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Magisterium and Theological Revisionism

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Abstract

Catholic and Protestant theologians believe that the resemblance between Christian and non-Christian ethics is due not only to desecration, but also to the fact that we live in the same historical order. Gustavo Gutierrez insists that there are no two histories, one profane and one sacred, juxtaposed and intimately connected, but a single history of human destiny, irrevocably assumed by Christ, the Lord of history. The naive optimism of a moral theology that does not consider human limits, and that considers human actions as if the eschatology had already been achieved, has led to an improper methodology, based exclusively on natural reason. Bernard Häring insisted, however, on the need for moral theology to be based on Scripture and grace and not just on reason and human nature. Charles E. Curran expressed his right to disagree with the non-infallible teaching of the authority of the Catholic Church, emphasizing that Catholics could in theory and practice disapprove of papal teaching and remain faithful to the Catholic Church.

Keywords

magisterium, Church authority, disagreement with papal non-infallible teaching, social doctrine, compromise theory, double effect principle, conflict situations, freedom, bioethics.

I. Charles E. Curran's social location

Let us start with an autobiographical quote from the paper *The Catholic Moral Tradition Today*:

“None of us is completely neutral. Readers have the right to know my social location. I have been teaching and writing in Catholic Moral Theology since 1961. My approach is usually identified with the school of liberal or revisionist moral theology. These terms are usually used to describe moral theologians who disagree with some teachings of the papal magisterium, especially those in sexual morality.... (...) But I should mention another factor affecting my social location. In 1986, after seven years of investigation, the Vatican Congregation for the Doctrine of the Faith declared that I was ‘neither suitable nor eligible (desired) to serve as a professor of Catholic Theology’. The reasons that led to the action taken by the Congregation for the Doctrine of the Faith were my positions on specific issues such as natural and artificial contraception, sterilization, divorce, homosexual acts in engaged relationships, and the concept of direct and indirect actions. (...)”

I write as a person deeply committed to the Catholic Church and the Catholic Moral Tradition. I have some disagreements with hierarchical teaching on some specific issues, but these disagreements and tensions are part of life in the Catholic Church today and do not put me outside the boundaries of Roman Catholicism”¹.

“My theological studies were done in the context of preparation for the priestly ministry at North American College in Rome. I studied for the Catholic priesthood for the diocese of Rochester, New York, and received my B.A. from St. Bernard’s Seminary of Rochester taking the usual college-seminar course. I began my theological studies at the Gregorian University of Rome in September 1955... (...) I was ordained in 1958 at the end of my third year of theology, and shortly thereafter the Bishop of Rochester told me to stay here for postgraduate studies in Moral Theology because I would be teaching Moral Theology at St. Bernard’s Seminary”².

¹ Charles E. CURRAN, *The Catholic Moral Tradition Today, A Synthesis*, Georgetown University Press, Washington, D.C., 1999, pp. 238-239.

² Charles E. CURRAN, *Ongoing Revision in Moral Theology*, Fides/Claretian, Notre Dame, Indiana, 1975, pp. 262-263.

Charles Curran was also involved in the courses of the Alphonsian Academy and after a while he obtained his doctorate from both theological education institutions. At the Alphonsian Academy, Charles Curran was influenced by Bernard Häring, who at the time had insisted on overcoming the dichotomy between moral theology and spiritual theology and who had given moral theology a scriptural and liturgical dimension to an extent hitherto untouched. Curran was impressed by his insistence on the biblical call to perfection, as well as his dependence on the philosophy of Max Scheler, which opened new horizons in the research of moral theology.

“In light of Häring’s insistence on the primordiality of the Spirit and the virtue of equity (*epikeia*), positive laws and exceptions to such laws were better understood”³. “My doctoral dissertation at Gregorian University under the guidance of Fr. Francis Furlong was of a traditional variety – *Prevention of Conception after Rape*. At the Alphonsian Academy I wrote a dissertation of a more historical nature – on the *Invincible Ignorance of the Natural Law in St. Alphonsus*”⁴.

“The major problem of those times [the ‘60s] was artificial contraception. It was not until the end of 1963 that several Catholic theologians began to openly question the Church’s teaching on artificial contraception. I followed the debates and wrote about them favorably an article published in the summer of 1964 in *Jubilee*. Shortly afterwards I became convinced of the need to change the teaching of the Roman Catholic Church on birth control (...). As a moral theologian teaching in a seminarian diocese and as a priest helping on weekends in a parish, I came in contact with a large number of young married couples. During these years I have often been asked to speak to parish groups about marriage issues. Also, many couples were sent to me by others to talk to me about their problems. I was struck by the discrepancy between theory and practice. These couples who practiced artificial contraception did not feel that they were sinning. At first, I justified their position by saying that objectively what they were doing was sinful, but subjectively it was no sin. They showed all the signs of a good Christian

³ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 264.

⁴ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 266.

life. What was wrong with what they were doing? I was also troubled by the fact that many other couples trying to follow the teachings of the Church seemed to be under the same oppressive pressures and tensions in their lives”⁵.

Just before the Encyclical *Humanae Vitae* in 1968,

“I insisted on the accepted Catholic teaching on the right to disagree with the infallible teaching of the Church authority. This aspect was further developed in the controversy after the organization of the theological disagreement with the papal condemnation of artificial contraception in 1968. Also, naturally, the possibility of disagreement has been extended to all other specific moral issues because in the midst of such complexities it is not possible to acquire a level of certainty of specific moral issues that can exclude the possibility of error”⁶.

In 1965, after a series of smoldering tensions (generated by the “audacity” of proposing an alternative theological teaching to the infallible teaching of the papal magisterium), Curran was told that he should no longer teach at St. Bernard’s Seminary, but he was free to accept the offer of the Catholic University, or “any other that would have been offered to him”. Thus, he came to teach at the Faculty of the Theological School of the Catholic University of America.

In 1966 Curran wrote an article on natural contraception for the annual meeting of the Catholic Theological Society of America. He challenged Catholic doctrine that “in the objective order natural contraception was always a grave sin, although in the subjective order serious error may not always be present”⁷. Curran criticizes the “poor biological position” that has influenced theological teaching so much, giving exaggerated importance to the human seed. After publishing a book on the need for new methodological approaches in Catholic Theology, helped to edit it by his friend Daniel Maguire, Charles Curran was called by the Rector of the University who informed him that the Board of Directors had voted not

⁵ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 268.

⁶ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 269-270.

⁷ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p.273.

to renew his teaching contract at the University. 20 cardinals, archbishops and bishops took part in the vote, while 6 lay members of the Council abstained. Curran will learn in a few years from Washingtonian journalist Roy Meachem that Archbishop Vagnozzi – the Apostolic Delegate to the United States – was responsible for his dismissal. “Because Rome wanted to set an example for a liberal American priest, and I was the one chosen”⁸, he observed bitterly. On April 17, 1967, after Curran confessed to friends, the students began to riot. At first 400 students led by Curran’s colleagues: Robert Hunt, Daniel Maguire and Sean Quinlan gathered in the lobby of the Rector’s Office and formed a protest committee. Petitions were drawn up asking the Administration to review its attitude. The Faculty of Theology voted unanimously that “We cannot and will not resume teaching until Father Curran is reinstated. We invite our colleagues from other schools of the University to join us in our protest”⁹. Following the widespread protest at the university level, Curran’s contract was renewed and he was appointed, as previously promised, an associate professor.

A year later, in 1968, Curran hoped that the issue of birth control would be brought back to the discussion of the magisterium in terms favorable to his opinions.

“The struggle at the Catholic University from the previous year had the effect of propelling me into the prominent position of leader of the problem of artificial contraception and of the Roman Catholic Church. We tried in vain to provoke enough publicity to prevent an encyclical. In my opinion, at that time an encyclical reaffirming the older teaching would have been catastrophic. Many people would have thought that they could no longer be faithful to the Roman Catholic Church because of their decision to practice artificial contraception. The priests would have sought guidance and would have been thrown into great crises of conscience. I was convinced that most Catholics and priests did not even know the right to disapprove of the non-infallible teaching of hierarchical authority. Plans then began to be made to shape and formulate a response to the encyclical that was said to be imminent”¹⁰.

⁸ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 275.

⁹ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 276.

¹⁰ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 278-279.

The day after the *Humanae Vitae* encyclical was promulgated, July 29, 1968, “American Catholics could read in their morning papers about their right to disagree and that Catholics could in theory and practice disapprove of papal teaching and remain faithful to the Catholic Church”¹¹. Many university theologians or seminarians have subscribed to Curran’s Declaration. But not all of these theologians had “academic protection”, and many priests in Washington, D. C., as well as other theologians, such as faculty members who also taught at Buffalo Seminary, lost their professorships because they signed the Declaration¹².

After 1972 Curran began to study Protestant ethics and was once again convinced that his research was within the Roman Catholic Tradition. He researched in particular the ethics of Paul Ramsey at the Kennedy Bioethics Center in Georgetown.

“In theological ethics, Catholic research affirms the ability of human beings to reach the path of reason to moral truth and wisdom. The Catholic moral methodology based on natural law tries to embody this fundamental reality, but in my opinion some aspects of this research need to be changed. Protestant approaches, as well as some Catholic approaches, have helped me develop a critique of what I believe to be a fundamental presupposition. The natural is not an order, totally detached from the «supernatural». There is only the same historical existence for all of us. By focusing only on natural and human reason, Roman Catholic moral theology tended to forget or ignore everything that belonged to the «supernatural» order or at best saw the «supernatural» as something added to the «natural». Many accents in Catholic Moral Theology have sought a better understanding of the problem of the natural and the supernatural – the call of Christians to perfection; the need for a permanent change of heart; the fact that the Kingdom of God calls us to cooperate in creating a new heaven and a new earth; the call to constantly aspire to change the structures of society in the light of the fullness of the Kingdom; emphasis on the Spirit and a

¹¹ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 280.

¹² Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 282.

proper development of the moral life; the role of the Scriptures in moral theology; the importance of the Liturgy in the Christian moral life; an attempt both in theory and in practice to overcome the dichotomy between faith and the daily life of Christians; a proper achievement that no one will be able to accept such a dichotomy between the Church and the world”¹³.

The recognition that we all live in the same world, in the same historical order, made Curran understand in his own way the relationship between Christian and non-Christian morality. Realizing that all human beings live in the same order, “I concluded that non-Christians can and sometimes even reach the same attitudes, goals, dispositions, and concrete acts as Christians. Thus, Christians cannot claim that self-sacrificing love belongs only to Christians. The level of difference is transcendental and not categorical”¹⁴.

Roman Catholic insistence on reason and natural goodness also tended to overshadow the effect of sin.

“Protestant thinking exemplified in the writings of Reinhold Niebuhr and Paul Ramsey reminded me of this important aspect of Catholic thought, although I would point out that many Protestants of the classical Lutheran tradition, such as Niebuhr and Ramsey, have exacerbated the notion of sin. The presence of sin in the world has influenced my thinking on a number of significant issues — opposition to the utopian perspective of the possibility of human progress; accepting the need for greater conflict in human affairs, and sometimes even the use of violence in the service of justice; a willingness to accept some kind of negative judgment about social and political structures at any point in history, and the need for change, with the understanding that all human structures can always be imperfect; a compromise theory applied, for example, to the problem of homosexuality, in which the presence of the sin of the world (not personal sin) sometimes forces people to be content with less than would have been required if sin had not been present, and in in this sense the homosexuality of the individual is justified”¹⁵.

¹³ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 284-285.

¹⁴ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 285.

¹⁵ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 286.

If Catholics insisted on the purity of natural reason, Protestants insisted (doctrinally and morally) on the notion of sin. Charles Curran was influenced by Protestants in recognizing the ravages of sin in the world: the presence of sin in the world made him give up the naive-utopian optimistic vision that generates the clerical exigencies against the daily moral reality. “What traditional Catholic moral theology has said about the ability of human reason is fundamentally correct, but it must be integrated into a more complex picture or perspective”¹⁶.

Because in his thinking there are quite a few nuances and questions – especially the authority of the hierarchical (papal) magisterium is questioned in its infallible teaching –, Curran became a “persona non grata” for many people in the Roman Catholic Church, especially for some bishops and priests; there is also a “long list of dioceses” in which he was forbidden to speak¹⁷. It seems that Curran’s closeness to Protestants made him be abandoned by everyone somewhere “halfway” in his quest for reconciliation with the “common sense” of acknowledging the power of the world’s sin. And the papal magisterium defended its theological and moral vision.

II. Theological revisionism

Revisionist Roman Catholic theologians, of which Curran is a member, have long observed that “the practical [pragmatic] alliance between Marxists and some Catholics has had an impact on the identity of Christian ethics”¹⁸. The secularization within Catholic thought, the influence of the “Age of Enlightenment”, with an emphasis on the “Goddess” of Reason, have made great similarities between Catholic and non-Christian ethics. In this context, the revisionists of Catholic Theology strive to look back to the origins of the identity of Catholic morality, rethinking the “set” of the three fundamental theological issues:

1. the concept of nature-supernatural;
2. the concept of creation-redemption;
3. the Church-world concept;

¹⁶ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 287.

¹⁷ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 292.

¹⁸ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 3.

Theologians believe that the resemblance between Christian and non-Christian ethics is due not only to desecration, but also to the fact that we live in the same historical order. Gustavo Gutierrez insists that there are no two histories, one profane and one sacred, juxtaposed and intimately connected, but one history of human destiny, irrevocably assumed by Christ, the Master of history¹⁹. The naive optimism of Catholic moral theology, which does not consider human limits, and which considers human actions as if the eschatology had already been achieved, has led to an improper methodology, based exclusively on natural reason. However, Bernard Häring insisted on the need for moral theology to be based on Scripture and grace and not just on reason and human nature²⁰.

Curran observes that the novelty brought by Christ does not consist in a new moral teaching, but in a new man!²¹ “To be” determines “to act” (*esse* determines *agere*). The reality of sin distorts the rational understanding of history, as well as the understanding of suffering, sacrifice, the daily cross. Therefore, Curran’s approach starts from the current historical order in which we live, and not from the abstract metaphysical notion of man²².

Responsible Roman Catholic theologians must respond to contemporary challenges (artificial contraception, sterilization, divorce, abortion, euthanasia, the principle of double effect with the prohibition of direct killing ...) in the context in which, instead of monolithic ethical theory, there is now a plurality of ethical methodologies within Roman Catholicism, which insists more on induction, a posteriori argumentation, experience, and the recognition of lack of absolute certainty in specific moral issues addressed²³.

In the chapter on theological pluralism, Curran sets out the view of some Catholic theologians that it is necessary to judge the morality of actions in terms of the consequences²⁴, our good deeds must be justified in

¹⁹ Gustavo GUTIERREZ, *A Theology of Liberation: History, Politics and Salvation*, Mayknoll, New York, Orbis Books 1973, p. 153.

²⁰ Bernard HÄRING, *The Law of Christ*, Westminster, Newman Press, 1966.

²¹ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 19.

²² Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 24-25.

²³ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 29-30.

²⁴ Richard A. MCCORMICK, S.J., *Ambiguity in Moral Choice*, Milwaukee, Marquette University, 1973; John Giles MILHAVEN, “Objective Moral Evaluation of Consequences”, in: *Theological Studies* XXXII (1971), pp. 407-430; Bruno SCHÜLLER,

terms of proportionality. Asserting the distinction between moral evil and existential evil, as well as reiterating the Thomistic distinction between the external act and the internal act, other Catholic theologians state that the decisive moral factor is the inner act and that intention is what determines the character of the act itself²⁵.

Curran notes that many of the documents and resolutions of the Second Vatican Council “insist on the importance of dialogue, not only with other Christians, but also with unbelievers, professionals, scientists, and others. [And] dialogue presupposes that one can and must learn from others”²⁶. In this sense, Curran affirms the existence of two magisteria in the Church:

1. the hierarchical magisterium is not the only source of knowledge;
2. and Christians have the right to disagree with the non-infallible teaching of the papacy;

Distinguishing between complementary pluralism and contradictory pluralism, Curran sees the need for complementary ethical pluralism. The fundamental question he always emphasizes is: “Is moral theology prophetic?”²⁷. On this official position in Dubay is based the right of Christians to disagree with the infallible teaching of the magisterium²⁸.

“In conclusion, prophecy is an important aspect of moral theology – and the role of the ethical theologian and the role of the hierarchical magisterium. But a more adequate understanding of the prophetic aspect coincides with the accepted Catholic

S.J., “Zur Problematik allgemein verbindlicher Grundsätze”, in: *Theologie und Philosophie*, XLV (1970), pp. 1-23; Bruno SCHÜLLER, “Typen ethischer Argumentation in der katholischen Moral Theologie”, in: *Theologie und Philosophie*, XLV (1970), pp. 526-550.

²⁵ Joseph FUCHS, “The Absoluteness of Moral Terms”, in: *Gregorianum*, LII (1971), pp. 415-458; Louis JANSSENS, “Ontic Evil and Moral Evil”, in: *Louvain Studies*, IV (1972), pp. 115-156; Peter KNAUER, “La détermination du bien et du mal moral par le principe du double effet”, in: *Nouvelle Revue Théologique* LXXXVII (1965), pp. 356-376; Peter KNAUER, “The Hermeneutic Function of the Principle of the Double Effect”, in: *Natural Law Forum* XII (1967), pp. 132-162.

²⁶ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 46.

²⁷ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 53.

²⁸ Charles E. CURRAN, Robert E. HUNT, *Dissent In and For the Church: Theologians and Humanae Vitae*, New York, Sheed & Ward 1969, pp. 133-153.

teaching that sometimes and for sufficient reasons disagreement is allowed with the authentic, authoritarian, infallible teaching of the Church. The prophetic aspect of the role of the theologian sometimes requires the theologian to disapprove of such a teaching. The prophetic aspect of the teaching of the Hierarchical Office will be better fulfilled if we recognize that such a teaching cannot reach the degree of certainty that excludes the possibility of error”²⁹.

In the chapter on divorce, Curran emphasizes the difference between blessing the first marriage and tolerating the second. Curran believes Roman Catholic Church needs to change its view on the indissolubility of marriage³⁰, and gives as an example the economy (pastoral exception) evoked in the Orthodox Church³¹. Curran invokes the theologian Piet Fransen’s research on the Council of Trent, research that removes the prejudice that the indissolubility of marriage was an irreformable dogma. Other authors have come to the same conclusion: Trent’s hierarchical teaching on the indissolubility of marriage is not an irreformable church teaching³². Under these circumstances, Curran proposes circumstantial discernment and the proper interpretation of “signs of the times” (for example, accepting that a single person aged 25 will find it very difficult to find another person who has not been married before)³³. Compared to the institutionalist teaching of marriage, Curran proposes the personalist understanding³⁴. “Fidelity assumed forever” belongs to the “logic of the person”, the eschatological perspective discovering the “call to holiness”³⁵. However, the eschatological perfection of love is sometimes unattainable in pilgrim existence³⁶.

Conflict situations come from three different sources:

²⁹ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 62.

³⁰ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 75.

³¹ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 85.

³² Peter MCENIERY, “Divorce and the Council of Trent”, in: *Australasian Catholic Record* CLXVII (1970), pp. 188-201.

³³ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 94.

³⁴ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 98.

³⁵ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 101, 103-104.

³⁶ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 105.

1. from the limits of the creature;
2. from the presence of sin in the world;
3. from the imperfections due to the lack of eschatological perfection.

The compromise theory proposed by Curran applies only in cases where the conflict is generated by the presence of sin (not when it is generated by the structural-ontological limitation of the creature or by the imperfection of the eschatological deficiency). Here, the couple's artificial contraception or masturbation could be justified by the compromise of maintaining the relationship between the two persons.

The fundamental theme of abortion is treated in the perspective given by civil law and Christian morality. In the stage of innocence, domination and direction must be exercised by those endowed with the gift of wisdom and the light of intelligence³⁷. In the sense of Thomism, Curran also states that unjust law is not in fact law and does not bind: human law is always under the judgment of eternal law³⁸.

John Courtney Murray analyzes the freedom of the human person under a government with limited powers and thus forms the constitutional and legal concept of religious freedom³⁹. According to Murray, there are four principles on which the constitutional government is based.

1. The first principle consists in the distinction between the sacred order and the secular order of human life.
2. The second principle concerns the distinction between society and the state (the state being an agency that has a limited role in society, because the purposes of the state are not coextensive with the purposes of society). Public authority is empowered with certain limited powers using political means as well as the coercive force of law for the good of society, and these functions are defined by constitutional law in accordance with the consent of the people.
3. The third principle, following the above considerations, consists in the distinction between the common good, which includes all

³⁷ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 116.

³⁸ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 120.

³⁹ John COURTNEY MURRAY, *The Problem of Religious Freedom*, Westminster, Newman Press 1965, pp. 19-22; John COURTNEY MURRAY, "The Declaration on Religious Freedom: A Moment in its Legislative History", in: *Religious Liberty: An End and A Beginning*, New York, Macmillan 1966, pp. 15-42.

social, spiritual and moral goods as well as the material ones, and public order.

4. The fourth principle is freedom under the law, which is the highest goal of the legal order itself⁴⁰.

In this context, there are three structuring criteria for a better understanding of the relationship between civil law and private morality:

1. As much freedom as possible for the individual;
2. The criterion of public order to justify state intervention through law;
3. Recognition of pragmatic and jurisprudential aspects of the law⁴¹.

In these circumstances, Curran believes that in the case of contraception and even in the case of freely consenting homosexual acts in particular between adults, the criterion of public order (including the order of peace, the order of justice and the order of morality) does not justify the intervention of civil law⁴². Curran also believes that the role of the Roman Catholic Church is to develop the ethos (character), and not to bring amendments to civil constitutional laws. Even if there is a prophetic and teaching aspect of civil law, civil law cannot be seen exclusively in terms of the application of natural law [and indirectly of its eternal law]⁴³.

The fundamental theme of respecting life occupies a special chapter in the thinking of revisionists and is subsumed by the sixth commandment: "Thou shalt not kill!". Curran distinguishes between direct suicide and indirect suicide.

"Direct suicide is one in which murder is intentional both as a means and as a final goal. Indirect suicide is morally permissible when the following four conditions are met: 1) the act itself is good or indifferent; 2) the intention is good; 3) the good effect occurs as quickly as the bad effect so the bad effect is not

⁴⁰ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 126.

⁴¹ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 133.

⁴² Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 134.

⁴³ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 142-143.

the means by which the good effect is obtained; 4) there is a proportional reason to justify the indirect taking of life”⁴⁴.

The proportionate reason for indirect suicide could be for the good of others: the suicide of a spy is invoked here in order not to divulge secret data that would endanger others. A biblical example is the case of Eleazar (1 Maccabees 6, 43-47) who attacked the enemy king under his elephant, knowing that the death of the elephant and his fall would kill him as well. World War II suicide bombers committed only indirect suicide.

Regarding abortion, Curran believes that human life is present only after the 14th day after conception. He justifies abortion indirectly in the case of a cancerous uterus as well as in the case of ectopic pregnancy⁴⁵.

On the issue of the dying, Curran believes that only natural, ordinary means should be used to prolong life, without recourse to extraordinary means, which would prolong only the agony and suffering⁴⁶. There is a difference between the act of omission (not using the extraordinary means of keeping the dying alive) and the positive act of killing (euthanasia). In the case of agonists, doctors must decide when the patient has died: brain death, cessation of heart function...⁴⁷.

In the case of genetic engineering, there are three types of problems:

1. Genetic engineering, or gene research, that tries to change the genetic structure of the individual, a structure that causes certain diseases or abnormal conditions.
2. Euphenia, in which the genotype is not treated, but rather the phenotype, as in the case of glasses or insulin for diabetics.
3. Eugenia, based on the recombination of genes to produce better human species in the future. The latter, which can degenerate into a “copy” of people, and because it has incalculable consequences (positive eugenics) Curran rejected it⁴⁸.

Regarding pacifism and the issue of just war, Curran notes that the Sermon on the Mount calls for non-resistance, not just non-violence!⁴⁹

⁴⁴ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 149-150.

⁴⁵ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 156-157.

⁴⁶ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 159.

⁴⁷ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 160-161.

⁴⁸ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 166.

⁴⁹ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 168-169.

The principle of war discrimination seeks to avoid the killing of non-combatants, and in the case of the just war Curran notes that Blessed Augustine drew attention to the fact that he is not against the notion of love: “If a neighbor has been attacked by another, love may require someone to use force to save the victim. I accept the theory of just war, but I emphasize that this is the last resort and involves many possible downfalls”⁵⁰. Curran adds that anyone who accepts the theory of just war must also accept the justified revolution, or tyrannicide. And in the case of attacks on tyrannical order and on peaceful citizens privileged by tyranny, Curran says that assimilating those who enjoy the privileges of an unjust society with the bearers of force can justify violence against them by revolutionaries⁵¹.

Another fundamental theme of revisionist theologians is the principle of double effect. The textbooks of Catholic Theology propose 4 conditions under which the generation of evil in mixture (“conjunction”) with good can be justified:

1. ‘The action itself is good or indifferent [ethically].
2. The good effect is the one sincerely intended by the agent and not the bad effect.
3. The good effect is not produced by the means of the bad effect. If the bad effect is not at least equally caused with the good effect, then it becomes a means of the good effect and is intended as such.
4. There is a proportionate reason to allow the expected adverse effect to occur⁵².

Curran applies the principle of double effect in the case of ectopic pregnancy, agreeing with Lincoln Bouscaren that “the removal of the fetus is neither directly intentional nor directly operated on”⁵³.

Conflict situations are generated by existential evil. Existential evil is always present in our concrete actions because it comes from the consequences of our own limitations – believes Louis Janssens⁵⁴. Peter

⁵⁰ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 171.

⁵¹ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 172.

⁵² Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 173-174.

⁵³ T. Lincoln BOUSCAREN, *Ethics of Ectopic Operations*, Milwaukee, Bruce Publishing Co. 1944, pp. 147-155.

⁵⁴ Louis JANSSENS, “Ontic Evil and Moral Evil”, pp. 115-156, p. 134. See Joseph A.

Knauer also proposes a new theory based on the distinction between physical evil and moral evil. His new principle is this: Moral evil consists in allowing or generating physical evil without a justifying, proportionally, or accordingly reason⁵⁵. Curran observes that in this way Knauer manages to overcome the physicalism of Catholic thought⁵⁶.

Curran further seeks to define the guidelines of compromise theory, as well as the foundations of this personal theory. He starts from understanding the state of sinfulness or the state of universal (cosmic) sin:

“Sinfulness always remains present in the human existence for the Christian. I do not understand in this case the sinfulness through the individual sinful acts of a person or even the sinfulness of the person who generates the act, but rather the cosmic and interpersonal aspects of sinfulness – which becomes embodied in the world in which we live. Sometimes the presence of sin forces us to act in a way that would not happen if there were no sin embodied in the structures of human existence. To deal with certain conflict situations, I have proposed a compromise theory that is based on the recognition of the reality of sin with all its ramifications. Sin is present in life and society, and the Christian is called to overcome sin; but sin will not be completely overcome by the end of the age. One might interpret the traditional Catholic teaching as saying that something might be wrong in the objective but not subjectively sinful order, as a recognition that human limitations and even human sinfulness may in one way or another affect the subjective realm, but not the objective one. Compromise theory recognizes that sin affects the objective as well as the subjective order. However, the compromise also recognizes that the Christian is called to try to overcome the reality of sin as well as to acknowledge that sin will never be completely overcome by this part of the

SELLING, “Proportionate Reasoning and the Concept of Ontic Evil: The Moral Theological Legacy of Louis Janssens”, in: *Louvain Studies*, 27 (2002), pp. 3-28.

⁵⁵ Peter KNAUER, “La détermination du bien et du mal moral par le principe du double effet”, in: *Nouvelle Revue Théologique*, LXXXVII (1965), pp. 356-376; Peter KNAUER, “The Hermeneutic Function of the Principle of the Double Effect”, in: *Natural Law Forum*, XII (1967), pp. 132-162.

⁵⁶ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, p. 183.

eschatology. In this age, the presence of sin occasionally forces us to do certain things that under normal circumstances we would not have done. The word compromise tries to indicate the tension involved in recognizing even within the objective order that sin is present and the Christian tries to overcome it, but for now the Christian will not be able to overcome complete sin”⁵⁷.

III. Conclusion

“Proportional reason” – or the measure of reason – is Curran’s most operative criterion in the web of conflict situations; it consists, in fact, in the common sense of man endowed with enlightened reason! And about the analysis of circumstances, a kind of “moral inspiration” should be used, reminiscent of the prophetic conscience invoked by the two magisteria of the Church.

As Orthodox, we say that our reason is “hurt” (I am the image of Your unspeakable glory, though I bear in me the wounds of sins! ...). “Unable to say that”, Curran observes only that sin also affects the objective order, not just the subjective-personal one. Consequently, a theory of compromise must consider both collective or social sin and the fact that we are “on this side of the eschaton”, and in the conditions of this age sin cannot be completely overcome from a human point of view. Influenced by Protestants in recognizing the power of world sin (especially by Protestant theologian Paul Ramsey⁵⁸), Curran maintains (determined by Catholic doctrine!) the privileged place of the “natural” and the role of human reason in the realm of morality, but states that they must be integrated into the perspective of the five Christian mysteries: Creation, Sin, Incarnation, Redemption, and Resurrection⁵⁹.

⁵⁷ Charles E. CURRAN, *Ongoing Revision in Moral Theology*, pp. 185-186.

⁵⁸ See Paul RAMSEY, *The Just War: Force and Political Responsibility*, New York, Charles Scribner’s Sons, 1968; Paul RAMSEY, *Christian Ethics and the Sit-In*, New York, Association Press, 1961; Paul RAMSEY, *Deeds and Rules in Christian Ethics*, New York, Charles Scribner’s Sons, 1967; Paul RAMSEY, *Basic Christian Ethics*, New York, 1950.

⁵⁹ Charles E. CURRAN, *New Perspectives in Moral Theology*, Notre Dame, Indiana, Fides Publishers 1974, pp. 47-86.