

11-1-1980

[Book Review of] *Transition and Tradition in Moral Theology* by Charles E. Curran

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Recommended Citation

McCarthy, Donald G. (1980) "[Book Review of] *Transition and Tradition in Moral Theology* by Charles E. Curran," *The Linacre Quarterly*: Vol. 47: No. 4, Article 13.

Available at: <http://epublications.marquette.edu/lnq/vol47/iss4/13>

According to the Catholic tradition, on the contrary, the source of moral evil is precisely the intrinsic direction of the will. A Christian knows that adultery is committed in the heart even if nothing external has a hair's chance of occurring, and that blasphemy is wrong even though there is, and can be, no direct external effect. That is to say, moral evil consists primarily in the will's repudiation of a basic good or value. Thus in the (rare) abortion case, for example, where the choice is between directly killing one or letting both die, we are obliged not to kill, because the external results are of a different order from that of the interior act of will directed against an innocent human life. The interior act of will constitutes a person's deciding for or against the objective order of goodness or value established by God Himself. Direct killing can be justified only as defense of self or others against *unjust* aggressors. Only *purposeful* aggression makes a person not innocent and thus deprived of the right not to be killed directly. If someone's life endangers the safety of others, through no purposeful act of his own, e.g., because he is diseased or because a foreign country threatens to kill hostages if he is not killed, such a person still cannot be justly killed. Innocent human life (innocent in the sense just explained, and not in a mere causal sense) is inviolable.

— Patrick Lee, Ph.D.
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Transition and Tradition in Moral Theology

Charles E. Curran

University of Notre Dame Press, Notre Dame, Ind., 1979. \$11.95 (hard cover), \$4.95 (soft cover).

People may disagree with Father Charles Curran's approach to Catholic moral theology. They may even argue, as he admits, that he has incorporated so much transition into his moral thinking that he has abandoned the Catholic tradition. But everyone knows where he stands. His new volume, *Transition and Tradition in Moral Theology*, once more records his opinions clearly, forthrightly, and persuasively, for whatever they may be worth.

In this volume he has skillfully joined nine separate essays prepared for various occasions into one volume, with admirable continuity and consistency. The nine essays fall neatly into three parts with three chapters each.

Part one considers general moral theology with an overview chapter and separate chapters on contraception and homosexuality. He maintains an even and calm style broken by occasional sweeping statements.

As examples of the latter, consider these three bold and authoritative statements:

"There can be no doubt in the light of the historical circumstances that the official imposition of Thomism was an attempt to prevent any dialogue with the contemporary world and its thought patterns" (p. 12).

"The teaching condemning artificial contraception is wrong; the pope is in error" (p. 46).

"For an irreversible or constitutional homosexual, homosexual acts in the context of a loving relationship striving for permanency can be and are morally good" (p. 71).

Part two shifts gears completely to consider social justice. It opens with a historical chapter on "American Catholic Social Ethics, 1880-1965." Then follows a chapter entitled "Social Ethics: Future Agenda for Theology and the Church," Father Curran's contribution to the Notre Dame symposium looking ahead to Vatican III.

The final chapter of part two offers a useful and carefully outlined introduction to the complex question of the right to health care. It argues for a basis in distributive rather than equalitarian justice, and carefully distinguishes the right to health care necessary for decent human living from a spurious and utopian right to health as envisioned by the World Health Organization.

Part three opens with a history of Roman Catholic medical ethics which Father Curran believes is unique in printed literature. He points to it as substantiation of his concern for tradition. However, in the last three pages of this well-written and concise history, he notes the new approaches to natural law and the teaching authority of the Church which he employs. His critics would suggest that these new approaches relegate the tradition to a past with a radically different present and future.

In the remaining two chapters of part three, Father Curran considers abortion — first its ethical aspects and then legal and public funding aspects. In his review of the difficult issue of the value and rights of the fetus, he espouses the theory of ensoulment at two or three weeks after conception. He does not follow the teaching of the 1974 Vatican Declaration on Abortion that theories of delayed ensoulment should not modify one's moral stand on abortion. Thus he "accepts a few more abortions than the official Catholic teaching on the double effect" (p. 227). He does not cite the impressive philosophical argument against delayed ensoulment by Benedict Ashley, O.P. in the appendix to the task force study of the Pope John Center: *An Ethical Analysis of Fetal Experimentation* (St. Louis, Mo., 1976).

Father Curran opposes a U.S. constitutional amendment to protect the fetus because he wishes to preserve as much freedom and provide as little constraint as possible for pregnant women. He wishes there were a better way than public funding for abortions for the poor, but he concludes, "If I am faced with such a dilemma, I would reluctantly accept the public funding of elective abortions for the poor" (p. 248). He even creates a new category of right in his discussion of this public funding, "the existential right to an abortion" (p. 246).

As Father Curran advances his opinions throughout the book, he makes it clear that there are opponents to his various opinions and he reviews their reasons briefly and fairly. However, those who support Church teaching on critical issues like contraception, homosexuality, and abortion will not find a very thorough analysis of their theological position. Even Father Curran's advocacy of his own opinions is accomplished more by footnote references than by thorough and in-depth analysis.

However, Father Curran's views which dissent from Catholic teaching generally rely on two basic themes: his accusation of physicalism in traditional magisterial teaching and his support for a new moral methodology. Each of these themes will be discussed in the remainder of this review.

He uses the accusation of physicalism in Church teaching to justify his dissenting position on contraception and even cites it as relevant to other issues of human sexuality, to abortion and euthanasia, and even to divorce and remarriage. The traditional Catholic stress on maintaining the physical integrity of conjugal

intercourse and on respecting human life from the physical moment of conception disturbs Father Curran because he fears it is a one-sided approach to the person. His opponents, on the other hand, can rightly insist that human life and love do involve the physical realm as a necessary and indispensable, even if incomplete, aspect of the person whose reality is equally physical and spiritual.

Father Curran does not hesitate to justify the contraceptive elimination of the procreative potential from conjugal intercourse because he judges it to be only a physical element of the act. He does not even consider the action of eliminating procreativity a physical evil but merely a sequel to human finitude. Those responding to the author would insist that human freedom, like human love, is anchored in the fleshy reality of the person. Hence the Church teaches that responsible persons, freely expressing conjugal love, cannot deny or suppress its physical procreativity but must cherish it and incorporate it reverently and responsibly into the loving context of their complete inter-personal relationship.

In other words, it can be argued that while conjugal love is by no means a merely physical activity, to destroy the integrity of its physical expression is to destroy a constitutive element of its humanity. In this sense the contraceptive act is a dehumanized and even a depersonalized act. Considered in this light, Father Curran's argument against physicalism leads to a Platonic dualism and spiritualism whereas the Church teaching reflects an incarnational view of the human person.

With regard to the author's second theme — his support for a new moral methodology — it must first be noted that he recognizes that the new methodological approaches are only in their incipient stages and need to be developed and explored systematically (p. 202). Yet he uses one of these methods to justify his adamant dissent from Church teaching.

Secondly, he ties the new approaches in moral methodology to what is called the disintegration of perennial philosophy (p. xi). Yet a climate of philosophical eclecticism is no basis for a sound and reliable moral theology. Furthermore, the perennial Christian theology of the person is not tied uniquely and exclusively to the Aristotelian-Thomistic perennial philosophy. Pope John Paul II, for example, has not adopted a new moral methodology although he uses a contemporary Christian theology of the person. Father Curran's advocacy of new moral methodologies seems to imply that the unpopularity of the perennial philosophy opens moral theology to the same range of competing methodologies as a variety of schools of philosophical ethics. The task is to find which philosophical methodologies are applicable to the Christian theology of the person.

Father Curran is in basic agreement with the methodology of ethical proportionalism (p. 37). He applies it more literally in his teaching on homosexuality than on contraception since he does not concede even physical evil in the latter case. He concedes physical evil in homosexual activity but can admit situations in which the activity becomes morally good. This supposes a concept of the human person as someone who is able to turn evil into good by certain good dispositions, provided the person's personality is homosexually-oriented.

This methodology is significantly different from the approach in traditional Church teaching which holds that a homosexual person may be inculpable for individual acts of homosexuality because of ignorance or passion/compulsion. This methodology holds that evil has actually become good by the proportionately greater values certain individuals may achieve, outweighing the disvalues of the otherwise evil act.

Once again, physicalism enters this analysis. The physical evil of homosexual activity is dismissed because of compensating values. The implicit view of the human person here, as in the contraceptive issue, subordinates the physical order of human sexuality to other values experienced by individual persons. Yet in the Church's theology of the human person the physical order of human sexuality cannot be relegated to a realm separate from personal values, nor can it be sub-

jected to an autonomous constitution of meaning and value from free choice. The Church has taught that the normative meaning of human sexuality is rooted in the very being of human persons and does not await the value calculus of individuals to be established. The ultimate issue is whether incarnate human persons can stand outside their own sexual constitution and change its inherent meaning by willing it so.

Hence the rejection of physicalism and the acceptance of ethical proportion- alism in matters of human sexuality seem to imply a theology of the person and human sexuality at variance with doctrinal teaching as well as moral teaching. These are profound theological concerns which lie beneath the surface of Father Curran's dissent from magisterial teaching.

Until these concerns are resolved, this reviewer can understand why the dissent- ing theologians must expect continued resistance to their opinions from magisterial teachers, even when the opinions are presented as persuasively and confidently as Father Curran presents his.

— Rev. Donald G. McCarthy

Teaching Bioethics: Strategies, Problems and Resources

K. Danner Clouser

The Hastings Center, Hastings-on-Hudson, N.Y., 1980. xi + 77 pp., \$4.00 (soft cover).

This book is the fourth of a series of nine monographs on the teaching of ethics from the Hastings Center Project on the Teaching of Ethics in Higher Education, a two-year project supported by a grant from the Carnegie Corporation of New York and co-directed by Daniel Callahan and Sissela Bok.

K. Danner Clouser's contribution deals with the teaching of bioethics. Other monographs in the series deal with the teaching of ethics in graduate schools of law, journalism, business, engineering, and social studies, as well as in the under- graduate curriculum.

Clouser is well known in the field of bioethics and writes from a background of Lutheran theology, Ivy League studies and teaching, and a dozen years of teaching medical ethics at the Pennsylvania State University College of Medicine at Hershey.

Only someone with Clouser's skills and qualifications could sensibly approach the well-nigh impossible task of writing a book on how to teach medical ethics in our contemporary pluralistic and largely materialistic society. He does it with a foot-work and a finesse that seldom seem to skip even a step. Clouser himself recognizes the problems involved in such a task.

By way of a method to approach the problems, he sketches a paradigm of teaching bioethics to medical students and using this as a baseline, rings in the "mutatis mutandis" for other biomedical settings and in this way, he says, he