

NOTES ON MORAL THEOLOGY
FUNDAMENTAL MORAL THEOLOGY AT THE BEGINNING
OF THE NEW MILLENNIUM: LOOKING BACK,
LOOKING FORWARD

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[In this initial segment of this year's "Notes on Moral Theology," the author provides a survey of the literature centering on fundamental moral theology published over the last three years or so. He focuses in part one on a variety of Festschriften honoring major ethicists; in part two he addresses writings on God, sin, virtue, globalization, and research. Throughout the recent publications noted, one observes moral theologians looking not to define two exclusive sides of a debate but rather struggling to incorporate a more inclusive vision.]

IN THIS CONTRIBUTION to the "Notes on Moral Theology," I examine writings over the past three years in areas related to fundamental moral theology. Not surprisingly, the new millennium prompted moral theologians to look ahead, but as they did they also looked back especially at the contributions of a number of moral theologians. These two perspectives serve to frame this article.

LOOKING BACK

Looking back, one finds not surprisingly several worthy and hopeful reflections on moral theology over the past century or since Vatican II.¹

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¹ Peter Black and James Keenan, "The Evolving Self-understanding of the Moral Theologian: 1900–2000," *Studia Moralia* 39 (2001) 291–327; James Bretzke, "Ecumenical Ethics, History, and Vatican II," *Josephinum: Journal of Theology* 6.2 (1999) 18–38; Brian Lewis, "Vatican II and Roman Catholic Moral Theology: Forty Years After," *The Australasian Catholic Record* 80 (2003) 275–86; Paulinus Ikehukwu Odozor, *Moral Theology in an Age of Renewal: A Study of the Catholic Tradition since Vatican II* (Notre Dame: University of Notre Dame, 2003).

More frequently one finds indebtedness expressed to those who pioneered moral theology to a new position within the Church. For instance, with the death of Louis Janssens on December 19, 2001, *Louvain Studies* published several articles in the spring of 2002. Roger Burggraeve writes touchingly about Janssens's "personalist calling" and his "ethics for concrete people."² Joseph Selling provides a strong argument for the lasting impact of Janssens's work for fundamental moral theology.³

More frequently, the tributes occur in the form of *Festschriften* and recently there have been several. For instance, a new one has recently appeared celebrating the life and work of Enda McDonagh.⁴ With contributions from Garret Fitzgerald, the former Irish Prime Minister, Mary Robinson, the former UN High Commissioner for Human Rights, Seamus Heaney, the Nobel Prize winning poet, and Imogen Stuart, the sculptor, among others, this collection highlights the extensive range of interlocutors that the great Irish moral theologian has engaged.

Charles Curran reflects on McDonagh's theology of morality and notes how the Irish theologian has entered into the life of the Church, its priestly, prophetic and wisdom roles, its liturgy, its Eucharist, and its prayer. Curran also notes that McDonagh has been at pains to avoid an "either/or" theology of contrasts, but rather embraces a "both/and" approach to theology. Thus to appreciate "the tragic and transformative sense of history," McDonagh couples *Gaudium et spes* with *luctus et angor*. Yet McDonagh invites his colleagues to theologize with him at the fringe and to include the marginalized who are so often ignored.⁵

McDonagh's social location certainly differs from that of 50 years ago when moral theologians advised bishops. But, as McDonagh writes from the fringe even during his "retirement,"⁶ his colleague Kevin Kelly reflects on the characteristics of a theology of retirement noting "a greater sense of the preciousness of time (kairos)," a greater disposition to the pastoral and to the ambiguous, as well as a greater readiness to take risks. Kelly includes in his observations a remarkable comment from McDonagh that conveys the humility and honesty of one retired on the fringe. Having been invited

² Roger Burggraeve, "The Holistic Personalism of Professor Magister Louis Janssens," *Louvain Studies* 27.1 (2002) 29–38.

³ Joseph A. Selling, "Proportionate Reasoning and the Concept of Ontic Evil: The Moral Theological Legacy of Louis Janssens," *Louvain Studies* 27.1 (2002) 3–28.

⁴ *Between Poetry and Politics: Essays in Honor of Enda McDonagh*, ed. Linda Hogan and Barbara Fitzgerald (Dublin: Columba, 2003).

⁵ Charles Curran, "Enda McDonagh's Moral Theology," in *ibid.* 206–27. On theology from the fringe, see McDonagh, *Between Chaos and New Creation: Doing Theology at the Fringe* (Wilmington, Del.: Michael Glazier, 1986).

⁶ For example, Enda McDonagh, "Homosexuality: Sorrowful Mystery, Joyful Mystery: A Straight View and its Origins," *The Furrow* 54 (2003) 455–64.

by another to discover his inner self, McDonagh responded: "When I look within myself, I can never find an inner self. All I can find is a cluster of relationships."⁷

Besides McDonagh, Charles Curran has also been saluted in a recent *Festschrift*.⁸ Like McDonagh, Curran has long considered the ecclesial context of moral theology.⁹ In this collection of tributes to him, each author focuses on recent innovations in moral theology and locates and critiques Curran's specific contributions to that particular innovation.

Examining Curran's revisionist "creative fidelity," Bryan Massingale argues that in the new millennium moral theologians must move beyond revision, toward offering the Church a faithful or radical reconstruction of the tradition. He explains:

'Reconstruction' emphasizes the need for a more fundamental or 'radical' (in the sense of *radix* or 'root') rethinking and rearticulation of the demands of faith than that conveyed by the term 'revision.' 'Reconstruction,' moreover, conveys the belief that there are certain aspects of the Catholic ethical tradition that, in the name of Christ, one should not hold in 'fidelity' no matter how 'creatively.' Yet this reconstruction also aims to be 'faithful' to the demands and challenges, the hope and the promise, of the 'classic' events, symbols, narratives, and persons of the Christian faith—events, symbols, narratives, and persons of the Christian faith . . .

As an example of faithful reconstruction he poses the question: "What are the ethical implications of Jesus' practice of scandalously inclusive table fellowship?"¹⁰

Massingale's suggestion to reconstruct the tradition places the theologians' agenda on an altogether different track from the contemporary magisterium's own attempts to maintain consistency with the tradition.¹¹ Still, among moral theologians, Massingale's proposal is a relatively moderate one, somewhat similar to Brian Johnstone's position in his debate with Karl Wilhelm Merks who argues against the tradition's *prima facie* claims on us.¹²

⁷ Kevin Kelly, "It's Great to Be Alive," in *Between Poetry and Politics* 191–203, at 198.

⁸ *A Call to Fidelity: On the Moral Theology of Charles E. Curran*, ed. James J. Walter, Timothy E. O'Connell, and Thomas A. Shannon (Washington: Georgetown University, 2002).

⁹ Charles Curran, "Ecclesial Context," in *The Catholic Moral Tradition* (Washington: Georgetown University, 1999) 1–29.

¹⁰ Bryan N. Massingale, "Beyond Revision: A Younger Moralist Looks at Charles E. Curran," in *A Call to Fidelity* 253–72, at 267–68.

¹¹ See Black and Keenan, n. 1 above.

¹² Brian Johnstone, "Can Tradition be a Source of Moral Truth? A Reply to Karl-Wilhelm Merks," *Studia Moralia* 37 (1999) 431–51; Merks, "Tradition und moralische Wahrheit. Eine Antwort an Brian V. Johnstone," *Studia Moralia* 38 (2000) 265–78.

Massingale intently examines the Catholic moral tradition with its “systemic distortions, unconscious biases, and unacknowledged collusions with human evil.” He scrutinizes moral theologians no less, particularly their silence in the face of moral compromise. He refers specifically to his own study of how moral theologians never addressed racism in the United States during the 1950s and 1960s.¹³ He asks, “why this ‘disconnect’ between professional reflection and public concern?” He suggests that the disconnect occurred because Catholic moral theologians, being (mal)formed by the systemic distortion of American racism, did not regard African Americans as being among the subjects to whom they should turn.¹⁴ Massingale’s call to reconstruct the tradition requires therefore an attentiveness to the subjects whom one must address. In many ways, Massingale wants the moral theologian to look at the fringe to see who has been marginalized by alienating traditions.

Similarly Margaret Farley reflects on the need for the Church to include all its members and their concerns. Inasmuch as all must participate in the moral discernment of the Church, she proposes one of “the least recognized gifts of the Holy Spirit,” what she calls, “the grace of self doubt.” She explains: “It is a grace for recognizing the contingencies of moral knowledge when we stretch toward the particular and the concrete. It allows us to listen to the experience of others, take seriously reasons that are alternative to our own, rethink our own last word. It assumes a shared search for moral insight, and it promotes (though it does not guarantee) a shared conviction in the end.” Farley is particularly concerned with the attempt of church leaders to speak in one voice, but refutes that by saying that to be “a genuinely discerning church” “one voice cannot in fact speak for a divided church.”¹⁵

Farley’s recognition of the inadequacy of any particular point of view has prompted moral theologians to consider the need to look as well beyond their own perspectives. That need has always been at the source of Curran’s call to dialogue and for this reason the editors of the *Festschrift*

¹³ Bryan Massingale, “The African American Experience and U.S. Roman Catholic Ethics: ‘Strangers and Aliens No Longer?’ ” in *Black and Catholic: The Challenge and Gift of Black Folk: Contributions of African American Experience and Thought to Catholic Theology*, ed. Jamie Phelps (Milwaukee: Marquette University, 1997) 79–101. *Theological Studies* responded to this study by commissioning a “Black Catholic Theology” theme issue in December 2000. The editor, Michael Fahey, opened the issue with these words: “After long silence, *Theological Studies* has begun to make amends for its shameful avoidance of the evil of racism in the United States.”

¹⁴ Massingale, “Beyond Revision” 266–67.

¹⁵ Margaret Farley, “Ethics, Ecclesiology, and the Grace of Self-Doubt,” in *A Call to Fidelity* 55–77, at 69.

commissioned two articles that focus on dialogue with Protestant Christian ethicists and with European moral theologians.

James Gustafson proposes six criteria for an ethicist to be ecumenical: to master one's own tradition; to have sufficient knowledge of another tradition's teachings as they pertain to the issues within one's own; to establish an agenda within one's own tradition for a critical dialogue with other traditions; to apply that agenda to other traditions; to employ the comparative method ("The ecumenical moral theologian needs the intellectual skills of a comparativist."); and, to propose "a somewhat systematic, comprehensive, and defended interpretation of Christian ethics . . . that attends to materials from more than one tradition."¹⁶ Certainly Gustafson's promotion of the ecumenical parallels McDonagh's and Curran's recognition of the need to dialogue beyond one's context.

Raphael Gallagher picks up on this same theme and specifically evaluates the merits of interfacing Curran's contributions with European interests and notes that the Europeans could learn from Curran about a "soteriological Christology, the understanding of the developmental nature of history, and the validity of a plurality of methods in moral theology." From the Europeans, Curran could "pay greater attention to hermeneutics, have a more philosophically rounded anthropology, and give more attention to the analytic aspects of questions rather than the synthetic aspects."

Interestingly, Gallagher laments that both sides "share a major common weakness, the lack of attention to more recent studies on the interpretation of the texts of Vatican II."¹⁷ But the publication of Gallagher's complaint finds a happy coincidence in Leuven's publication of *Vatican II and its Legacy*.¹⁸ This "tribute" to Vatican II includes two dozen essays and three that specifically deal with moral theology and *Gaudium et spes*.¹⁹ Joseph Selling proposes the structure of the Vatican document as the foundational outline for fundamental moral theology.²⁰ Georges De Schrijver comments on how the document has been received and reformulated (progressively

¹⁶ James Gustafson, "Charles Curran: Ecumenical Moral Theologian Par Excellence," in *A Call to Fidelity*, 211–34, at 214–15.

¹⁷ Raphael Gallagher, "Curran's Fundamental Moral Theology in Comparison with European Catholic Approaches," in *A Call to Fidelity* 235–52, at 247.

¹⁸ *Vatican II and its Legacy*, ed. Mathijs Lamberigts and Leo Kenis (Leuven: Leuven University, 2002.)

¹⁹ Besides the essays on *Gaudium et spes*, James Walter reminds us of the importance now of Norbert Rigali's call to reconcile moral theology with spirituality ("The Relationship between Faith and Morality: The Debate over the Uniqueness of Christian Morality" *ibid.* 173–86). Rigali was also a recipient of a *Festschrift* entitled: *Method and Catholic Moral Theology: The Ongoing Reconstruction*, ed. Todd A. Salzman (Omaha: Creighton University, 1999).

²⁰ Joseph A. Selling, "*Gaudium et Spes*: A Manifesto for Contemporary Moral Theology," in *Vatican II and Its Legacy* 145–62.

problematically!) at CELAM, the Latin American Episcopal Conferences of Medellín, Puebla, and Santo Domingo.²¹ Mary Elsbernd's essay on how *Gaudium et spes* is "reinterpreted" in the encyclical *Veritatis splendor* is an illuminating study of how the magisterium itself "reconstructs" the tradition. Her three specific findings merit the reader's attention.

First the theological anthropology of *Gaudium et spes* has been recast into a dualistic and individualistic concept in *Veritatis splendor*. Second, *Veritatis splendor* has recontextualized *Gaudium et spes* quotations on change, conscience, dialogue with modern culture, human autonomy, and social institutions by placing them into paragraphs stressing law and precepts. Third, relying on a selective wording of *Gaudium et spes*, *Veritatis splendor* has reworked the role of the moral theologian into a disseminator of magisterial teaching.²²

Elsbernd concludes: "While claiming a continuity with *Gaudium et Spes*, *Veritatis Splendor* in fact peers backward through *Gaudium et Spes* to a moral theology of late eighteenth and early nineteenth centuries which did rely on a legal framework, an individualistic anthropology and the origins of moral theology in the sacramental practice of confession."²³

Yet another *Festschrift* is dedicated to Marciano Vidal. Interestingly, the structure of the tribute is similar to Curran's, that is, the editors propose to the contributors that they trace the innovations of the past 30 years on a given topic and evaluate Vidal's involvement with those developments. Moreover, like McDonagh's and Curran's tributes, the editors of this volume also focus on interdisciplinary dialogue. Finally, throughout the volume it celebrates the "style"²⁴ that we associate with each of these great theologians. In Vidal's case he specifies his style "a morality of pastoral care" ("*una moral de la benignidad pastoral*") which he associates with the project of Alfonso Liguori.²⁵ Still, Vidal's *Festschrift* differs from McDonagh's and Curran's in this: at 1028 pages it has the expansiveness that we have come to expect from Spanish moralists!

The work is divided into six sections: the person and the theologian (a study of Vidal himself); the sources of Christian ethics; the foundations of Christian ethics; the person, the core of Christian ethics; the society and its moral dimensions; and, Christian ethics and interdisciplinary dialogue.

²¹ Georges De Schrijver, "*Gaudium et Spes* on the Church's Dialogue with Contemporary Society and Culture: A Seedbed for the Divergent Options Adopted at Medellín, Puebla, and Santo Domingo," *ibid.* 289–327.

²² Mary Elsbernd, "The Reinterpretation of *Gaudium et Spes* in *Veritatis Splendor*" *ibid.* 187–205, at 188.; also published in *Horizons* 29 (2002) 225–39.

²³ *Ibid.* 201.

²⁴ John O'Malley has developed this term, "The Style of Vatican II," *America* 188 (February 24, 2003) 12–15.

²⁵ *La ética cristiana hoy: horizontes de sentido, Homenaje a Marciano Vidal*, ed. M. Rubio, V. García, V. Gómez Mier (Madrid: Perpetuo Socorro, 2003) 44.

Throughout, like McDonagh, Vidal sees his work recognizing human suffering and tragedy as well as our hopes and joys.²⁶ But he also sees it as a work of “liberation” that bears personal costs.

The prolific writer recently commented on the three-year long (December 1997–May 2001) investigation of his four volume work, *Moral de Actitudes*.²⁷ He noted the particular “hardness” of the ordeal. Though “Notification” by the Congregation for the Doctrine of the Faith which Vidal signed did not in any way question “the author, his intentionality, the totality of his publications or his ministry,” still it declared that *Moral de Actitudes* was “not to be used for theological formation,” a particularly painful decision because the manual was born and used in the context of teaching theology students for several generations. Vidal’s comments are instructive. He has remained silent about the investigation for these years for a variety of reasons: his own personal non-aggressive nature, his humility, and his spirituality. But he concluded his interview remembering how the theological tension of the 1950s bore fruit in Vatican II: “my silence does not signify a distrust in either the judgment of history or of God. I believe in the wisdom of the Gospel: ‘Nothing hidden will not be revealed.’”²⁸

Another *Festschrift* appeared in India to honor Soosai Arokiasamy.²⁹ Arokiasamy has been eighteen years editor of the *Vidyajyoti: Journal of Theological Reflection* and has served for eight years as secretary of the

²⁶ Recently, Marciano Vidal, *Nueva Moral Fundamental: El Hogar Teológico de la Ética*, Biblioteca Manual Desclee (Bilbao: Desclee de Brouwer, 2000).

²⁷ Marciano Vidal, *Moral de Actitudes* (Madrid: Perpetuo Socorro, 1981).

²⁸ Benjamín Forcano and José Antonio Lobo, “Entrevista a M. Vidal,” *Rivista di teologia morale* 137 (2003) 113–22. Without reference to any particular theologian’s experience, Michael S. Sherwin offers his own instruction: “The theologian must first and foremost trust that the insights he or she acquires are from the Holy Spirit. As a consequence, the theologian need never fear the interest or interventions of the magisterium concerning his or her work. Although the magisterium is staffed by people with very human failings, it is also the chosen instrument of the Holy Spirit. Thus, if the Spirit allows me to have some insights into the moral implications of the faith, the Spirit will eventually also let the magisterium accept this insight. The Church’s first reaction, however, may be negative. The Church may ask the moralist to state his views more clearly. She may even ask him to stop publishing on a given topic or to stop publishing all together. The joy of the Holy Spirit through all this is his faith in the Holy Spirit . . . [T]he vicissitudes of magisterial scrutiny—and I dare say, of Roman intrigue—will only lead the theologian to trust the Lord and the Church ever more deeply. The theologian’s obedience to the magisterium, offered from within loving trust in the Holy Spirit, will enable the theologian *in illo tempore* to sing the glories of God’s providential care” (Michael S. Sherwin, “Four Challenges for Moral Theology in the New Century,” *Logos* 6.1 [2003] 13–26, at 24–25).

²⁹ “Special Issue Dedicated to Dr. Soosai Arokiasamy, SJ, on his becoming Professor Emeritus in the Vidyajyoti Faculty of Theology,” ed. G. Gisbert-Sauch, *Vidyajyoti: Journal of Theological Reflection* 66.8 (2002).

Doctrinal Commission of the Catholic Bishops' Conference of India. Arokiasamy's interests embrace ordinary people, liberation theology, cultural context, the need for dialogue, and the critical reconstruction of the tradition. Bishop Gali Bali writes:

The thrust of theological thinking of Fr. Arokiasamy is in the line of people's theology and inculturation in the liberative sense He says that traditional theology, which is deductive, abstract and speculative in method and propositional in nature, is divorced from the actual God's self-communication of people in history, wherein the use of Scripture plays the secondary role of confirmation of doctrine. Hence theology has to go through a conversion from its alienation to a liberative inculturation. This also applies that theologians will have to undergo a deeper conversion from alienation to a solidarity with and a participation in people's lives, cultures and sufferings. Arokiasamy further affirms that in the new method of people's theology, Scripture will be appropriated through a re-reading of it by the people, and tradition will be discerningly re-interpreted by, and integrated into, the people's dynamic and context-related praxis of faith.³⁰

The *Festschrift* treats globalization from below, the structures of social sin, the eco-crisis and eco-sophy. In short we find an important Indian moral theologian serving the Church on the fringe, promoting reconstruction, looking for dialogue, and invoking the grace of self-doubt, that is, we find the disposition of an active moral theologian in evidence applauded by his constituency which includes major national episcopal leaders.³¹ In contrast to many parts of the Church in the industrialized world, the Church in India affords us an image of what could be a good relationship between hierarchy and theologians.

Finally, Bénézet Bujo and Juvénal Ilunga Muya provide an extraordinary tribute to the pioneers of African theology.³² Though not a *Festschrift* per se, these two editors, the senior African theologian from the Democratic Republic of Congo who teaches at the University of Fribourg, Switzerland, and the younger Congolese teaching at Rome's Urbaniana, have published a tribute to nine French-speaking African theologians who have paved the way for contemporary African theology (another tribute to English-speaking African theologians is forthcoming).

In a tribute to Bishop Tharcisse Tshibangu, Emmanuel Ntakarutimana

³⁰ Gali Bali, "Rev. Fr. Soosai Arokiasamy, S.J.: Man of the Church," *Vidyajyoti: Journal of Theological Reflection* 66 (2002) 567–73, at 570–71. On these points, see Soosai Arokiasamy, "Traditional Theology and People's Theology: Tasks and Prospects," *Jeevadhara* 136 (1993) 309–18; "Sarvodaya through Antyodaya: The Liberation of the Poor in the Contextualization of Morals," *Vidyajyoti: Journal of Theological Reflection* 51 (1987) 545–64.

³¹ See Arokiasamy, *Social Sin: Its Challenges to Christian Life* (Bangalore: Clarétian Publications, 1991).

³² Bénézet Bujo and Juvénal Ilunga Muya, *African Theology in the 21st Century: The Contribution of the Pioneers* (Nairobi: Paulines Publications Africa, 2003).

explains how Tshibangu, the only African expert at Vatican II and among the first members of the International Theological Commission, developed a specifically African theology in the 1960s.³³ While not denying the possibility that his characteristics for an African theology were specifically and irreducibly African, still Tshibangu proposed that certain epistemological insights and local practices were different from European claims. The Belgian Alfred Vanneste, dean of the faculty of theology in Kinshasa responded, affirming the universality of theology and denying the specificity of an African theology.³⁴ Forty years later, Bujo notes that “Vanneste does not realize that the basic text used for our reflections in matters of faith does not have one single sense.” Moreover, Bujo argues that by championing the importance of African theology, Tshibangu implicitly contested the presupposition that “the African tradition has been precisely the weak point of the Africans in the face of Western civilization.” Finally, while many want to reduce the “whole question of African theology . . . to social and economic problems,” Bujo finds that Tshibangu’s proposal offers “an inculturation worthy of the name (that) necessarily ends up in an integral human liberation and development.”³⁵

Anyone interested in the debate between claims of cultural context versus those of universality should read the Tshibangu proposal. He writes: “It is true that we are going towards a universal way of thinking. But the universal civilization will not rise, it would seem on the ruins of particular originalities. It will be made up of particular originalities.”³⁶

Within the collection, the finest essay, in my judgment, is Muval’s description of the achievement of Bujo. Bujo has developed a “palaver” ethics, a Spanish term meaning “word.” Bujo sees palaver ethics as itself effective: through discourse the community comes to resolve crisis, heal the sick, and determine itself for the future. Through palaver the community comes to fuller realization of itself. As Muval writes:

In the logic of the palaver, everyone has the right to speak. In this sense the palaver guarantees equality and everyone’s access to speak in view of building up the community. The final decision arrived at its end is not the result of compromise or of voting according to the majority, but of a solid consensus among all members. The fundamental experience at the basis of the word is that of communion . . .

³³ Emmanuel Ntakarutimana, “Msgr. Tharcisse Tshibangu: Champion of an ‘African-coloured’ Theology,” *African Theology in the 21st Century* 47–63.

³⁴ The discussion appeared in “Débat sur la ‘Théologie Africaine,’” *Revue du clergé africain* 15 (1960) 333–52; reprinted in *African Theology in the 21st Century* 183–99.

³⁵ Bujo, “Introduction to the Tshibangu and Vanneste Debate,” *African Theology in the 21st Century* 179–82.

³⁶ Tharcisse Tshibangu, “Towards an African-coloured Theology,” *African Theology in the 21st Century* 183–95, at 194.

Communion is not true unless it promises and guarantees the originality of each member, and unless each member is conscious of not being free except in relation with the community. The reference to the community is the principle that gives foundations and originality to the individual. Individual freedom is not therefore a value absolute in itself, but in relation to the community, in the same sense that the community is not an absolute value but one linked to the individuals.³⁷

In this context the individual is found in the community. Muval takes Bujo's insight: "human understanding is more determined not so much by the Cartesian '*Cogito ergo sum,*' as by the '*cognatus sum, ergo sum,*' or better by the '*cognati sumus, ergo sumus.*' Not even reason can be understood outside of being related."³⁸ Identity derives from, and is not undermined by, being related.

Furthermore, Muval points out that the community palaver is tridimensional as it engages the ancestors, the living and the not yet born. Thus, there is always a plurality of perspectives, both among the living individuals within the community and by contact with those from the past and expected from the future. Not surprisingly, then, the collection, entitled *African Theology in the 21st Century*, anticipates the future by being rooted in the community and in its past, especially in the lives of the pioneers.

With concerns not unlike those of Jean Porter and Lisa Sowle Cahill, Muval echoes Tshibangu and notes: "To reaffirm the centrality of the notion of community in the African view of the world and of the human being is not equivalent to encouraging tribalism, on the contrary it is laying the foundations on which one may think in universal terms. In fact the community, in the African sense, is open to the universal."³⁹

In his own recent work, Bujo develops the dynamics of his ethics as it pertains to leadership. It bears evident significance for all moral theologians as they seek to serve the Church in its search for truth. Bujo describes leadership, not surprisingly, in the key of palaver:

The chief must pay attention to everything that happens in the community. Above all he is obliged to receive everything by patient listening and then to try to digest it well. Being a good listener and digesting the word are linked in general to Black Africa. . . . He is the last to speak, after having carefully examined all the aspects of a problem and digested the word well. But first he must propose his own word for debate, at least in the palaver of the elders. In other words, the word must be made available for rumination. In short, the African palaver is the place where various words are compared, to see whether they have been well received, chewed, and

³⁷ Juvénal Ilunga Muya, "Bénézet Bujo: The Awakening of a Systematic and Authentically African Thought," *African Theology in the 21st Century* 107–49, at 130–31.

³⁸ *Ibid.* 127.

³⁹ *Ibid.* 126. See also, Margaret Pfeil, "The Interpretive Task of Moral Theology: Cultural and Epistemological Considerations," *Josephinum: Journal of Theology* 10 (2003) 261–70 who makes a similar point, using Bujo as well.

digested, so that they may not bring harm to the community. This in turn presupposes that not only the chief but all the other participants in the palaver have large, broad ears and that they distinguish themselves as listeners before they speak. When they speak, they must be willing to share the word with other members of the palaver, since it is too large and wide for the mouth of one individual.⁴⁰

Obviously an ethics of the palaver is highly concrete and specific. Bujo remarks:

[t]he Black African palaver model does not begin with abstractions. It takes up contextual questions and proceeds by way of discourse, without however, narrowing down participation in this discourse to an exclusively intellectual performance . . . The main criterion for evaluating and establishing norms is the life of the individual and of the entire community; the aim is not the realization of isolated individuals . . . but rather a mutual relationship of all persons, which alone can make the human person truly human.⁴¹

Bujo's insights lead us back to the beginning of my segment on "Notes on Moral Theology" where by looking back we find lessons applicable to the way of finding our way forward for the future. In concluding this section, I return to the McDonagh *Festschrift* and to two remarkable contributions that focus, not surprisingly, on language. The first, an article by Nicholas Lash, describes the importance of conversation in church communal life. He writes: "In a nutshell: the church is the community of those who know the fundamental forms of human speech to be conversation grounded in response to that one Word in whom all things come to be. And theology is the vastly varied forms of language in which this knowledge finds expression and through which it seeks understanding."⁴²

Lash's evident indebtedness to St. Anselm parallels the interests of Bujo. Similarly, like Bujo, he emphasizes the possibility of conversation in the concrete context as the evidence for the possibility of a broader, nearly universal conversation: "To be human is to be able to speak. But to be able to speak is to be 'answerable', 'responsible', to and for each other and to the mystery of God."⁴³

Throughout Bujo's work, memory plays such a key role, especially as the community palaver attempts to recall the ancestors. But memory leads us back to an appreciation of the limits of language, even when we most rely on it. In his tribute to McDonagh's legacy, Irish poet Seamus Heaney captures this, as he proposes his translation of Canto XXXIII with the

⁴⁰ Bénédet Bujo, *Foundations of an African Ethic: Beyond the Universal Claims of Western Morality* (New York: Crossroad, 2001) 185–86.

⁴¹ *Ibid.* 195–96.

⁴² Nicholas Lash, "Conversation in Context," *Between Poetry and Politics* 51–63, at 53.

⁴³ *Ibid.* 65.

lines: "But my language cannot Equal what I remember: an infant's tongue Bubbly with breast milk would be more articulate."⁴⁴

LOOKING FORWARD

When one looks forward, one finds more conversations on several foundational topics that evidence what I consider to be the call to a faithful or radical reconstruction. Those topics include: God talk, Christ talk, sin talk, rule-making talk, and research talk.

God Talk

God talk and its relevance for moral theology have often been side-tracked by a debate between the so-called autonomous ethics and an ethics of faith. These contrasts led to insuperable differences and exclusions. But recent work suggests alternatives to such thinking.

In his work on H. Richard Niebuhr, William Werpehowski turns to Kathryn Tanner who questions those who contrast God's transcendence with our own reality. She writes: "a contrastive definition does not work through the implications of divine transcendence to the end: a God who transcends the world must also . . . transcend the distinctions by contrast appropriate there." God's transcendence appears "in the radical immanence by which God is said to be nearer to us than we are to ourselves." Werpehowski adds: "Thus a theologian need not (and ought not) oppose the order of created causes and effects, willing and doing, behaviors and motivations, to God's creative efficacy."⁴⁵

Klaus Demmer has held similar positions. Rather than starting with God as Tanner does, Demmer looks at the anthropological implications of faith and views it as a hermeneutical pre-understanding so that between faith and moral insight there is a fittingness or a *convenientia*: the moral conduct of the Christian is inseparable from the self-understanding of the Christian.⁴⁶ Recently Demmer returned to this earlier interest in asking how grace is made manifest in human action. Locating moral theology in the-

⁴⁴ Seamus Heaney, "The Light of Heaven," *ibid.* 14

⁴⁵ Kathryn Tanner, *God and Creation in Christian Theology: Tyranny or Empowerment?* (New York: Blackwell, 1988) 46, 79, respectively as quoted in William Werpehowski, *American Protestant Ethics and the Legacy of H. Richard Niebuhr* (Washington: Georgetown University, 2002) 165. See also William Placher, *The Domestication of the Transcendence* (Louisville: Westminster, 1996).

⁴⁶ Klaus Demmer, "Die autonome Moral—einige Anfrage an die Denkform," in *Fundamente der theologischen Ethik: Bilanz und Neuansätze*, ed. Adrian Holderegger (Freiburg: Herder, 1996) 261–76; Klaus Demmer, *Gottes Anspruch Denken: Die Gottesfrage in der Moralthologie* (Freiburg: Herder, 1993) 160–62.

ology itself, Demmer asks us about God and the theological nature of moral argument.⁴⁷

Tanner also notes that the tendency of theologies to contrast with one another is another mistake. Actually, she argues, theologies complement one another and provide us a fuller understanding of God and God's creation.⁴⁸ This attempt to bridge apparently conflicting theologies has been the on-going work of Louvain's Eric Gaziaux who reconciles a morality of faith as developed by Josef Fuchs with an autonomous morality as advocated by Philippe Delhay.⁴⁹

At Utrecht, Frans Vosman reflects on the present where political debate is so exclusive that through some notions of autonomy, theologians relegate the question of God to a solely motivational issue and thereby receive a welcome into political discourse, having abandoned their language of faith. Vosman argues that Catholics surrender too much and need to look within their traditions to see less conflict and more opportunity. Building on Gaziaux (and implicitly on Tanner), he argues for a more modest and accommodating autonomous morality. First, he stresses an anthropological self-understanding that sees the human as being-related (to one another and to God) before being divided and autonomous. Then he turns to the ascetical tradition in which we find two apparently conflicting methods alive and well and enhancing one another: prayer of supplication and prayer of abandonment. Within one tradition we speak freely to God and yet protect the mystery of God. Moralists, Vosman suggests, could employ such an accommodating insight into their debates, by living with both an autonomous morality and a morality of faith.⁵⁰

Vosman's colleague Carlo Leget similarly opposes the contrasting of autonomous morality and a morality of faith as well as human autonomy and God's heteronomy. Leget turns to Thomas Aquinas and finds heteronymous claims within autonomy particularly in the reflections on the Holy Spirit. Such a theologically grounded autonomy includes the whole

⁴⁷ Klaus Demmer, "Gott in der Moral: Überlegungen zur Identität der Moraltheologie," *Gregorianum* 84.1 (2003) 81–101; *Shaping the Moral Life: An Approach to Moral Theology* (Washington: Georgetown University, 2000) 3–4, 15–16, 83–84.

⁴⁸ Tanner, *God and Creation in Christian Theology* 118; Werpehowski, *American Protestant Ethics* 167.

⁴⁹ Eric Gaziaux, "Vatican II et la théologie morale postconciliaire," in *Vatican II and Its Legacy* 163–71; *L'autonomie en morale: Au croisement de la philosophie et de la théologie* (Leuven: Leuven University, 1998).

⁵⁰ Frans Vosman, "Tussen debat en gebed: De moraaltheologie in de openbare morele discussie," *Tijdschrift voor Theologie* 43 (2003) 323–45. In a very different way, Luigi Lorenzetti turns to Réal Tremblay's *L'innalzamento del Figlio. Fulcro della vita morale* (Rome: Lateran University, 2001) to dismiss the autonomous ethics as "a deviation" ("La Teologia morale: una nuova fase di rinnovamento?" *Rivista di teologia morale* 137 [2003] 81–95, at 86).

person oriented toward God in heart, mind, and soul and guided by a God who encourages and entices.⁵¹

Other theologians, though not addressing the autonomous debate, turn to God in their writings precisely to promote a more reconciling notion of human flourishing. From Florence, Enrico Chiavacci writes about God's project in history and argues that God's design is for the promotion of the human family as such. Noting that we are at a considerable crossroads with telecommunications affording us an even stronger possibility of promoting the global family, Chiavacci laments that these opportunities are in the hands of private owners whose concerns are not primarily for the common good. Recognizing that such a power often is for alienation and marginalization, Chiavacci argues that theologians could respond to this unchecked dominion by reflecting on the virtue of peace as a constitutive element of the common good for the human family.⁵² Noting that theologians have largely ignored this virtue, he calls moralists to a reexamination of it.⁵³

Similarly, Edward Vacek urges us away from a metaphysical or cosmological understanding of God that tends to obscure the centrality of God's covenant with us. In particular Vacek turns to God's gift of self in order to see how that self-gift makes our mutual love with God possible.⁵⁴ Vacek develops these claims further as he looks to gratitude as a proper response and to the human self-understanding that insufficiently grasps the importance and the possibility of mutual love.⁵⁵

Throughout these works we see how earlier efforts to develop a more relational theological anthropology has led us to a much more relational understanding of God and way of talking about God.

⁵¹ Carlo Leget, "Met heel u hart, heel u ziel, heel uw verstand: Thomas van Aquino's bijdrage aan een kritisch begrip van autonomie," *Tijdschrift voor Theologie* 43 (2003) 346–61. See Leget's work on emotions in Aquinas, "Martha Nussbaum and Thomas Aquinas on the Emotions," *Theological Studies* 64 (2003) 558–81.

⁵² Enrico Chiavacci, "Il Progetto di Dio nella storia," *Rivista di teologia morale* 137 (2003) 27–35. On technology, humanity, and God, see Gonzalo Gamio Gehri, "Ética y eclipse de Dios," *Sal terrae* 91 (2003) 559–76.

⁵³ Chiavacci's call to peace seems to have been heard in the United States. The recent issue of the *Journal of the Society of Christian Ethics* 23 (2003) invited six ethicists to comment on Glen Stassen's edited work, *Just Peacemaking: Ten Practices for Abolishing War* (Cleveland: Pilgrim, 1998). Among them, Lisa Cahill argues for a greater appreciation of Niebuhr's realism about human sinfulness in her article "Just Peacemaking: Theory, Practice and Prospects" 195–212.

⁵⁴ Edward Vacek, "God's Gifts and Our Moral Lives," in *Method and Catholic Moral Theology* 103–24.

⁵⁵ Edward Vacek, "Gifts, God, Generosity and Gratitude," in *Spirituality and Moral Theology*, ed. James Keating (New York: Paulist, 2000) 81–125.

Christ Talk

A former student of Klaus Demmer, the Brazilian moral theologian Rogue Junges considers moral conduct in the light of the Christ event. Launching his investigation from the ethical meaning of the kingdom of God, revealed in Jesus of Nazareth, Junges sees how human moral action is renewed in Christ. In this perspective he re-elucidates the fundamental categories of the theological ethics: fundamental option, moral conscience, moral values and norms, the sentiment of guilt and sin, theological and moral conversion, moral maturity, and virtues.⁵⁶

Following the work of William Spohn,⁵⁷ Daniel Harrington and I also use the language of virtue as a bridge from New Testament theology to contemporary moral theology. Like Junges and Spohn we begin inevitably with the kingdom, that is, the end as our point of departure and we couple that as they do with the question of self-understanding in the light of the call to discipleship.⁵⁸

In a new collection of essays, entitled *Thinking of Christ*, Lisa Sowle Cahill has the task of commenting on Christ and moral theology and sees instead the greater challenge, outlined by Spohn, of weaving together morality, Christology, and spirituality. When turning specifically to Christology, Cahill follows the same currents that I have noted throughout this “Note,” that is, that “either/or” contrasting is not an effective way of proceeding. She writes:

While Christian ethics, in the form of transformationist social and political movements, challenges traditional Christologies, these same movements also rely on and are occasionally challenged by the contours and parameters of historic Christological affirmations. The Christological hermeneutic is always dynamic and circular (from experience to theory and doctrine, and back to experience, then on to reformulated theologies). Christologies from above and below are complementary; moreover, any so-called “Christology from above” once had its origins in Christian experience, and will be tested for continuing relevance to it.⁵⁹

⁵⁶ Rogue Junges, *Evento Cristo e Ação Humana: Temas fundamentais da Ética teológica* (São Leopoldo: Unisinos, 2001). For a popular yet eloquent approach, see Fergus Kerr, “An Ethics of Beatitude,” *Priests and People* 17 (2003) 371–75.

⁵⁷ William C. Spohn, *Go and Do Likewise: Jesus and Ethics* (New York: Continuum, 1999).

⁵⁸ Daniel Harrington and James Keenan, *Jesus and Virtue Ethics: Building Bridges between New Testament Studies and Moral Theology* (Chicago: Sheed and Ward, 2002). On the other hand, Giuseppe Angelini (“L’incerta vicenda della teologia morale fondamentale,” *Teologia* 26 [2001] 385–405) and Salvatore Privitera (“Il rinnovamento della teologia morale fondamentale,” *Rivista di teologia morale* 137 [2003] 65–80) believe that the biblical renewal of moral theology has yet to take off (“stenta ancora a decollare”) (Privitera, 72).

⁵⁹ Lisa Sowle Cahill, “Christology, Ethics and Spirituality,” *Thinking of Christ*:

Elsewhere two new scholars turn, as did McDonagh, to the tragic for understanding the human and the working of God's grace in Christ. Christopher Steck uses the theology of Hans Urs von Balthasar to propose the tragic in the life of Christ so as to help Christians especially when the tragic threatens to undermine the ability to express and find love. Steck stresses less the human's initiative to find flourishing than the faithful call of God who delivers.⁶⁰ In light of recent trauma research, Jennifer Beste asks whether Karl Rahner's anthropology adequately appreciates that interpersonal harm can severely and perhaps entirely compromise one's fundamental freedom and that interpersonal love can mediate God's grace.⁶¹

Finally, James Keating and David McCarthy review recent developments in the theology of sanctity and propose the saints not only as (very diverse!) exemplars of moral virtue but more importantly, as able to draw us into their friendship with God. They write: "We wish to explore the way that the lives of the saints, and our remembrance and veneration of them, provide a practical setting for moral reflection, for drawing near to God amid the ordinary, and for living graced and virtuous lives." In their "communion with Christ, we discover who we are." Later, they add, "Through the saints we can learn to see the world as it is in God."⁶²

Sin Talk

In two comprehensive essays, another new (and very prolific) scholar, Darlene Fozard Weaver has proposed a significant agenda for talking about sin. In a review essay published in 2001, Weaver examines five major works on sin that commend "attention to sin-talk because it helps religious ethicists to render more adequately the dynamics of human agency, sociality, and culture and because it raises questions about the nature and task of theology, faith and morality."⁶³ She concludes her investigation with a comment that reflects the need to not only talk about sin, but also particular sins.

Proclamation, Explanation, Meaning, ed. Tatha Wiley (New York: Continuum, 2003) 193–210, at 196.

⁶⁰ Christopher Steck, "Tragedy and the Ethics of Hans Urs von Balthasar," *Annual of the Society of Christian Ethics* 21 (2001) 233–50; *The Ethical Thought of Hans Urs von Balthasar* (New York: Crossroad, 2001).

⁶¹ Jennifer Beste, "Receiving and Responding to God's Grace: A Re-examination in Light of Trauma Theory," *Journal of the Society of Christian Ethics* 23 (2003) 3–20.

⁶² James Keating and David M. McCarthy, "Moral Theology with the Saints," *Modern Theology* 19.2 (April 2003) 203–18.

⁶³ Darlene Fozard Weaver, "How Sin Works: A Review Essay," *Journal of Religious Ethics* 29 (2001) 473–501, at 473.

To be sure, we should not reduce sin to sins. Nor should we neglect the fact that in our acts we make and unmake ourselves and others-and that we do so before God. My point is that attention to sin . . . and to sins as particular acts are not separable, correlative aspects of the doctrine of sin; rather attention must be given jointly to sin and to sins because they are interlocking dimensions of a single phenomenon. It is this insight that provides the key to a proper understanding of the relationship of the religious doctrine of sin and the moral domain of interpersonal actions.⁶⁴

In 2003 Weaver develops her claim into an admonition as she investigates the work of Charles Curran's (as well as that of Josef Fuchs, Franz Böckle, and my own) especially on sin in order to commend on the one hand the attempts to develop a theology of sin, but then, on the other hand, to insist that a comprehensive theology of sin needs to consider "the power of acts in a person's history to make and unmake, to build up and destroy."

Weaver defines sin as "self-estrangement from God and its reflection in moral evil against oneself, others, and the world."⁶⁵ She modifies this claim later: "the formal element of sin is its distinctively theological referent, estrangement from God." In search of the material notion of sin, she argues that "a theology of sin requires attention to sin, lest it become thin and abstract."⁶⁶ Toward that end, she turns to Jean Porter's works on moral action. Rightly, she argues that "sin always involves a reflexive dimension" and that "our particular sins are more than manifestations of the condition of sin. Sins recoil in a way that involves us more deeply with sin."⁶⁷ Interestingly, in her earlier article on sin, she referred to "sins" as little more than a series of questions about discreet acts concerning lust. In this later article, she turns to narrative to describe sins of lust, thereby providing us greater phenomena.

I agree with Weaver and Porter that we need to talk about sin *and* sins; I admit that many of us, myself included, have not talked about sins.⁶⁸ But

⁶⁴ Ibid. 497. Similarly Weaver argues that any cohesive theory of right self-love needs to attend to specific actions (*Self Love and Christian Ethics* [New York: Cambridge University, 2002]).

⁶⁵ Darlene Fozard Weaver, "Taking Sin Seriously," *Journal of Religious Ethics* 31 (2003) 45–74, at 48.

⁶⁶ Ibid. 62 and 63. Cynthia Crysdale defines sin "as the hubris of human aspiration and achievement" in "Heritage and Discovery: A Framework for Moral Theology," *Theological Studies* 63 (2002) 559–78, at 570. With sin as an offense against God, see Armando Marsal, "El pecado como ofensa a Dios: La pasión de Dios: su compasión," *Anthropotes* 16 (2000) 177–207.

⁶⁷ Weaver, *Self Love and Christian Ethics* 65.

⁶⁸ I have learned a lot from Weaver's colleague, Mark E. Graham, who raises similar objections about Fuchs's inability to speak about specific concrete action in *Josef Fuchs on Natural Law* (Washington: Georgetown University, 2002) 148–252. See also Graham, "Rethinking Morality's Relationship to Salvation: Josef Fuchs, S.J., on Moral Goodness," *Theological Studies* 64 (2003) 750–72.

I am not sure what counts as sins for her and for Porter. I think, if I understand them correctly and I am not sure that I do, that they think of sins, materially speaking, as wrong acts, an insight robust in the long manual tradition. If I am right, I think that is misleading, because sin and sins are far more expansive, frequent, deceptive, and diverse than lists of vicious or wrong actions. If Massingale's call for faithful reconstruction is valid, it is most pertinent for the topic of sin and sins. Here I think we need to talk about sins by extending our theology of sin into notions of concrete acts of sins, rather than grafting the last century's notion of sins onto a contemporary theology of sin.⁶⁹

I agree that vicious actions like virtuous actions are reflexive and that sins too are more than manifestations and also reflexive. But I still think that sin and sins, which finds their perfection in malice, are more complicated than they suggest. Rather than using the neo-Scholastic language of formal and material definitions of sin, I think we do better to look at the Gospels. For that reason, I define sin not as alienation or estrangement, though that is *the* effect of sin, but rather as "the failure to bother to love."⁷⁰ I think this leads us to see where the alienation comes from and it suggests how ordinarily and frequently our lives do not express in action the command to love. Where concretely does this happen? In wrong actions like killing, lying, stealing? Probably. But also when we do not visit the imprisoned, ignore Lazarus at the gates, are not vigilant to the return of the Lord, do not love our neighbor, and lack humility, to name a few bad actions. At the end of the day, I think a catalogue of real sins might not only render a more adequate sense of moral accountability; it might prompt us to run to the sacrament of reconciliation and beg for God's mercy and our neighbor's forgiveness.⁷¹ In short, I think that Weaver's admonition about talking about sins is well made, but we may be at the very beginning of trying to take sin seriously.

Finally, defining sin as the failure to bother to love helps, I think, to think of sin both personally and socially. In an article similar to that of Mary Elsbernd cited earlier, Margaret Pfiel presents an important study on the magisterial use of social sin. With great care and precision, Pfiel finds that "magisterial invocation of the language of social sin represents a development of doctrine in process What began as a reactive measure to

⁶⁹ "Sin," James Keenan, *Moral Wisdom: Lessons and Texts from the Catholic Tradition* (Chicago: Sheed and Ward, forthcoming 2004).

⁷⁰ Harrington and Keenan, *Jesus and Virtue Ethics* 91–104.

⁷¹ Vacek talks about sin and reconciliation: "Do 'Good People' Need Confession? Self-Deception and the Sacrament of Honesty," *America* 186 (February 25, 2002) 11–16. See also Linda Mercadante's concern about the victim of sin, "Anguish: Unraveling Sin and Victimization," *Anglican Theological Review* 82 (2000) 283–302.

circumscribe use of the term ‘social sin’ in some local ecclesial contexts has lead to a positive appropriation of the language of social sin at the level of the ordinary universal magisterium over the course of John Paul II’s papacy.⁷² Following Weaver, one needs then to see in Pfiel’s research the importance of naming social sins. Aline Kaliban does that to some extent in examining the recent public confessions by church leaders.⁷³

Rule-Making Talk

In two very different areas (virtue and globalization) there has been considerable discussion about the nature of rule making. These are the seeds of much more discourse to come.

First, Benjamin Brown attempts to look for the integration of law and virtue through the virtue of obedience in Thomas Aquinas, whereby virtue is ordered to law. Brown’s argument on obedience might need further comment as to what Aquinas did think of this virtue/vow.⁷⁴ But Brown is interested in capturing yet again the “both/and” of theological research, and here as it specifically applies to the relationship between law and virtue. Moreover, he inevitably returns to the debate that Gaziaux has moderated. Brown writes:

Both are essential for the Christian life, since both draw out certain aspects of it, which would be missing were one to focus exclusively on one or the other. The idea of law captures more the aspect in Christian morality of subjection to God, conformity to Him, and right relation to Him, whereas the idea of virtue captures more the aspect of intrinsic human perfection. To put it another way, the idea of law captures more the aspect of absolute dependence on God, whereas the idea of virtue captures the rightful autonomy of man. Both ideas, however, considered in their totality, contain the primary aspect of the other: true law is always ordered to human perfection, and true virtue is always a conformity and subjection to God.⁷⁵

⁷² Margaret Pfiel, “Doctrinal Implications of Magisterial Use of the Language of Social Sin,” *Louvain Studies* 27 (2002) 132–52, at 152. Cahill again invokes Niebuhr on sin in society in reflecting on cloning: “Cloning and Sin: A Niebuhrian Analysis and a Catholic, Liberationist Response,” in *Beyond Cloning: Religion and the Re-making of Humanity*, ed. Ronald Cole-Turner (Harrisburg: Trinity, 2001) 97–110.

⁷³ Aline Kaliban, “The Catholic Church’s Public Confession: Theological and Ethical Implications,” *Annual of the Society of Christian Ethics* 21 (2001) 175–89.

⁷⁴ For instance, Jean Porter, “Natural Equality: Freedom, Authority and Obedience in Two Medieval Thinkers,” *Annual of the Society of Christian Ethics* 21 (2001) 275–99.

⁷⁵ Benjamin Brown, “The Integration of Law and Virtue: Obedience in Aquinas’s Moral Theology,” *Irish Theological Quarterly* 67 (2002) 333–51, at 350. About emphasizing law as the teacher of virtue, see M. Cathleen Kaveny, “Autonomy, Solidarity and Law’s Pedagogy,” *Louvain Studies* 27 (2002) 339–58. Another informative article on obedience, roots conscience in a disposition to obey the love of God through God’s commissioning of the conscience, see James Keating,

I have become more convinced, however, that rather than being parallel or compliments, virtue accommodates law. In a very different venue, Lawrence Solum argues that virtue jurisprudence “is a normative and explanatory theory of law that utilises the resources of virtue ethics to answer the central questions of legal theory.” Later he explains: “A virtue-centered theory must claim that judicial virtues are a necessary part of the best theory of judging and that judicial virtue plays a central explanatory and normative role. A theory does not lose its status as virtue centered simply because it does not limit its explanatory resources to the virtues alone.” Thus he derives normative standards for right judging from moral judges themselves and therefore demonstrates how norms are the directives for the right appropriation of the virtues themselves.⁷⁶

Second Jean Porter and Lisa Sowle Cahill explore in splendid essays the origins and ends of norms in a global ethic. In her contribution to the “Moral Notes” (2001) Porter argues:

The claim that all moral traditions share a fundamental core, which amounts to a universally valid morality, appears to me to be defensible only if the core in question is described at such a high level of generality as to be virtually empty, and even then, it is difficult to arrive at a statement of principles that would be universally acceptable . . . Yet this does not mean that we need to approach moral dialogue with due humility and relatively modest goals. We may not arrive at a universal ethic in order to develop a basis for a workable moral consensus on a wide range of issues.⁷⁷

Elsewhere she states:

In my view the cumulative weight of arguments against a strong universalist view of morality is by now overwhelming. Too many considerations point to the conclusion that moral systems are dependent in a variety of ways on the particular convictions and practices of the communities out of which they emerge. This does not necessarily imply that moral judgments have no basis at all in realities that are independent of our collective and individual judgments. Indeed one of the attractive features of the version of the natural law that I will present here is its focus on the variety of ways in which pre-conventional aspects of human life give rise to and place constraints upon our moral practices.⁷⁸

“Newman: Conscience and Mission,” *Irish Theological Quarterly* 67 (2002) 99–112. Again, on Newman, see Nicholas Madden, “Newman: Conscience, the Matrix of Spirituality,” *ibid.* 145–51. In a different vein, James Speigel, “The Moral Irony of Humility,” *Logos* [St. Paul, MN] 6 (2003) 131–50.

⁷⁶ Lawrence Solum, “Virtue Jurisprudence: A Virtue-Centered Theory of Judging,” *Metaphilosophy* 34 (2003) 178–213, at 178 and 184.

⁷⁷ Jean Porter, “The Search for a Global Ethic,” *Theological Studies* 62 (2001) 105–22, at 120.

⁷⁸ Jean Porter, “A Tradition of Civility: The Natural Law as a Tradition of Moral Inquiry,” *Scottish Journal of Theology* 56 (2003) 27–48, at 29.

Lisa Sowle Cahill responded critically by exploring “actual intercultural moral and policy consensus and the character of practical reason, in order to nuance the idea of a global common good and to strengthen the prospect of finding global ethics.”⁷⁹

In light of her investigations, Cahill writes:

More credence need not be given to postmodern agnostic theory about the possibility of a common morality, than to the evidence of a remarkable convergence of ethically-motivated action in the present global system . . . The most important and visible areas of change-human rights, women’s rights and the environment-display a unity of moral vision, a common commitment to redressing imbalance of power and well-being so that marginal persons, groups, and nature can flourish. Inclusiveness, equality and solidarity are uniting values.

Cahill concludes: “Perhaps greater success can be achieved by an internally diverse and participatory approach that reaffirms commonality and even global ethics in a prophetic mandate for solidarity in the common good.”⁸⁰

Research Talk

One of the finest articles I read this year (2003) was by Jean Porter where she takes me and others to task for our understanding of Abelard. Basically, many of us have been working under an assumption, now proven wrong by Porter, that when Abelard argued for the intention that it alone and not the moral value of the action itself entered into the objective criteria for moral judgment. Upholding the former does not preclude but rather, as Porter argues, presupposes the latter.⁸¹

Reading that article I was struck by the possible “high ethical road” of theological disagreement. Porter conveyed that effectively as she made her case against us. Patrick McCormick captures similarly the importance of being able to do critical, but respectful theological investigations in a climate of mutual respect and due process. In the light of the mandatum, McCormick offers papal teaching on labor as a source for articulating guidelines for Church leadership to insure a fair workspace for Catholic theologians.⁸²

Jeffrey Stout offers an even more relevant insight when he considers a newly edited work by Eugene F. Rogers. He notes as praiseworthy what I have observed throughout this “Note” from McDonagh and Curran to Tanner and Gaziaux, that inclusion rather than exclusion and complements

⁷⁹ Lisa Sowle Cahill, “Toward Global Ethics,” *Theological Studies* 63 (2002) 324–44, at 326–27.

⁸⁰ Ibid. 342–43, 344.

⁸¹ Jean Porter, “Responsibility, Passion, and Sin: A Reassessment of Abelard’s Ethics,” *Journal of Religious Ethics* 28 (2000) 367–94.

⁸² Patrick T. McCormick, “Theology as Work: The *Mandatum* and the Rights of Labor,” *Horizons* 29 (2002) 128–34.

rather than contrasts are far more theologically truthful and successful. As Stout observes, rejecting the culture-wars is one step; another step to right argumentation is to realize “how we discuss” an issue “and think about it matters as much, or nearly as much, as how we resolve it.”⁸³

Both by matter and by form, moral theologians need to improve the climate and tenor of doing fundamental morals. In the new millennium, we find in the reconciling and respectful tone in all the above essays an important case in point. But Julia Fleming gives us the material to reflect on this as she investigates topics like hate speech and reputation.⁸⁴

It is fitting to close on one of the most emblematic expressions of the Catholic “both/and” approach to theology today. Stephen Pope recently edited a companion reader to the ethics of Aquinas’s *Summa theologiae* which successively treats every question in the entire *pars secunda*. He provided us with 19 essays from a diverse group of commentators like Bonnie Kent, Pamela Hall, Romanus Cessario, Diana Fritz Cates, and Martin Rhonheimer. Presumably we can only understand Aquinas adequately if we allow these differing points of view to be engaged. Pope frames these essays with an introductory section that hosts Leonard Boyle’s consideration of the setting of the *Summa*, Servais Pinckaers’s exploration of the varied sources, and Pope’s own overview. And he concludes the collection with another six essays that highlight the insight that each perspective carries with it not only bias, but privileged insight: Thomas O’Meara on the Dominican interpretations of Aquinas; Raphael Gallagher on the Redemptorist and Jesuit interpretations; Clifford Kossel on interpreting Aquinas in philosophical contexts; Thomas Hibbs on Aquinas’s ethics since Vatican II; Ludger Honnefelder on the Aristotelian estimation of goods; and Frederick Lawrence on postmodernity. Stephen Pope’s collection stands as a testimony to the type of historical research, respectful style and radical but faithful reconstruction we need to employ in the new millennium.⁸⁵

⁸³ Jeffrey Stout, “How Charity Transcends the Culture Wars: Eugene Rogers and Others on Same-Sex Marriage,” *Journal of Religious Ethics* 31 (2003) 169–80, at 179. In an analogous way Scott Davis argues for an honest examination of surreptitious theological commitments that anchor some recent work in natural law theory, “Doing What Comes Naturally: Recent Work on Thomas Aquinas and the New Natural Law Theory,” *Religion* 31 (2001) 407–33.

⁸⁴ Julia Fleming, “Reputation Reconsidered,” *Studia Moralia* 39 (2001) 159–74; “Hate Speech and Moral Theology,” *Josephinum: Journal of Theology* 8 (2001) 27–37.

⁸⁵ *The Ethics of Aquinas*, ed. Stephen Pope (Washington: Georgetown University, 2002).