

SEMINAR ON MORAL THEOLOGY

WOMEN'S ISSUES: AN AGENDA FOR THE CHURCH

The Moral Theology Seminar sponsored one plenary session and three concurrent working groups. Edward Collins Vacek, Chair of the Moral Theology Steering Committee, moderated the general session. Mary Ann Donovan presented "Women's Issues: An Agenda for the Church." Donovan proceeded from a consideration of the experience of women in the Church today, to a theoretical analysis of two models of women's "nature," and finally to an analysis of the ways the models have surfaced in the dialogue between the Women's Ordination Conference and the bishops, and in the testimony given in the national hearings for the proposed pastoral on women.

First, the experience of many women indicates that there is no coherence between the baptismal theology of equality and the daily life of women pursuing various ministerial vocations within a male-dominated church. The dignity of women and the requirements of justice call for structural change. Second, the relation of women and men can be understood with a "two natures" or "one nature" model. The "two natures" idea that women and men are different but equal and complementary can easily slip into the idea that the nature of women is inferior. This seems to be the case when affirmations of ontological equality do not lead to operational equality. A one-nature anthropology, on the other hand, denies that basic human characteristics can be associated predominantly with one sex, affirms that both sexes should develop traditionally "male" and "female" qualities, and denies rigidly defined roles. The danger for this model is that paradigmatic humanity can be defined more by men than by women, and in relation more to male experience, since men hold greater power. Donovan recommends a transformational model, which is a variation on the two-nature model. First suggested by Mary Buckley, it connects the transformation of gender stereotypes with the transformation of the social and cultural structures which are their context in life. Any adequate understanding of the natures of men and women must have the power of social critique.

Readings which implied or explicitly proposed models of male and female nature were resources in the dialogue between bishops and the WOC. As a result of this dialogue, there emerged an agreement that many women experience sexism in the Church, that the Church's teaching on justice is not consistent with its internal practice, that church language about complementarity can imply subordination of women, and that the hierarchical nature of the Church need not necessarily be patriarchal. The same models were at work in the national hearings for the pastoral on women. Donovan analyzed the testimony of ten groups, four of which implied a two-nature anthropology, with the remainder working from a one-na-

ture anthropology. While all recognize that there is evil in the situation of women in church and society, the former do not link it to structural or systemic evil or call for broad structural change. They focus on specific and distinct issues affecting women. The latter groups see the problems of women in terms of the alienation of women, and trace their social and economic marginalization to patriarchy. They call for structural change which would enable women and men to experience the world as a community of equals. Additional issues which emerged during the discussion period were how to use the Bible as a source in theology and ethics; how to define "equality" in a way that is consistent with empirical evidence, e.g., about reproductive complementarity, while avoiding unwarranted sexist implications; and the importance of language, symbols, and rituals in defining our perceptions of women and men.

A. A CHRISTIAN VIEW OF HUMAN SEXUALITY

William E. May and Michael Place presented brief papers to the first working group on "A Christian View of Human Sexuality." The discussion, also moderated (and reported) by Edward Vacek, was lively and profitable. As one might expect, more than one or even two positions were evident.

May took as his starting point the fact that the human species is sexually differentiated. Inescapably male or female as modalities of being human and images of God, persons long to reach out and touch others. Through this bodily self-transcendence in touch, persons meet one another; and in sexual touch they give on the gift of life in a child, who is an image of them and of God. Thus, married persons capacitate one another for the realization of three basic goods: friendship for a person of *irreplaceable* value; new human life; authentic integrity. Non-married sexual relations necessarily join replaceable persons without provision for a child and in a non-integral way.

Place reiterated the plea of last year's Continuing Seminar for a new theology of sexuality. As his starting point for such a theology, he proposed an anthropology of the person as a being with reflex knowledge, transcendental freedom, *plus* a drive for relationships. The relevant concern for moral theology, then, is to find values by which we can judge whether a given activity increases intimacy among free persons. Since humans are also bodily and sexual, theologians must pinpoint those intimacy-values that have a content which is specific to sexuality.

One person in the discussion characterized the differences between these two positions as that between persons understood as "rational animals" and "embodied spirits." Some resisted the view that human beings are animals, fearing the return to a species-orientation that has characterized much moral theology. There were disputes over whether "fertility" is a good, a basic good, an instrumental good, not a good at all, or a "gift of God" to which we should be open without trying to improve or impair it. All participants agreed on the importance of intimacy, but many feared that making it the primary criterion would lead to homosexual or premarital activity or to companionate marriages with no reference to genital activity.

Much time was given to sorting out the issues of a contemporary case: a married man, infected through a blood transfusion with AIDS, does not want to pass

on the disease either to his wife or to a prospective child, but does want to make love. May he use artificial contraceptives? Several solutions were offered and critiqued, and no consensus was achieved. A couple of discussants asked the group and the Church to "lighten up," arguing that sexual activity is just not that important for salvation. Generally however, the conversation was serious and, while amicable, laden with the light and shadows of many years of divergent reflections on this topic of on-going concern for the Church.

B. ALLOWING TO DIE—A BIOETHICAL ISSUE

The second working group, "Allowing to Die—A Bioethical Issue," was moderated and reported by Lisa Sowle Cahill, and included presentations by John Connery and James Walter. Connery began by commenting on the ethical aspects of the Karen Quinlan case, and on shifts in the ethical analysis of cases since then. Initially the question was whether to apply or withdraw medical treatment which was burdensome or not beneficial in the sense that it would not prolong life appreciably. In such circumstances, it would be judged optional, not obligatory. Underlying the analysis is the principle of double effect, according to which it would be wrong directly to take the life of an innocent human being, but not wrong to allow death to occur as the result of directly intending and causing some good effect such as the avoidance of disproportionately burdensome treatment. In the more recent discussions of removal of artificial feeding and hydration, there is a division of opinion over whether such measures are "treatment" for disease. In Connery's opinion, they may be so considered, and may be foregone or removed if burdensome or useless in substantially ameliorating the condition of the patient. However, there recently also has been a movement from the question of burdensomeness of treatment to the question of "quality of life." It is argued that in some cases it would be useless to preserve a life through certain treatments because the general quality of that life would be too low. Connery objects to this shift from quality of treatment to quality of life. In the more traditional formulation of the question, the intention is not to bring on death, but only to avoid a treatment which in itself is burdensome. In the more recent formulation, the solution to a poor quality of life is to intend death. This fits the *Vatican Declaration on Euthanasia's* definition of "euthanasia" as any act or omission which intends death as a direct effect.

After a general outline of the types of situations in which removal of treatment decisions might be appropriate, Walter also dealt with the withdrawal of food and water, and agreed with Connery that this is at times permissible. However, he did not disallow "quality of life" as a consideration. He maintained that if the traditional distinction between ordinary and extraordinary means of life support is taken in a normative sense, it implies a quality of life judgment. "Quality of life" and "sanctity of life" need not be opposed.

Giving food and water is not a mere means to an end, but also symbolizes the social and communal nature of life, and represents care and compassion. However, the giving of food and water to those in a "persistent vegetative state" can be disproportionate and even painful. A person in such a state may be physically sustained by artificial nutrition, without being restored to a state in which life can

be worthwhile to that person. The tradition did allow for the calculating of burdens after the treatment, in continued life. "Quality of life" is an attempt to make a correlation between a person's physiological condition and his or her ability to pursue life's goals. While persons do not receive their *value* from their ability to achieve goals, there is no obligation to preserve life when it will be impossible to pursue any of life's goals beyond biological existence. Moreover, it obviously requires a vast expenditure of resources to maintain patients in "persistent vegetative states"; the question of justice to others desperately in need of scarce resources cannot be avoided entirely. Public policy, if carefully formulated, ought to be able to find an appropriate plateau on the "slippery slope" between compassionate patient care and utilitarian thinking.

C. NUCLEAR PACIFISM IN THE U.S.: RESPONDING AS CHURCH OR SECT?

The topic of the third working group was "Nuclear Pacifism in the U.S.: Responding as Church or Sect?" Judith Dwyer and Kenneth Himes presented brief papers to facilitate the discussion. Francis X. Meehan moderated and reported.

Dwyer retrieved the terms of Ernst Troeltsch's typology, and argued that the identity of "church" for Roman Catholicism needs to be staunchly retained, although there will always exist sectarian elements within the broader Catholic community. Dorothy Day and the Catholic Worker movement provide examples of the sectarian option which should be present in contemporary Catholicism.

Nuclear pacifism represents a model of a stance taken by a church-type community. As a "compromise," nuclear pacifism does not reject the use of all force (absolute pacifism), does not call for unilateral disarmament, does not condemn deterrence; yet the position does use the traditional just-war theory to condemn any possible use of nuclear weapons; it also condemns the arms race, calls for unilateral initiatives and presents concrete criteria for the evaluation of new weapons proposals. (Dwyer utilized her own past writings as well as those of Francis Fiorenze, Robert Bellah, Bryan Hehir, and David Hollenbach.)

Kenneth Himes suggested that in the use of the terms "church" and "sect," people have been talking past each other. Accusing another person's position of being sectarian does little to advance the discussion since the term carries so many meanings. (Himes utilized Max Stackhouse's views of the church-sect distinction, slightly differing from both Troeltsch and Max Weber.)

He then distinguished four ways in which the word "sect" is being used today. (1) Non-dialogue with culture, e.g., a theology which is not interdisciplinary; (2) Opposition to the culture, e.g., a position out of the intellectual culture's mainstream; (3) Improper conversation within culture, e.g., using a religious language in public debate; (4) Withdrawal from culture, e.g., a less direct effort at influencing political life and not in others.

Regarding pacifism, Himes points out that while some pacifists may abstract the biblical witness from the historical situation and thus merit the charge of being naively sectarian, there may be others who believe that there are forces at work in the world other than nation-states, by which a nonviolence based on strengthened

ties of world community could be more realistic than is usually noted by so-called realists. In other words, it is one thing to be naive or sectarian, but another to differ in an assessment of the "signs of the times." Similarly, Himes felt that we have to be more careful in distinguishing between a legitimate prophetic position and a "sectarian" position. Himes cautions that even the use of religious language in public policy debate is not necessarily sectarian since it was not only Republican theory or Enlightenment liberalism which has shaped the American mind, but the biblical tradition as well.

The discussion that followed was both lively and to the point. A prominent sociologist in the group felt that the church-sect contrast was not a useful category to analyze North American reality, indeed, that it does not meet twentieth-century complexities. Another participant admitted that, although he will have to re-interpret categories, he still cannot help but feel that the church-sect distinction allows for a conceptual clarity which enables us to differentiate various ecclesiological stances toward public policy.

There was some concern that the discussion did not take up enough the actual situation of today's North American Church vis à vis the specifics of the arms race. But there seemed to be a general appreciation that the talks by Dwyer and Himes as well as the group discussion had definitely advanced the whole theological issue of "church or sect."

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