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Contraception: Authority and Dissent

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PAPAL TEACHING AUTHORITY IN CRISIS

CONTRACEPTION: AUTHORITY AND DISSENT. Edited by Charles E. Curran. New York: Herder & Herder, 1969. 239 pp.

Pope Paul VI's Encyclical *Humanae Vitae* far from closing the birth control debate, instead brought to the fore the more crucial issue of the nature and exercise of Papal teaching authority which now confronts the post Vatican II Church with greater concern and urgency. The legitimacy and prophetic role of religious dissent from authoritative, non-infallible Papal teaching is the central question to which this book, a collection of essays voicing the negative response of the American Church to the Encyclical, addresses itself. From different viewpoints—historical, theological, ecumenical and scientific—each contributor argues the same theologically acceptable position that Catholics who honestly and responsibly disagree with the practical conclusion of *Humanae Vitae* that artificial contraception is always illicit, are not necessarily disobedient, disloyal, or guilty of disservice to the Church. On the contrary, they may be exercising their charismatic role in the Church under the guidance of the Holy Spirit.

Part I of the book, *Papal Magisterium and the Individual Catholic*, shows not only that dissent from ordinary Papal magisterial authority is common Catholic doctrine but also how public vigorous dissent in the history of the Church has played a positive role in the development of Papal teaching. The first three articles are devoted to documented historical studies of vindicated dissent which eventually corrected erroneous Papal teaching. These cases include the nineteenth-century tension between religious liberty and Church authority, the change of the Church's traditional doctrine condemning interest-taking, and the disobedience of Robert Grosseteste, Bishop of Lincoln, who feared that the good of the Church was at stake. For those who believe that the ban of *Humanae Vitae* against artificial contraception is irreformable, John T. Noonan, well known author of the history of the Church's doctrine on contraception, builds up a very strong case in favor of change parallel to the amendment of the Church's usury prohibition. Like *Humanae Vitae*, this Papal teaching against the taking of interest for a loan was set forth in order to change the behaviour of a mass of Catholics and to end a theological controversy; it was given after mature examination of the issues; based on a foundation of natural law enriched by divine revelation; given in solemn discharge of the Pope's teaching office; and finally changed because of the negative response of theologians a few years after it was uttered (p.41).

The kind of response demanded of a Catholic to authentic Papal teaching, even when it is not infallible, is "religious assent" of will and mind (Vatican II, *Lumen Gentium*, 25) and a loyal internal and external obedience (*Humanae Vitae*, 28). The third and fourth essays are valuable for the light they throw on the proper understanding of "religious assent". In view of the insistence of the Philippine Catholic Hierarchy (Pastoral Letter on *Humanae Vitae*, I, II B) that the birth control controversy is now closed and that there is nothing left for the faithful but to accept the Pope's decision and to follow it faithfully and loyally, it is illuminating and refreshing to know that there is another side to "religious assent". Since the *believing* Church is a correlative of the *teaching* Church, dissent is often a necessary part of a slowly evolving religious assent. In the fourth essay, Daniel C. Maguire attributes this dialectic of dissent and assent to the dependence of the Church's moral teaching on the nature of language, the limitations of thought, the presence of sin, and the workings of the Holy Spirit in the universal Church and human society. In short, loyalty and obedience to Church authority does not always exclude dissent, when sufficient reasons for so doing exist.

Part II of the book contains four critiques of the Encyclical, *Humanae Vitae*, which expose the deficiencies of its arguments providing thereby solid theological grounds for dissenting from its practical conclusion. While Charles E. Curran seriously questions the natural law basis of the Encyclical and the consequent "physicalism" of its moral theology, Bernard Häring levels his criticism against the Encyclical's main doctrine on the inseparability of the unitive and procreative functions of the marital act. According to Häring, *Humanae Vitae* erred by departing from the objective moral criteria based on "the human person and its acts", the criteria for conjugal morality laid down by Vatican II (*Gaudium et Spes*, 51). The argument of the Encyclical is faulty because it is based on biologicistic rather than personalistic norms.

Perhaps by far the most severe criticism of *Humanae Vitae* is that of the only Protestant contributor, Robert McAfee Brown. From an ecumenical perspective, Brown shows quite convincingly how the Encyclical suffers from an inadequate theology of sex, a deficient sociology of modern man, and a faulty psychology of marriage. But the main issue at stake in *Humanae Vitae* is the teaching authority of the Pope and the principle of collegiality. An honest and sober appraisal of the Encyclical leads Brown to conclude that Paul VI is in error and therefore it is the responsibility of other dissenting Bishops, theologians, and the married laity to try to undo the great harm that *Humanae Vitae* has done, and thus bring good out of evil. This strong

Protestant reaction comes not from mere bias but from the growing realization of the human and sinful dimension of the pilgrim Church. Finally, a critique of the Encyclical from the viewpoint of science is given by Andre E. Hellegers, an obstetrician and gynecologist. He finds the biological basis of *Humanae Vitae* inadequate and unscientific and casts serious doubts on scientific grounds concerning the effectivity and applicability of the rhythm method of birth control as a solution to the world's demographic problems. According to Hellegers, *Humanae Vitae* is a challenge to explore further the relationship between theology and science.

In the opinion of this reviewer, this controversial volume is quite timely and most relevant to the Philippine Church for two reasons. First, the complete endorsement of *Humanae Vitae* by the Catholic Hierarchy has not helped to question but to strengthen the past unsympathetic attitude of the Church in the Philippines towards family planning. The Philippine population problems have reached a point of crisis and it is the considered position of a growing number of experts and concerned citizens that there can be no effective and humane solution to the population crisis which does not include a nation-wide massive program of family planning. A more sympathetic attitude and cooperation on the part of the Church towards the government's national program of family planning services will be a step in the right direction. Second, the Associations of Religious Superiors of Men and Women in the Philippines have recently issued a statement on "Christian Liberty" which affirms not only the right but the duty of Catholics to honest and responsible dissent within the Church. In the context of conflict between the individual's freedom of conscience and the authoritative, non-infallible teaching of *Humanae Vitae* against artificial contraception, this statement on religious liberty is significant and will become more relevant as the Philippine Church matures.

On both these counts, this reviewer hopes that the book *Contraception: Authority and Dissent* will serve as a basis for the beginning of a full discussion and open dialogue on the existing tension not only between *Humanae Vitae's* doctrine and the Philippine population problem, but also between religious liberty and Church authority. This is the kind of dialogue which the Catholic Bishops emphatically urged in their Population Issue Statement of July 4, 1969. Far from losing respect for the teaching authority of the Church, those who care to read this book will grow in loving concern for a pilgrim Church in constant need of reform and renewal. It goes without saying that our Bishops, clergy, and the more mature and better educated laity will find this book controversial but highly rewarding.

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