy-five (75) questionnaires were sent, there had actually been eighty-one (81).

ROMAN CATHOLICS

Classicists:

John F. Harvey \_\_\_\_\_

William E. May \_\_\_\_\_

Charles J. McFadden \_\_\_\_\_

Historically-minded:

Charles E. Curran \_\_\_\_\_

John F. Dedek \_\_\_\_\_

John Giles Milhaven \_\_\_\_\_

PROTESTANTS

Classicists:

Greg L. Bahnsen \_\_\_\_\_

Paul Ramsey \_\_\_\_\_

Dwight Hervey Small \_\_\_\_\_

Historically-minded:

Beverly W. Harrison \_\_\_\_\_

James B. Nelson \_\_\_\_\_

W. Norman Pittenger \_\_\_\_\_

\*\*\*\*\*

Name: \_\_\_\_\_

Institution: \_\_\_\_\_

Position: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Religious Tradition: \_\_\_\_\_

## APPENDIX 2

### AUTHORS' BIOGRAPHICAL DATA

In order to provide a more complete context for the study and comparison of the twelve authors being considered, some biographical data on each author is provided in this appendix.

#### **BAHNSEN, GREGORY LYLE**

**Born:** September 17, 1948, in Auburn, Washington.

**Married** Cathie Ellen Wade in June, 1969; has four children.

**Education:** Westmont College, B.A., 1970; Westminster Theological Seminary, Th.M., 1973; University of Southern California, Ph.D., 1979.

**Career:** Ordained as Teacher in Orthodox Presbyterian Church in July, 1975; Pastor of Trinity Chapel, Eagle Rock, California, 1974-1975; presently pastor of Covenant Community Church in Placentia, California. Visiting Instructor, Fairfax Christian College, and Lecturer/Writer for the Chalcedon Foundation, 1973-1975; Assistant Professor of Theology, Ashland Theological Seminary, Spring 1980.

#### **CURRAN, CHARLES E.**

**Born:** March 30, 1934, in Rochester, New York.

**Education:** St. Bernard's Seminary and College, B.A.; Gregorian University, S.T.B., 1957; S.T.L., 1959; S.T.D., 1961; Academia Alfonsiana, S.T.D., 1961.

**Career:** Ordained a Roman Catholic Priest, 1958. Professor of Moral Theology, St. Bernard's Seminary, 1961-1965; Professor of Theology, Catholic University of America, 1965-

**DEDEK, JOHN F.**

Born: September 20, 1929, in Chicago, Illinois.

Education: St. Mary of Lake Seminary, B.A., 1951; M.A., 1953; Pontifical University of St. Mary of the Lake, S.T.B., 1953; S.T.L., 1955; S.T.D., 1958.

Career: Roman Catholic Priest; Associate Pastor, St. Gilbert Church, Grayslake, Illinois, 1958-1965; Professor of Moral Theology, Pontifical University of St. Mary of the Lake, 1966-1976; Professor of Theology, Catholic University of America, 1976-1980. Pastor, St. Julian Eymard Church, Elk Grove Village, Illinois, 1980- ; Associate Editor Chicago Studies, 1962- .

**HARRISON, BEVERLY JEAN WILDUNG**

Born: August 4, 1932, in St. Paul, Minnesota.

Married James B. Harrison.

Education: Macalester College, St. Paul, Minnesota, B.A., 1954; Union Theological Seminary, M.R.E., 1956; Ph.D., 1975.

Career: Associate Presbyterian University Pastor, University of California, Berkeley, 1956-1961; Associate for International Seminars, Student World Relations Office, Commission on Ecumenical Mission and Relations, United Presbyterian Church, U.S.A., 1962-1963; Tutor in Systematic Theology, Union Theological Seminary, 1964-1966; Assistant Dean of Students and Instructor, Union Theological Seminary, 1966-1968; Assistant Dean of Students, 1968-1971, and Assistant Professor, Union Theological Seminary, 1968-1973, Associate Professor, 1973-1979, Professor, 1979- . Is a member of United Presbyterian Church, U.S.A.

**HARVEY, JOHN F.**

Born: April 14, 1918, in Philadelphia, Pennsylvania.

Education: Catholic University of America, A.B., 1941; M.A., 1946; S.T.D., 1951.

Career: Joined Oblates of St. Francis de Sales, 1936; ordained a Roman Catholic Priest, 1944; Instructor in Latin and English, N. E. Catholic High School, Philadelphia, 1945-1947; from Instructor to Professor of Moral and Pastoral Theology, De Sales Hall School of Theology, 1949- ; Associate Professor of Religion, Dumbarton College, 1948-1973.

**MAY, WILLIAM E.**

Born: May 27, 1928, in St. Louis, Missouri.

Married Patricia Ann Kick; has seven children.

Education: Catholic University of America, B.A., 1950; M.A., 1951; Marquette University, Ph.D., 1968.

Career: Newman Press, Associate Editor, 1954-1955; Bruce Publishing Company, Associate Editor, 1955-1956, trade book Editor-in-Chief, 1966-1968; Corpus Instrumentorum, Inc., Editor-in-Chief of Corpus Books, 1969-1970; Assistant Professor of Religion, Catholic University of America, 1971- . Is a member of the Roman Catholic Church.

**MCFADDEN, CHARLES JOSEPH**

Born: April 30, 1909, in Philadelphia, Pennsylvania.

Education: Villanova University, A.B., 1932; Augustinian College, S.T.L., 1935; Catholic University of America, M.A., 1936; Ph.D., 1938.

Career: Entered the Order of St. Augustine, 1927; ordained Roman Catholic Priest, 1935; Professor of Philosophy, Villanova University, 1938- ; Professor, Rosemont College, 1940-1956; Professor of Medical Ethics, Mercy Catholic Medical Center, 1940-1966.

**MILHAVEN, JOHN GILES**

Born: September 1, 1927, in New York, New York.

Married Anne Lally, May 21, 1970.

Education: Woodstock College, A.B., 1949; M.A., 1951; Facultés Théologiques d'Enghiem, Belgium, Lic.Theol., 1957; University of Munich, Ph.D., 1962.

Career: Member of Society of Jesus, 1944-1970; Instructor in Philosophy, Canisius College, 1951-1953; Ordained Roman Catholic Priest, 1956; Assistant Professor, Fordham University, 1961-1965; Associate Professor, 1968-1970; Visiting Associate Professor, Brown University, 1970-1971; Associate Professor, 1971-1976; Professor, 1976- .

**NELSON, JAMES BRUCE**

Born: May 28, 1930, in Windom, Minnesota.

Married Wilys Claire Coulter; has two children.

Education: Macalester College, B.A., 1951; Yale University, B.D., 1957; M.A., 1959; Ph.D., 1962; Oxford University, postdoctoral study 1967-1970.

Career: Ordained Congregational Minister, 1958; Minister in West Haven, Connecticut, 1957-1959; and Vermillion, South Dakota, 1960-1963; United Theological Seminary of the Twin Cities, 1963- .

**PITTENGER, WILLIAM NORMAN**

Born: July 23, 1905, in Bogota, New Jersey.

Education: General Theological Seminary, S.T.B., 1937; S.T.M., 1940; Berkley Divinity School, S.T.D., 1949.

Career: Ordained Episcopal Priest, 1937; General Theological Seminary, 1935-1966; Cambridge University, Lecturer, 1966- , Senior Resident, King's College, 1966- .

**RAMSEY, PAUL**

Born: December 10, 1913, in Mendenhall, Mississippi.

Married Effie Register; has three children.

Education: Millsaps College, B.S., 1935; Yale University, B.D., 1940, Ph.D., 1943.

Career: Instructor, Millsaps College, 1937-1939; Assistant Professor, Garrett Biblical Institute, 1942-1944; Assistant Professor, Princeton University, 1944-1947; Associate Professor, 1947-1954; Professor, 1954- ; Harrington Spear Paine Professor of Religion, 1957- .

**SMALL, DWIGHT HERVEY**

Born: March 1, 1919, in Oakland, California.

Married Ruth Ida Elizabeth Stone; has two children.

Education: University of California, B.A., 1940; San Francisco Theological Seminary, M.Div., 1943.

Career: Ordained Presbyterian Minister, 1943; Pastor of Presbyterian Churches in Fresno, California; San Jose, California; Philadelphia, Pennsylvania; and Chicago, Illinois, 1943-1960. Ordained Minister of the Evangelical Covenant Church of the U.S., 1960. Pastor of Evangelical Covenant Churches in Redwood City, California, 1960-1970; Assistant Professor, Westmount College, 1970-1975; Associate Professor, 1975- .

## BIBLIOGRAPHY

The first part of the Bibliography, entitled "Primary Sources," contains the cited works of the twelve authors who are the subject of this study. The second part, entitled "Secondary Sources," contains all other citations.

### PRIMARY SOURCES

- Bahnsen, Greg L., Homosexuality: A Biblical View, Grand Rapids, Michigan, Baker Book House, 1978, 152 p.
- , Theonomy in Christian Ethics, Nutley, New Jersey, Craig Press, 1977, xvii-619 p.
- Curran, Charles E., "Absolute Norms and Medical Ethics," in Absolutes in Moral Theology?, ed. Charles E. Curran, Washington, D.C., Corpus Books, 1968, p. 108-153.
- , "Academic Freedom: The Catholic University and Catholic Theology," in Readings in Moral Theology No. 3: The Magisterium and Morality, ed. Charles E. Curran and Richard A. McCormick, New York, Paulist Press, 1982, p. 388-407.
- , Catholic Moral Theology in Dialogue, Notre Dame, Ind., Fides, 1972, ix-270 p.
- , Christian Morality Today, Notre Dame, Ind., Fides, 1966, xx-138 p.
- , Contemporary Problems in Moral Theology, Notre Dame, Ind., Fides, 1970, i-272 p.
- , ed., Contraception: Authority and Dissent, New York, Herder and Herder, 1969, 239 p.
- , et al., Dissent in and for the Church: Theologians and Humanae Vitae, New York, Sheed and Ward, 1969, xii-237 p.
- , "Divorce from the Perspective of Moral Theology," in Proceedings of the Canon Law Society of America (36th Annual Convention, October 7-11, 1974), Washington, D.C., Canon Law Society of America, 1975, p. 1-24.
- , "How My Mind Has Changed, 1960-1975," Horizons, Vol. 2, Fall 1975, p. 187-205.
- , Issues in Sexual and Medical Ethics, Notre Dame, Ind., University of Notre Dame Press, 1978, xviii-233 p.

- Curran, Charles E., "Law and Conscience in the Christian Context," in Law for Liberty: The Role of Law in the Church Today, ed. James E. Biechler, Baltimore, Helicon Press, 1967, p. 156-171.
- , A New Look at Christian Morality, Notre Dame, Ind., Fides, 1968, viii-249 p.
- , New Perspectives in Moral Theology, Notre Dame, Ind., Fides, 1974; reprint ed., Notre Dame, Ind., University of Notre Dame Press, 1976, ix-284 p.
- , Ongoing Revision in Moral Theology, Notre Dame, Ind., Fides, 1975, xi-300 p.
- , "Paul Ramsey and Traditional Roman Catholic Law Theory," in Love and Society: Essays in the Ethics of Paul Ramsey, ed. James T. Johnson and David H. Smith, Missoula, Mont., Scholars Press, 1974, p. 47-65.
- , "Pluralism in Catholic Moral Theology," Chicago Studies, Vol. 14, Fall 1975, p. 310-334.
- , "The Problem of Conscience and the Twentieth-Century Christian," in Ecumenical Dialogue at Harvard, ed. Samuel H. Miller and G. Ernest Wright, Cambridge, Mass., Belknap Press, 1964, p. 262-273.
- and Richard A. McCormick, ed., Readings in Moral Theology No. 3: The Magisterium and Morality, New York, Paulist, 1982, x-512 p.
- , "The Sacrament of Penance Today," Worship, Part I: Vol. 43, November 1969, p. 510-531; Part II: Vol. 43, December 1969, p. 590-619; Part III: Vol. 44, January 1970, p. 2-19.
- , "Sexuality and Sin: A Current Appraisal," Homiletic and Pastoral Review, Part I: Vol. 68, September 1968, p. 1005-1014; Part II: Vol. 69, October 1968, p. 27-34.
- , Themes in Fundamental Moral Theology, Notre Dame, Ind., University of Notre Dame Press, 1977, 241 p.
- , "Theology and Genetics: A Multi-Faceted Dialogue," Journal of Ecumenical Studies, Vol. 7, Winter 1970, p. 61-89.
- , Transition and Tradition in Moral Theology, Notre Dame, Ind., University of Notre Dame Press, 1979, xiv-255 p.
- , "Utilitarianism and Contemporary Moral Theology: Situating the Debates," in Readings in Moral Theology No. 1: Moral Norms and Catholic Tradition, ed. Charles E. Curran and Richard A. McCormick, New York, Paulist, 1979, p. 341-360.

- Dedek, John F., Contemporary Medical Ethics, New York, Sheed and Ward, 1975, x-236 p.
- , Contemporary Sexual Morality, New York, Sheed and Ward, 1971, x-170 p.
- , "Freedom of the Catholic Conscience," Chicago Studies, Vol. 7, Summer 1968, p. 115-125.
- , "Intrinsically Evil Acts: An Historical Study of the Mind of St. Thomas," The Thomist, Vol. 43, July 1979, p. 385-413.
- , "Masturbation," Chicago Studies, Vol. 10, Spring 1971, p. 29-42.
- , "Moral Absolutes in the Predecessors of St. Thomas," Theological Studies, Vol. 38, December 1977, p. 654-680.
- , "The Moral Law," Chicago Studies, Vol. 13, Fall 1974, p. 229-239.
- , "Moral Responsibility in Caring for the Dying," Chicago Studies, Vol. 11, Fall 1972, p. 227-235.
- , "The New Morality, Catholic Style," Chicago Studies, Vol. 6, Summer 1967, p. 115-125.
- , "Premarital Sex: The Theological Argument from Peter Lombard to Durand," Theological Studies, Vol. 41, December 1980, p. 643-667.
- , "Quasi Experimentalis Cognitio: A Historical Approach to the Meaning of St. Thomas," Theological Studies, Vol. 22, September 1961, p. 357-390.
- , "Remaking Man," Chicago Studies, Vol. 11, Spring 1972, p. 15-30.
- , "Two Moral Cases: Invalid Marriage and Homosexuality," Chicago Studies, Vol. 13, Spring 1974, p. 20-33.
- Harrison, Beverly W., "Free-Choice: A Feminist Perspective," Church and Society, Vol. 71, March-April 1981, p. 6-22.
- , "Misogyny and Homophobia: The Unexplored Connections," Integrity Forum, Vol. 7, Lent 1981, p. 7-13.
- , "The New Consciousness of Women: A Socio-Political Resource," Cross Currents, Vol. 24, 1975, p. 445-462.
- , "The Older Person's Worth in the Eyes of Society," paper presented under the direction of Presbyterian Senior Services at Union Theological Seminary, January 26, 1979.

- Harrison, Beverly W., "The Power of Anger in the Work of Love: Christian Ethics for Women and Other Strangers," Union Seminary Quarterly Review, Vol. 36, Supplementary Issue 1981, p. 41-57.
- , "Sexism and the Language of Christian Ethics: Some Basic Theses for Discussion," paper circulated by Faith and Order Department of the National Council of Churches, October 1976.
- , "Some Ethical Issues in the Women's Movement," paper presented to the American Society of Christian Ethics, January 18, 1974.
- and James Harrison, "Some Problems for Normative Christian Family Ethics," in American Society of Christian Ethics 1977 Selected Papers, ed. Max L. Stackhouse, Missoula, Mont., Scholars Press, 1977, p. 72-87.
- , "Statement by Beverly Harrison," in Theology in the Americas, ed. Sergio Torres and John Eagleson, Maryknoll, N.Y., Orbis Books, 1976, p. 367-370.
- , "Toward a Just Social Order," Journal of Current Social Issues, Vol. 15, Spring 1978, p. 63-70.
- , "When Fruitfulness and Blessedness Diverge," Religion in Life, Vol. 41, Winter 1972, p. 480-496.
- Harvey, John F., "Chastity and the Homosexual," The Priest, Vol. 33, July-August 1977, p. 10+.
- , "Commentary," The Priest, Vol. 38, March 1982, p. 5.
- , "The Controversy concerning Nomenclature vis-à-vis Homosexuality," The Linacre Quarterly, Vol. 41, August 1974, p. 187-192.
- , "The Controversy concerning the Psychology and Morality of Homosexuality," American Ecclesiastical Review, Vol. 167, November 1973, p. 602-629.
- , "Counseling the Apparent Adolescent Homosexual," Guild of Catholic Psychiatrists Bulletin, Vol. 10, October 1963, p. 204-214.
- , "Counseling the Invert in Religious Life," Guild of Catholic Psychiatrists Bulletin, Vol. 9, October 1962, p. 210-221.
- , "A Critique of John McNeill, S.J. and Gregory Baum, O.S.A. on the Subject of Homosexuality," The Linacre Quarterly, Vol. 43, August 1976, p. 165-178.

- Harvey, John F., "Current Moral Theology: Problems in Counseling the Married Homosexual," American Ecclesiastical Review, Vol. 158, February 1968, p. 122-129.
- , "Euthanasia: Commenting on a Social Movement," The Linacre Quarterly, Vol. 42, August 1975, p. 189-198.
- , "Female Homosexuality," The Linacre Quarterly, Vol. 36, May 1969, p. 100-106.
- , "Heart Transplants—A Problematic," American Ecclesiastical Review, Vol. 162, April 1970, p. 271-281.
- , "Homosexual Marriages," Marriage, Vol. 56, January 1974, p. 18-23.
- , "Homosexuality," New Catholic Encyclopedia, Vol. 7, S.V.
- , "Homosexuality and Marriage," Homiletic and Pastoral Review, Vol. 62, December 1961, p. 227-234.
- , "Homosexuality as a Pastoral Problem," Theological Studies, Vol. 16, March 1955, p. 86-108.
- , "The Impact of Gay Propaganda upon Adolescent Boys and Girls," The Priest, Vol. 36, March 1980, p. 15-16+.
- , "Law and Personalism," Communio: International Catholic Review, Vol. 2, Spring 1975, p. 54-72.
- , "The Meaning of Humanae Vitae and Its Binding Force," Guild of Catholic Psychiatrists Bulletin, Vol. 16, January 1969, p. 12-17.
- , "Morality and Pastoral Treatment of Homosexuality," Continuum, Vol. 5, Summer 1967, p. 279-297.
- , "The Morality Conference in St. Louis Revisited," Homiletic and Pastoral Review, Vol. 69, October 1968, p. 35-42.
- , "The Pastoral Implications of Church Teaching on Homosexuality," The Linacre Quarterly, Vol. 38, August 1971, p. 157-164.
- , "The Treatment of Homosexuality in the C.T.S.A. Report on Sexuality," Communio: International Catholic Review, Vol. 4, Winter 1977, p. 389-391.
- McFadden, Charles J., Challenge to Morality: Life Issues—Moral Answers, Huntington, Ind., Our Sunday Visitor, Inc., 1978, 256 p.

- McFadden, Charles J., The Dignity of Life: Moral Values in a Changing Society, Huntington, Ind., Our Sunday Visitor, Inc., 1976, 296 p.
- , Medical Ethics, Philadelphia, F.A. Davis Publishers, 1946; third ed. 1953, xxiii-465 p.
- May, William E., Becoming Human: An Invitation to Christian Ethics, Dayton, Ohio, Pflaum Publishing Company, 1975, viii-147 p.
- , "Christian Ethics and the Human," American Ecclesiastical Review, Vol. 167, December 1973, p. 651-671.
- , "Christian Faith, the Academic Community, and the Magisterium," Horizons, Vol. 1, Fall 1974, p. 89-91.
- , "Conjugal Love," Catholic Theological Society of America Proceedings, Vol. 33, June 7-10, 1978, p. 135-142.
- , "Ethics and Human Identity: The Challenge of the New Biology," Horizons, Vol. 3, Spring 1976, p. 17-37.
- , "Fertility Awareness and Sexuality," The Linacre Quarterly, Vol. 46, February 1979, p. 20-26.
- , "Getting to Know the 'Human,'" The National Catholic Reporter, Vol. 10, October 26, 1973, p. 7-8.
- , "Jesus as the Presence of God in Our Moral Life," in Does Jesus Make a Difference?: Proceedings of the College Theology Society, ed. Thomas M. McFadden, New York, Seabury, 1974, p. 113-128.
- , "Marriage, Divorce, and Remarriage," The Jurist, Vol. 37, 1977, p. 266-286.
- , "The Moral Meaning of Human Acts," Homiletic and Pastoral Review, Vol. 79, October 1978, p. 10-21.
- , "The Natural Law, Conscience, and Developmental Psychology," Communio: International Catholic Review, Vol. 2, Spring 1975, p. 3-31.
- , "The Responsible Christian," Religion Teacher's Journal, Vol. 6, March 1972, p. 16-17.
- , "Sex, Love and Procreation," Homiletic and Pastoral Review, Vol. 76, May 1976, p. 10-30.
- , Sex, Marriage, and Chastity: Reflections of a Catholic Layman, Spouse, and Parent, Chicago, Franciscan Herald Press, 1981, xi-170 p.

- May, William E., "Sexuality and Fidelity in Marriage," Communio: International Catholic Review, Vol. 5, Fall 1978, p. 275-293.
- , "Sterilization: Catholic Teaching and Catholic Practice," Homiletic and Pastoral Review, Vol. 77, August-September 1977, p. 9-22.
- , Committee Chairman, et. al., "Theologians and Authoritative Church Teaching," Origins, Vol. 10, February 19, 1981, p. 573-576.
- and John F. Harvey, "On Understanding Human Sexuality: A Critique of the C.T.S.A. Study," Communio: International Catholic Review, Vol. 4, Fall 1977, p. 195-225.
- , The Unity of the Moral and Spiritual Life, Chicago, Franciscan Herald Press, 1979, 31 p.
- , "What Makes a Human Being to Be a Being of Moral Worth?," The Thomist, Vol. 40, 1976, p. 416-444.
- Milhaven, John G., "The Behavioral Sciences and Christian Ethics," in Projections: Shaping an American Theology for the Future, ed. Thomas F. O'Meara and Donald M. Weisser, Garden City, New York, Doubleday, 1970, p. 134-153.
- , "Christian Evaluations of Sexual Pleasure," in American Society of Christian Ethics Selected Papers 1976, ed. Max Stackhouse, Missoula, Mont., Scholars Press, 1976, p. 63-74.
- , "Church Neglects Physical Love," The National Catholic Reporter, Vol. 11, January 24, 1975, p. 7+.
- , "Conjugal Sexual Love and Contemporary Moral Theology," Theological Studies, Vol. 35, December 1974, p. 692-710.
- , "Contraception and the Natural Law: A Recent Study," Theological Studies, Vol. 26, September 1965, p. 421-427.
- , "Exit for Ethicists," Commonweal, Vol. 91, October 31, 1961, p. 135-140.
- , "The Grounds of the Opposition to 'Humanae Vitae,'" Thought, Vol. 44, Fall 1969, p. 343-357.
- , "Homosexuality and the Christian," Homiletic and Pastoral Review, Vol. 68, May 1968, p. 663-669.
- , "Homosexuality and Love," in Homosexuality and Ethics, ed. Edward Batchelor, Jr., New York, Pilgrim Press, 1980, p. 63-70.
- , "How Far Has God Shared His Dominion with Man?," American Ecclesiastical Review, Vol. 162, January 1970, p. 57-63.

- Milhaven, John G., "Moral Absolutes and Thomas Aquinas," in Absolutes in Moral Theology?, ed. Charles E. Curran, Washington, Corpus Books, 1968, p. 154-185.
- , "Objective Moral Evaluation of Consequences," Theological Studies, Vol. 32, September 1971, p. 407-430.
- , "Sex & Love & Marriage & Love & Sex...," The National Catholic Reporter, Part I: Vol. 14, January 13, 1978, p. 7-8; Part II: Vol. 14, January 20, 1978, p. 8+.
- , "Thomas Aquinas on Sexual Pleasure," The Journal of Religious Ethics, Vol. 5, Fall 1977, p. 157-181.
- , Toward a New Catholic Morality, Garden City, New York, Doubleday, 1970, 240 p.
- , "The Voice of Lay Experience in Christian Ethics," Catholic Theological Society of America Proceedings, Vol. 33, June 7-10, 1978, p. 35-53.
- , "What If Church Admitted Lacking Gay Answer?," The National Catholic Reporter, Vol. 12, October 8, 1976, p. 12.
- Nelson, James B., "Abortion: Protestant Perspectives," in Encyclopedia of Bioethics, editor in chief Warren T. Reich, New York, Free Press, a Division of Macmillan, 1978, 4 vols., xxxix-1933; Vol. 1, p. 13-17.
- , "Contextualism and the Ethical Triad," in The Situation Ethics Debate, ed. Harvey Cox, Philadelphia, Westminster Press, 1968, p. 171-186.
- , Embodiment: An Approach to Sexuality and Christian Theology, Minneapolis, Minn., Augsburg Publishing House, 1978, 303 p.
- , "Faith, Ethics, and Sexuality," in Human Sexuality: A Preliminary Study, The United Church of Christ, New York, United Church Press, 1977, p. 87-105.
- , Moral Nexus: Ethics of Christian Identity and Community, Philadelphia, Westminster Press, 1971, 255 p.
- , "The Moral Significance of the Church in Contemporary Protestant Contextual Ethics," Journal of Ecumenical Studies, Vol. 4, Winter 1967, p. 66-91.
- , Rediscovering the Person in Medical Care, Minneapolis, Minn., Augsburg Publishing House, 1976, 144 p.

- Nelson, James B., "Religious and Moral Issues in Working with Homosexual Clients," Journal of Homosexuality, Vol. 7, Winter/Spring, 1981/'82, p. 163-175.
- Pittenger, W. Norman, The Christian Situation Today, London, Epworth Press, 1969, viii-140 p.
- , Love and Control in Sexuality, Philadelphia, United Church Press, 1974, 124 p.
- , Love Is the Clue, London, A.R. Mowbray and Co., Ltd., 1967, viii-104 p.
- , Love Looks Deep, London, A.R. Mowbray and Co., Ltd., 1969, x-101 p.
- , The Lure of Divine Love: Human Experience and Christian Faith in a Process Perspective, New York, Pilgrim Press, 1979, viii-193 p.
- , Making Sexuality Human, Philadelphia, United Church Press, 1970; third printing, Philadelphia, Pilgrim Press, 1975, 96 p.
- , "A Theological Approach to Understanding Homosexuality," in Male and Female: Christian Approaches to Sexuality, ed. Ruth T. Barnhouse and Urban T. Holmes, III, New York, Seabury Press, 1976, p. 157-166.
- , Time for Consent: A Christian's Approach to Homosexuality, London, SCM Press, 1967, 64 p.
- , "Towards a Christian Theology of Sexuality," Union Seminary Quarterly Review, Vol. 30, Winter-Summer 1975, p. 121-129.
- Ramsey, Paul, Basic Christian Ethics, New York, Charles Scribner's Sons, 1951, xviii-404 p.
- , "The Biblical Norm of Righteousness," Interpretation, Vol. 24, October 1970, p. 419-429.
- , "The Case of the Curious Exception," in Norm and Context in Christian Ethics, ed. Gene H. Outka and Paul Ramsey, London, SCM Press, 1968, p. 67-135.
- , "A Christian Approach to the Question of Sexual Relations Outside of Marriage," Journal of Religion, Vol. 45, April 1965, p. 100-118.
- , Deeds and Rules in Christian Ethics, Edinburgh, Oliver and Boyd, 1965, viii-110 p.
- , "Freedom and Responsibility in Medical and Sex Ethics: A Protestant View," New York University Law Review, Vol. 31, November 1956, p. 1189-1204.

- Ramsey, Paul, "The Marriage of Adam and Eve," Moravian Theological Seminary Bulletin, [no volume number], 1960, p. 35-56.
- , Nine Modern Moralists, Englewood Cliffs, N.J., Prentice-Hall, 1962, i-271 p.
- , One Flesh: A Christian View of Sex within, outside and before Marriage, Bramcote Notts., Grove Books, 1975; third reprint ed., 1980, 23 p.
- , "Reply to T.F. Driver," Christianity and Crisis, Vol. 23, Nov. 11, 1963, p. 204-206.
- , "On Taking Sexual Responsibility Seriously Enough," Christianity and Crisis, Vol. 23, January 6, 1964, p. 247-251.
- , "Two Concepts of General Rules in Christian Ethics," Ethics, Vol. 76, April 1966, p. 192-207.
- , War and the Christian Conscience: How Shall Modern War be Conducted Justly?, Durham, N.C., Duke University Press, 1961, xxiv-331 p.
- , Who Speaks for the Church?, Nashville, Tenn., Abingdon Press, 1967, 189 p.
- Small, Dwight Hervey, Christian: Celebrate Your Sexuality, Old Tappan, New Jersey, Fleming H. Revell Co., 1974, 221 p.
- , Design for Christian Marriage, Old Tappan, New Jersey, Spire Books, 1971; fifth printing 1976, 255 p.
- , Marriage as Equal Partnership, Grand Rapids, Michigan, Baker Book House, 1980, 80 p.
- , The Right to Remarry, Old Tappan, New Jersey, Fleming H. Revell Company, 1975, 190 p.

## SECONDARY SOURCES

- Aquinas, Thomas, Summa Theologiae, Latin Text, English Translation, Introduction, Notes, Appendices, and Glossary by Thomas Gilby, Blackfriars in conjunction with Eyre and Spottiswode, London, and McGraw-Hill, New York, 1969.
- Bailey, Derrick Sherwin, Homosexuality and the Western Christian Tradition, London, Longmans, Green, 1955, xii-181 p.
- , "Sexual Ethics in Christian Tradition," in Sexual Ethics and Christian Responsibility: Some Divergent Views, ed. John Charles Wynn, New York, Association Press, 1970, p. 139-156.
- Baker, Kenneth, "Magisterium and Theologians," Homiletic and Pastoral Review, Vol. 79, April 1979, p. 14-23.
- Barth, Karl, Church Dogmatics: A Selection, trans. and ed. G.W. Bromiley, Edinburgh, T. & T. Clark, 1961, 262 p.
- Bell, Alan, "Homosexuality: An Overview," in Male and Female: Christian Approaches to Sexuality, ed. Ruth Tiffany Barnhouse and Urban T. Holmes, III, New York, Seabury Press, 1976, p. 131-143.
- Boston Women's Health Course Collective, Our Bodies, Our Selves; A Course by and for Women, Boston, Boston Women's Health Course Collective and New England Free Press, 1971, 136 p.
- Boswell, John, Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century, Chicago, University of Chicago Press, 1980, xviii-424 p.
- Buckley, Joseph, Christian Design for Sex: Principles and Attitudes for Parents and Teachers, Chicago, Fides Publishers Association, 1952, xxii-216 p.
- Cahill, Lisa Sowle, "Teleology, Utilitarianism, and Christian Ethics," Theological Studies, Vol. 42, December 1981, p. 601-629.
- Clemons, James T., "Toward a Christian Affirmation of Human Sexuality," Religion in Life, Vol. 43, Winter 1974, p. 425-435.
- Concilium Oecumenicum Vaticanum II, "Constitutio pastoralis de ecclesia in mundo huius temporis," in Acta Apostolicae Sedis, Vol. 58, 1966, p. 1025-1120.
- Concilium Vaticanum I, "Constitutio dogmatica 'Dei Filius' de fide catholica," Cap. 4, "De fide et ratione," in Enchiridion symbolorum: definitionum et declarationum de rebus fidei et morum. Quod primum edidit Henricus Denzinger et quod funditus retractavit, auxit, notulis ornavit Adolfus Schönmetzer, 35th edition, Frigurgi Brisgoviae, Herder, 1973, nos. 3015-3020.

- Crabtree, Authur B., "Methodological Consensus? A Protestant Perspective," Journal of Ecumenical Studies, Vol. 17, Winter 1980, p. 75-80.
- D'Arcy, Eric, Human Acts: An Essay in Their Moral Evaluation, Oxford, Clarendon Press, 1963, xii-176 p.
- Denzinger, Henricus, ed., "Theses a Ludovico Eugenio Bautain iussu sui episcopi subscriptae, 8 Sept. 1840," in Enchiridion symbolorum: definitionum et declarationum de rebus fidei et morum. Quod funditus retractavit, auxit, notulis ornavit Adolfus Schönmetzer, 35th edition, Frigurgi Brisgoviae, Herder, 1973, nos. 2751-2754.
- Dulles, Avery, Models of Revelation, Garden City, New York, Doubleday, 1983.
- Eckberg, Douglas Lee and Lester Hill, Jr., "The Paradigm Concept and Sociology: A Critical View," in Paradigms and Revolutions: Appraisals and Applications of Thomas Kuhn's Philosophy of Science, ed. Gary Gutting, Notre Dame, Ind., University of Norte [sic] Dame, 1980, p. 117-136.
- Fletcher, Joseph, Situation Ethics, Philadelphia, Westminster Press, 1966, 176 p.
- Frankena, William K., Ethics, Englewood Cliffs, N.J., Prentice-Hall, Inc., 1963, xiv-109 p.
- Fry, John R., The Immobilized Christian: A Study of His Pre-Ethical Situation, Philadelphia, Westminster Press, 1963, p. 149-163.
- Fuchs, Eric, "Sociological and Theological Differences in 'Catholic' and 'Protestant' Morality as Seen in Their Confrontation in a Denominationally Mixed Country (Switzerland)," Concilium, Vol. 150, 1981, p. 23-29.
- Fuchs, Josef, "The 'Sin of the World' and Normative Morality," Gregorianum, Vol. 61, 1980, p. 51-76.
- Gagnon, John H. and William Simon, "The Sociological Perspective in Homosexuality," Dublin Review, Vol. 241, Summer 1967, p. 96-114.
- Grecco, Richard, "A Theology of Compromise: A Study of Method in the Ethics of Charles E. Curran," D.Th. dissertation, University of St. Michael's College, Toronto, 1982, 271 p.
- Grisez, Germain, Contraception and the Natural Law, Milwaukee, Bruce Publishing Company, 1964, ix-245 p.
- Grünfeld, Joseph, "Kuhn's Paradigm: Science as History," Science et Esprit, Vol. 34, janvier-avril, 1982, p. 97-106.
- Guindon, André, The Sexual Language: An Essay in Moral Theology, Ottawa, Ottawa University Press, 1976, 476 p.

- Gustafson, James M., "A Christian Approach to the Ethics of Abortion," Dublin Review, [no vol.] No. 514, Winter 1967-68, p. 346-364.
- , "Christian Ethics and Social Policy," in Faith and Ethics: The Theology of H. Richard Niebuhr, ed. Paul Ramsey, New York, Harper Brothers, 1957, p. 119-139.
- , Protestant and Roman Catholic Ethics, Chicago, University of Chicago Press, 1978, xii-192 p.
- Gutting, Gary, ed., Paradigms and Revolutions: Appraisals and Applications of Thomas Kuhn's Philosophy of Science, Notre Dame, Ind., University of Norte [sic] Dame Press, 1980, viii-339 p.
- Haddon, Samuel, "Treatment of Male Homosexuals in Groups," The International Journal of Group Psychology, Vol. 16, January 1966, p. 13-22.
- Hanigan, James P., What Are They Saying about Sexual Morality?, New York, Paulist Press, 1982, 121 p.
- Harris, Charles E., Jr., "Love as the Basic Moral Principle in Paul Ramsey's Ethics," The Journal of Religious Ethics, Vol. 4, Fall 1976, p. 239-258.
- Henry, George W., All the Sexes: A Study of Masculinity and Femininity, New York, Rinehart and Company, Inc., 1955, 599 p.
- Hindery, Roderick, "Catholicity of Ethical Sources: Neglected Key to Christian Unity," Journal of Ecumenical Studies, Vol. 15, Fall 1978, p. 614-630.
- , "Pluralism in Moral Theology: Reconstructing Universal Ethical Pluralism," Catholic Theological Society of America Proceedings, Vol. 28, June 18-21, 1973, p. 71-94.
- Hollinger, David A., "T. S. Kuhn's Theory of Science and Its Implications for History," in Paradigms and Revolutions: Appraisals and Applications of Thomas Kuhn's Philosophy of Science, ed. Gary Gutting, Notre Dame, Ind., University of Norte [sic] Dame Press, 1980, p. 195-222.
- Hooker, Evelyn, "The Adjustment of the Overt Male Homosexual," Journal of Projective Techniques, Vol. 21, 1957, p. 18-31.
- McCann, John, ed., Humanae Vitae and the Bishops: The Encyclical and the Statements of the National Hierarchies, Shannon, Ireland, Irish University Press, 1972, 367 p.
- Hughes, Gerard J., "Infallibility in Morals," Theological Studies, Vol. 34, September 1973, p. 415-428.

- Ioannes Paulus, PP. II, Adhortatio Apostolica, "Familiaris Consortio," Acta Apostolicae Sedis, Vol. 74, 1982, p. 82-191.
- , Constitutio Apostolica, "De Studiorum Universitatibus et Facultatibus Ecclesiasticis," Acta Apostolicae Sedis, Vol. 71, 1979, p. 469-499.
- Jones, H. Kimball, Toward a Christian Understanding of the Homosexual, New York, Association Press, 1966, 160 p.
- Keane, Philip S., Sexual Morality: A Catholic Perspective, New York, Paulist Press, 1977, viii-236 p.
- Kelly, George A., ed., Human Sexuality in Our Time: What the Church Teaches, Boston, St. Paul Editions, 1979, 212 p.
- Kinsey, Alfred C., et al., Sexual Behavior in the Human Male, Philadelphia, W.B. Saunders Co., 1948, xv-804 p.
- Kosnik, Anthony, Chairperson, et al., Human Sexuality: New Directions in American Catholic Thought, A Study Commissioned by the Catholic Theological Society of America, New York, Paulist Press, 1977, xvi-322 p.
- Kuhn, Thomas S., "Logic of Discovery or Psychology of Research?," in Criticism and the Growth of Knowledge, ed. Imre Lakatos and Alan Musgrave, London, Cambridge University Press, 1970, p. 1-23.
- , "Second Thoughts on Paradigms," in The Structure of Scientific Theories, ed. Frederick Suppe, Urbana, Ill., University of Illinois Press, 1973; second ed., 1977, p. 459-482.
- , The Structure of Scientific Revolutions, Chicago, University of Chicago Press, 1962; second ed., enlarged, fourth printing, University of Chicago Press, 1973, xii-210 p.
- Lehmann, Paul, Ethics in a Christian Context, London, SCM Press, 1963, 384 p.
- Lonergan, Bernard, "The Transition from a Classicist World View to Historical Mindedness," in Law for Liberty: The Role of Law in the Church Today, ed. James E. Biechler, Baltimore, Helicon Press, 1967, p. 126-133.
- Long, Edward LeRoy, Jr., A Survey of Christian Ethics, New York, Oxford University Press, 1967, viii-342 p.
- Lowen, Alexander, The Betrayal of the Body, New York, Collier Books, 1967, 307 p.
- Maguire, Daniel C., The Moral Choice, Garden City, N.Y., Doubleday and Company, Inc., 1978, xvii-477 p.

- Malloy, Edward A., "The Christian Ethicist in the Community of Faith," Theological Studies, Vol. 43, September 1982, p. 399-427.
- Masterman, Margaret, "The Nature of a Paradigm," in Criticism and the Growth of Knowledge," ed. Imre Lakatos and Alan Musgrave, London, Cambridge University Press, 1970, p. 59-89.
- May, Rollo, Love and Will, New York, W.W. Norton and Company, 1969, 352 p.
- Mehl, Roger, Catholic Ethics and Protestant Ethics, trans. James H. Farley, Philadelphia, Westminster Press, 1971 (translation of Ethique catholique et éthique protestante, Neuchâtel, Switzerland, Delachaux & Niestlé, 1970), 126 p.
- Mitchell, Basil, The Justification of Religious Belief, New York, Seabury Press, 1973, viii-180 p.
- Musgrave, Alan E., "Kuhn's Second Thoughts," in Paradigms and Revolutions, ed. Gary Gutting, Notre Dame, Ind., University of Norte /sic/ Dame Press, 1980, p. 39-53.
- McCormick, Richard A., Ambiguity in Moral Choice, Milwaukee, Marquette University Press, 1974, 122 p.
- , "Genetic Medicine: Notes on the Moral Literature," Theological Studies, Vol. 33, September 1972, p. 531-552.
- , "Notes on Moral Theology," Theological Studies, Vol. 29, December 1968, p. 679-741.
- , "Notes on Moral Theology," Theological Studies, Vol. 33, March 1972, p. 68-119.
- McNeill, John J., The Church and the Homosexual, Kansas City, Sheed, Andrews, and McMeel, 1976, xiii-211 p.
- Niebuhr, H. Richard, The Responsible Self: An Essay in Christian Moral Philosophy, San Francisco, Harper and Row, 1963, 183 p.
- Noonan, John T., Jr., Contraception: A History of Its Treatment by the Catholic Theologians and Canonists, Cambridge, Harvard University Press, 1965, x-561 p.
- Paulus, PP VI, Litterae Encyclicae, "Humanae Vitae," Acta Apostolicae Sedis, Vol. 60, 1968, p. 481-503.
- Pocock, J.G.A., Politics, Language and Time: Essays on Political Thought and History, New York, Atheneum, 1971, 291 p.

- Rahner, Karl, "Experiment: Man," Theology Digest, Vol. 16, Sesquicentennial Issue, Fall 1968, p. 57-69.
- , "Theology and Magisterium: Self-Appraisals," Theology Digest, Vol. 29, Fall 1981, p. 257-261.
- Richard, Lucien, "The Enigma of Theologians in The Roman Catholic Church," Encounter (Indianapolis), Vol. 42, August 1981, p. 329-351.
- Robinson, John Arthur Thomas, Christian Morality Today, London, SCM Press, 1964, 47 p.
- Robinson, Norman H.G., "Agape and Agapism," Canadian Journal of Theology, Vol. 13, April 1967, p. 79-85.
- Sacra Congregatio Pro Doctrina Fidei, Declaratio, "De quibusdam quaestionibus ad sexualem ethicam Spectantibus," Acta Apostolicae Sedis, Vol. 68, 1976, p. 77-96.
- Sacred Congregation for the Doctrine of the Faith, "Doctrinal Congregation Criticizes 'Human Sexuality' Book," Origins, Vol. 9, August 30, 1979, p. 167-169.
- , "Vatican Directive regarding Priest-Author of Book on Homosexuality," Origins, Vol. 7, March 16, 1978, p. 612-615.
- Sacred Congregation for Catholic Education, document, "The Theological Formation of Future Priests," sent directly to bishops and to heads of seminaries on February 22, 1976; not in Acta Apostolicae Sedis, nor in L'Osservatore Romano; English version in Origins, Vol. 6, September 2, 1976, p. 77-96.
- Sacrosanctum Concilium Oecumenicum Vaticanum II, Declaratio, "De libertate religiosa," Acta Apostolicae Sedis, Vol. 58, p. 929-946.
- Sanks, T. Howland, Authority in the Church: A Study in Changing Paradigms (American Academy of Religion's Dissertation Series, No. 2), Missoula, Montana, Scholars' Press, 1974, vii-187 p.
- Schell, Jonathan, The Fate of the Earth, New York, Avon Books, 1982, 244 p.
- Schillebeeckx, Edward, "The Magisterium and Ideology," Journal of Ecumenical Studies, Vol. 19, Spring 1982, p. 5-17.
- Schoonenberg, Piet, Man and Sin: A Theological View, trans. Joseph Donceel, London, Sheed and Ward, 1965, ix-205 p.
- Shapere, Dudley, "The Structure of Scientific Revolutions," Philosophical Review, Vol. 73, July 1964, p. 383-394.

- Shinn, Roger L., "Paul Ramsey's Challenge to Ecumenical Ethics," Christianity and Crisis, Vol. 27, October 30, 1967, p. 243-247.
- Tentler, Thomas N., Sin and Confession on the Eve of the Reformation, Princeton, N.J., Princeton University Press, 1977, xxiv-395 p.
- Thielicke, Helmut, The Ethics of Sex, trans. John W. Doberstein, New York, Harper and Row, 1964, xiii-338 p.
- Thomas, John L., "The Catholic Tradition for Responsibility in Sexual Ethics," in Sexual Ethics and Christian Responsibility: Some Divergent Views, ed. John Charles Wynn, New York, Association Press, 1970, p. 113-137.
- Thomas, Owen Clark, "Theology and Experience: The Chicago School," an article being prepared for publication, 1983.
- Weber, Joseph C., "Does the Bible Condemn Homosexual Acts?," Engage/Social Action, Vol. 3, May 1975, p. 28-31.
- Yoder, John H., "Radical Reformation Ethics in Ecumenical Perspective," Journal of Ecumenical Studies, Vol. 15, Fall 1978, p. 647-661.

**CONVERGENCE IN SEXUAL ETHICS?  
Roman Catholic and Protestant Approaches in the  
United States Today**

This thesis tests the contemporary theological opinion which would suggest a convergence between Roman Catholic and Protestant writers in the field of sexual ethics. Specifically, three opinions are examined. The first opinion maintains that among conservative writers the traditional confessional differences remain between Roman Catholics and Protestants. The second opinion holds that the most significant differences today are between conservative writers and liberal writers, rather than between Roman Catholics and Protestants. Thus, according to this second opinion, an author's world view or paradigm is more determinative for an ethical theory than an author's confessional affiliation. The final theological opinion tested in this work maintains that among liberal writers there is such convergence taking place that confessional affiliation is no longer a significant determinate in an author's theory.

To test these contemporary theological opinions the works of specific authors are examined. If these views are correct, the writings of representative authors would corroborate them. The authors to be studied were selected through a survey sent to theology schools and seminaries which are gathered in ecumenical consortia or clusters. An obvious classification of authors had to be Roman Catholic/Protestant. In addition, two of the opinions being tested involve the conservative/liberal distinction within the Roman Catholics and the Protestants. Since there is a certain pejorative connotation to the terms "conservative" and "liberal," Bernard Lonergan's philosophical categories, namely, the "classicist world view" and the "historical minded world view," were used to denote this division within the Roman Catholic writers and within the Protestant writers.

In order to keep the project manageable, clear parameters were established. To reduce the variable of the cultural context only contemporary, American authors were selected. A further restriction was added in that only those authors writing in the field of sexual ethics were eligible. From the many names suggested by the survey three authors were chosen for each of the four groupings: Roman Catholic Classicists--John F. Harvey, William E. May, and Charles J. McFadden; Roman Catholic Historicists--Charles E. Curran, John F. Dedek, and John G. Milhaven; Protestant Classicists--Greg L. Bahnsen, Paul Ramsey, and Dwight H. Small; and Protestant Historicists--Beverly W. Harrison, James B. Nelson, and W. Norman Pittenger.

The first four chapters deal with each author's ethical theory, the author's theory of sexuality, and the author's consideration of a specific issue in sexual ethics. Whenever possible, the issue of homosexuality is used due to its controversial nature. In the fifth chapter Thomas S. Kuhn's theory of paradigms is introduced and applied to the four groups of authors. Such an application facilitates the comparison of one group to another, providing the ordered framework necessary to deal with the various components within the groups of authors.

In the latter part of Chapter Five the first current theological opinion is tested in the writings of these six classicist authors. This study maintains, contrary to current theological opinion, that among these authors the traditional confessional differences are not significant. The central feature of the classicist mindset is the reliance on an external authority to ground the moral dimension. In the choice of the authority there is a difference between Catholics and Protestants. In comparing the components of the Roman Catholic disciplinary

matrix to the Protestant disciplinary matrix within Kuhn's theory of paradigms, however, no other differences surface. Furthermore, there is unanimity on three significant points: the decisiveness of the role of authority, the qualified role of rationality in the moral agent, and the inability to admit of any development in moral norms. In the light of such agreement, only one matrix is necessary for all six classicist authors.

The second theological opinion is corroborated in the writings of these authors. There are significant differences found in each of the four components of the disciplinary matrices between the classicists and the historicists, whereas there are hardly any differences within the classicist mindset between Roman Catholics and Protestants. Therefore, it is possible to say, as current opinion does, that the most significant differences are between conservatives and liberals, and not between Roman Catholics and Protestants.

In the final section of Chapter Five and continuing through Chapter Six the third opinion is studied. This thesis disagrees with current opinion. In the writings of these six historicist authors there are fundamental differences in two of the components of the disciplinary matrix. Roman Catholic "liberals" are not writing in the same manner as Protestant "liberals" in the field of sexual ethics. The differences occur in the formulation of the equation for moral sex as well as in the practical treatment of the issue of homosexuality. These differences are so significant that it is necessary to maintain two distinct disciplinary matrices within the historicists. Furthermore, when the components of the disciplinary matrices and the categories of the ethical theories of the six historicist authors are examined, the differences between Roman Catholics and Protestants fall within the two generally recognized confessional differences: 1) the continuity between

the doctrine of creation and of redemption and, 2) the role of the teaching office in the community. In their theoretical considerations Roman Catholics and Protestants are in agreement on both points, however, in the practical applications of their theory of sexuality the differences surface.

In Kuhn's framework, these six historicist authors are aware of the anomalies which surface within the classicist mindset in the area of sexual ethics. The three Protestant writers seem to have been able to establish a consistent disciplinary matrix to deal with the anomalies. Their Roman Catholic counterparts appear still to be in transition.