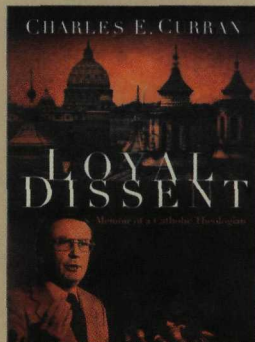


BOOK Reviews



Loyal Dissent: Memoir of a Catholic Theologian

Charles E. Curran

Georgetown University
Press, Washington, DC,
304 pp., 2006,
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In this autobiography, Charles Curran sets out to explain “how the Church and moral theology have changed in the past fifty years.” Moreover, he seeks to demonstrate how he has personally “matured from an uncritical pre-Vatican II Catholic into a loyal dissenter who remains a committed Catholic.”

In the course of fulfilling this twofold purpose, the author, in the main part of the book, recounts his eventful career at the Catholic University of America (CUA), Washington, DC. He describes his “firing” from CUA in 1967 because of doctrinal assertions in regard to artificial contraception. This episode was followed by a strike involving faculty and students, which resulted in Curran’s reinstatement as a faculty member with tenure and the promotion recommended by his department and the faculty senate.

In 1968, closely following his reinstatement, the author was one of the leaders of a vociferous response to Pope Paul VI’s encyclical concerning birth control *Humanae Vitae*. Curran and others maintained that “good Catholics could in theory and practice reject its conclusions,” because the content of the encyclical did not constitute infallible teaching. This expression of dissent involved him in another series of discussions with the bishops who constituted CUA’s board of trustees of CUA.

Some years later, in the summer of 1986, as a result of his dissent from the church’s teaching concerning contraception, homosexuality, and masturbation, all of which Curran maintained were not proposed as infallible teaching, the Congregation for Defense of the Faith (CDF) declared that he was no longer able to teach as a Catholic theologian in the name of the church because “one who dissents from the Magisterium as you do is not suitable nor eligible to teach Catholic theology.” (By this time, Curran had focused his teaching upon the social doctrine of the church, rather than on sexual or medical ethics.)

Following the CDF’s decision, Curran

was dismissed from the CUA faculty by the trustees. He challenged the dismissal in the civil court in the District of Columbia on the grounds that due process was not observed. In 1989, the civil judge declared that “it was a dispute about the nature of the tenure contract entered into by the parties.” The decision was in favor of CUA “because a faculty member entering into a contract with CUA should have known that, in the case of a definitive declaration of the Holy See that a professor was not eligible to teach Catholic theology, the university would enforce such a declaration.”

Recounting the various statements and disagreements between Curran, CUA’s administration, the Vatican, and the civil court in the District of Columbia takes up about two thirds of this book. The remainder is devoted to his career after leaving CUA, mainly at the Perkins School of Theology at Southern Methodist University, Dallas. In both sections of his memoir he seeks to explain his theological reasoning for his various positions contrary to the teaching of the church.

The recollections and opinions expressed by Curran are set in a time of dispute and consternation on the part of theologians and the hierarchy in what Curran correctly refers to as “our pilgrim Church.” Although the inside story of the happenings at CUA and beyond is of great interest to those of us in the theological community who were aware of the events, it may be found less engrossing by general readers. Throughout the events recounted, Curran expresses himself as devoted to the church, albeit a church for which he envisions many changes. Anyone reading the book will be impressed with his vitality, his forthright spirit; moreover, the great humanity of Charles Curran is evident.

The controversies presented are due to two factors, neither of which has been settled to the satisfaction of all concerned. The first cause of contention is the extent to which academic freedom should exist in Catholic colleges and uni-

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All should benefit from the reminder that even though the church is of divine institution and guided by the Holy Spirit, it is composed of human beings who are always liable to err as they strive to fulfill the call of Christ.

versities, especially if the academic institution has “a special relationship” with the Holy See. That is, if its existence as an academic institution is due to charter by the Holy See. Academic freedom has one meaning for the American Association of University Professors, and another for an academic institution, whether chartered by the Holy See or founded and conducted under the auspices of a diocese or religious congregation, that claim to be Catholic. In these Catholic institutions, the teachings of the church must be respected and given the credence that is their due. This delicate balance between academic freedom and adherence to church teaching has not been fully delineated, and examples of the tension between faculty and administration still occur.

The second cause of contention concerns the adherence required to church teachings that are not presented as infallible. Unfortunately, many people believe that all expressions of the Holy See, or even of a bishop of a diocese, are infallible teaching that require an adherence of faith and allow no room for dissent. But the teaching authority of the church, in both Vatican Council II and the *Catechism of the Catholic Church*, distinguishes clearly between the assent required for infallible teaching and for noninfallible teaching.

The former teaching is called “definitive” and requires an assent of faith. The latter form of teaching is called “authentic” and should evoke an assent of intellect and will (*obsequium intellectus et voluntatis*). At the time of the controversies discussed in Curran’s memoir, it was conceded among the “approved authors” that dissent from a noninfallible teaching was allowed by those who had serious theological reasons contrary to the proposed teaching. Thus difficulty in living up to a teaching was not in itself a sufficient cause for dissent; rather, there had to be some credible evidence that the teaching was not in accord with the theological tradition of the church.

The U.S. bishops endorsed the possibility of dissent in their application of *Humanae Vitae*, issued in 1968, but they stated that such dissent must not impugn the church’s teaching and no scandal should be given. In 1990, in a document entitled *Donum Veritatis* (“The Ecclesial Vocation of the Theologian”), the CDF outlined four different levels of church teaching and allowed for dissent from the latter two forms of noninfallible teaching, especially if the statement of the

teaching contained conjectural or contingent statements along with solid principles. But the document states, once again, that such dissent must be founded upon theological reasoning and must not involve an appeal through the mass media.

Curran does not refer to this document, but I think it is entirely possible that the CDF issued *Donum Veritatis* as a result of the procedural questions occasioned by the discussion with Curran and others. Although the 1990 document does not settle all of the questions that might arise in regard to acceptance of authentic church teaching, it does offer a better understanding of what is involved. I believe it important to emphasize that dissent should not be based upon the fact that a teaching is difficult to follow.

In the course of his considerations, Curran never mentions the encyclical of Pope John Paul II, *Veritatis Splendor*, issued in 1995, which contains an explicit refutation of proportionalism and many of the principles upon which Curran based his assertions and conclusions. For example, the encyclical refutes the charge made by Curran and several others that the church’s sexual teaching is based upon physicalism. Clearly, a human act is never a physical act alone. Every human act has four dimensions—biological (or physical), psychological, social, and spiritual. It cannot be emphasized too strongly that these levels cannot be separated from one another. They are not related as are stories in a building or layers in a cake, but, rather, as are the dimensions of a cube.

This book will be beneficial for people in the Catholic health ministry. Those who remember the events reported in it will be informed of the intricate details of Curran’s various encounters with ecclesiastical authority. Those who don’t remember the events reported will benefit from reviewing the problems associated with academic freedom and the noninfallible teaching of the church. All should benefit from the reminder that even though the church is of divine institution and guided by the Holy Spirit, it is composed of human beings who are always liable to err as they strive to fulfill the call of Christ.

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