TM 726 Magisterium and Contemporary Moral Debates
Boston College School of Theology & Ministry
Fall Semester 2012
James T. Bretzke, S.J.

N.B. Errors on Final Paper Due Date & Required Readings Corrected as of October 16, 2012

Class: Wednesdays 4:00--6:20 PM, STM 130
Office Hours Wednesdays 1:30—3:30 PM in STM 309: or EASILY by appointment
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Course Description

This seminar considers the Magisterium’s office to “teach authoritatively” in matters relating to “faith and morals” (de fide vel moribus) both in reference to the theological foundations for this charism and as it has developed in contemporary debates regarding both fundamental modes of moral reasoning as well differing interpretations of applications to concrete moral issues which are widely debated in larger society today. Related to the Magisterium’s role to teach authoritatively is the role of the rest of the Church to approach Magisterial teaching with an attitude of respect (obsequium religiosum), while still adhering to the Church’s long-standing teaching on the primacy of conscience and to exercise its own baptismal role enshrined in the ancient tradition of “reception” of Church teaching (sensus fidelium). At the conclusion of this section of the course each student will be asked to submit a case study pastoral response that deals with concrete issues in realistic situations to moral dilemmas likely to be encountered. This Case Study will be due by class-time October 17th on Blackboard.

Following consideration of these foundational bases the course will then move to appropriating the Quaestio Disputata (Disputed Question) in the Catholic moral tradition. As an exemplar of this method students will be asked to read some key articles regarding the so-called 2009-2010 “Phoenix Abortion Case” in which a medically non-viable pregnancy was terminated to save the life of the mother, who would otherwise have certainly died—barring divine intervention. The professor will lead the discussion on this case and this should serve as a model for the individual student presentations required in the last half of the course. These student seminar presentations will follow the traditional methodological models of a status quaestionis [state of the question] and/or quaestitio disputata [disputed question] the seminar will then turn in the third section of the course to a consideration of selected contemporary moral debates selected by the class, especially in the areas of bioethics, health care and end-of-life issues, reproductive technologies, and some questions related to sexual and marital ethics (see the listing of potential projects below at the end of the Syllabus). Except for the final class session, there will be only one Student Seminar Presentation scheduled per class. However, it is not expected that the Student Presentation will take up the entire session. Rather, complementary material geared to a particular presentation will also be taken up in conjunction with the seminar presentation and the professor will coordinate the discussion of this complementary material. Because of the nature of this method of
proceeding we will not be able to assign all of the required readings until we have the Student Seminar Presentations scheduled (see the Reading List below).

A course in fundamental moral theology will be very helpful as a pre-requisite for this course. Each student will be expected to present an in-depth treatment of one of the contemporary debates of his/her own choosing. **Final papers are due on December 12th EXCEPT for those student(s) presenting that day (and their papers will be due December 16th).** Since Final Grades are due shortly afterwards these paper due dates must be absolute.

**Learning Outcomes**

At the conclusion of the seminar every student should be able to:

- Be able to conceptualize, formulate, research and present in an understandable academic manner commensurate with graduate study a *status quaestionis* project on a moral issue that is currently a matter of ongoing debate within the field of Roman Catholic moral theology.

- Be able to identify, evaluate, and explain the relative magisterial authority in line with the triple criteria of *character, manner, and frequency* expressed in *Lumen gentium* #25 of the range of documents and teachings from the Pope, the various dicasteries of the Holy See, Bishops Conferences and individual bishops.

- Be able to outline and adequately explain the main theological points in the development of the Church’s understanding of the charism of office and special role of the Magisterium in guarding the deposit of faith and authoritatively teaching in matters of faith and morals in both Scripture and the natural law.

- Be able to outline and adequately explain both theologically and pastorally the Church’s definition of infallibility as found in Vatican I’s *Pastor Aeternus*, as well as the broad historical development of this doctrine both prior to its Conciliar definition as well as its subsequent reception in the Church.

- Be able to outline and adequately explain both theologically and pastorally the notions of conscience, dissent, *obsequium religiosum* and the magisterial *munera* of teaching, governing, and sanctifying as presented in the Catholic moral tradition, in Canon Law, and especially in the relevant documents of Vatican II such as *Gaudium et spes, Lumen gentium, Dignitatis humanae* and *Christus Dominus*.

- Be able to outline and adequately explain, using selected illustrative examples, the principal processes by which controversial theological opinions and theologians are evaluated by the Magisterium, especially in the offices of the Congregation for the Doctrine of the Faith and the USSCB Committee on Doctrine.
N.B. Since this course will be a genuine seminar the exact schedule will be determined at the time of the third class meeting, depending on student presentation interests, number of students enrolled and the like. A Sample Presentation illustrating the Status Quaestionis/Quaestio Disputata methodologies will be given by the Professor on the Uterine Isolation Debate in the 4th class session.

Book List: Required [490 pages of textbooks, exclusive of reference works]


Includes 9 Appendices of contemporary relevant Magisterial documents from Vatican I, II, Pius XII, and the CDF.


Book List: Recommended


*Plus articles available online and/or on reserve*

**REQUIRED ARTICLES**

*(N.B., Hopefully some of these articles will be used in the “Required Reading” for the individual student presentations, so I have not “scheduled” all of them in advance. Those needing to be scheduling are marked “TBD”; articles NOT chosen for individual student presentations then will be distributed throughout Week 8-15)*


TBD Ganier, Most Reverend Ronald W. “Pastoral Letter to the Catholic Diocese of Lexington” [on political responsibility in the 2008 election]. 28 October 2008 [available electronically on Blackboard Course Web-Page]


http://www.vatican.va/holy_father/paul_vi/encyclicals/documents/hf_p-vi_enc_25071968_humanae-vitae_en.html


Recommended Articles


________. “Magisterium and Moral Theology Bibliography.” [online and on Blackboard]


Available online at
http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfait
h_doc_19800505_euthanasia_en.html


**Associate Dean Bader has mandated that the following be added to all BC syllabi:**

**Attendance Policy:**
Attendance is expected at all classes. If an absence is foreseen please contact the professor before the class to be missed. If an absence is unforeseen (e.g., illness or emergency) please contact the professor as soon as possible after the missed class. Excessive absences will result in lowering of the final grade; an absence rate of 30% or more will result in failure of the course.

**For Students with Disabilities:**
If you have a disability and will be requesting accommodations for this course, please register with either Kathy Duggan (Kathleen.duggan@bc.edu) Associate Director, Academic Support Services, the Connors Family Learning Center (learning disabilities and ADHD) or Paulette Durrett (paulette.durrett@bc.edu), Assistant Dean for Students with Disabilities (all other disabilities). Advance notice and appropriate documentation are required for accommodations.

**Academic Integrity Policy:**
*Plagiarism* is the act of taking the words, ideas, data, illustrations, or statements of another person or source, and presenting them as one’s own. Penalties at Boston College range from a grade penalty to dismissal from the University. To avoid plagiarism, any use of another’s words or ideas must be fully cited. If in the original wording, quotation
marks or blocked, indented quotations must be used. For more information regarding plagiarism and other violations of academic integrity, please consult the STM website at http://www.bc.edu/content/bc/schools/stm/acadprog/stmserv/acadpol.html.

Tentative Course Schedule

**N.B.** Since this is a Seminar the final topic and presentation schedule will depend on the individual student projects.

**Week 1** (September 5th) *Introduction and Theological History of the Magisterium in Moral Matters.*

**Required Reading:**
*Lumen Gentium* 25,
*Gaudium et Spes* 16,
Fuchs, "The Magisterium and Moral Theology."

**Recommended Reading**
Bretzke *Morally Complex World* Chapter 1

**Week 2** (September 12th) *Overview of Methodology in Moral Theology*

**Required Reading:**
Dulles, *Magisterium*, Chs. 3-5

**Recommended Reading**
Bretzke *Morally Complex World* Chapters 2-4:

**Week 3** (September 19th) *Analysis of Veritatis Splendor Moral Acts, Fundamental Option and Proportionalism, as exemplar of the Moral Magisterium*

**Required Reading:**
*Veritatis Splendor*, especially Paragraphs # 65-83.
Fuchs, Josef, S.J. "Good acts and good persons."
Orsy, *Receiving the Council*: Chs. 5,9

**Recommended Reading**
Bretzke *Morally Complex World* Chapters 5-6

**Week 4** (September 26th) *Analysis of the Phoenix “Abortion” Case To Save the Life of the Mother as Exemplar of the Status Quaestionis/Quaestio Disputata; scheduling of Student Seminar Presentations*
**Required Reading:**
Cavanaugh, “Double Effect Reasoning, Craniotomy, and Vital Conflicts”
MaGill, “Threat of Imminent Death in Pregnancy”
USCCB Ethical & Religious Directives For Catholic Health-Care Institutions (ERDs) #45-47.

### Week 5 (October 3rd)
**Historical & Theological Development of the Notion of “Magisterium”**

**Required Reading:**
Dulles, “Magisterium in a Time of Change”

**Recommended Reading**
Dulles, “The Two Magisteria: An Interim Reflection.”

### Week 6 (October 10th)
**Charism of Authority, Infallibility, & Special Assistance of the Holy Spirit to the Magisterium as Moral Teacher**

**Required Reading:**
Dulles, *Magisterium*, Ch. 6, and Appendices A & B (Vatican I)
Sullivan, "The Infallibility of the Ordinary Universal Magisterium and the Limits of the Object of Infallibility"

**Recommended Reading**
Dulles, “Authority and Pluralism in the Church.”

### Week 7 (October 17th)
**Obsequium Religiosum & Response to Magisterial Teaching**

**Required Reading:**
Dulles, *Magisterium*, Ch. 7 and Appendices G, H, I (CDF documents)
Dulles, “Moderate Infallibilism: An Ecumenical Approach”

**Recommended Reading**
Dulles, “The Hermeneutics of Dogmatic Statements.”
Sullivan, "The Theologian's Ecclesial Vocation and the 1990 CDF Instruction."

**Case Study Due**

### Week 8 (October 24th)

**Required Reading:**
Week 9 October 31st) **First Student Seminar Presentation Finnig Gay Men in Seminary & Priesthood**

Required Reading: TBA

Week 10 (November 7th) **Second Seminar Student Presentation Katherine Sepulveda Why Is NFP Morally Acceptable for Family Planning (and why artificial contraception isn’t)**

Required Reading: TBA

Week 11 (November 14th) **Third Seminar Student Presentation Mary: TBD**

Required Reading: TBA

Week 12 (November 21st) **NO CLASS Thanksgiving Recess**

Week 13 (November 28th) **Fourth Seminar Student Presentation Sarah “Authority” of the Papal Teaching on Non-Ordination of Women**

Required Reading: TBA

Week 14 (December 5th) **Fifth Seminar Student Presentation Jim: Theological Dissent and Removal of Charles Curran from CUA**

Required Reading: TBA

Week 15 (December 12th) **Sixth Seminar Student Presentation James: Case Studies in Sexual Ethics and Social Ethics Methodologies**

Required Reading: TBA

**Final Papers Due December 12th EXCEPT for those presenting that day (and their papers will be due December 16th [grades are due shortly afterwards so these deadlines are absolute])**

**Potential or Sample Status Quaestionis Areas and Projects**

N.B. This list is PARTIAL and meant merely to stimulate thinking about a possible seminar presentation topic

*Examples* of potential *Status Quaestionis* bioethical issues include (but are not limited to) Abortion, Artificial Contraception, Artificial Hydration and Nutrition in PVS situations, Euthanasia, Genetic Engineering, HIV—AIDS Treatment and Prevention;
Condom usage and promotion to lessen the transmission of HIV/AIDS among at-risk populations; Pre-Embryo/Non-implanted Embryo Moral Status, Reproductive Technologies (e.g. AIH, IVF), Stem Cell Research, etc.

Examples of potential Status Quaestionis sexual ethics issues include Condom usage when one married partner is HIV positive and the other is HIV negative; Artificial Contraception for family planning purposes or to protect the health of the mother; Intrauterine Isolation to prevent a pregnancy which is medically counter-indicated; elective and/or therapeutic abortion; sexual ethics for those with a homosexual orientation; legal reconnection for domestic, unmarried partners; legal recognition for same sex unions; the possibility of admitting gay men into the seminary and priesthood; the possibility of facilitating adoptions into non-traditional families (including single parents and gay couples).

Examples of potential Status Quaestionis social ethics issues include Capital Punishment, Just War, Preferential Option for the Poor in Public Policy Planning; the role of Catholic politicians in upholding Catholic teaching in pluralistic societies.

Examples of potential Status Quaestionis fundamental moral theology issues include the nature of, and competency of the Magisterium to pronounce on concrete matters of the natural law; the nature and limits of disagreement and/or dissent with non-infallibly proclaimed moral positions of the Magisterium; the proper role of theologians vis-a-vis the Magisterium in matters of the articulation of fundamental moral and/or concrete applications in contemporary moral issues; the nature and limits of absolute moral norms and intrinsically evil acts.

Further Specification of Potential Issues & Key Magisterial Documents
N.B. See the various folders on Blackboard for some related readings and commentaries

Bioethics
Dignitas Personae
Donum Vitae
Ordinary/Extraordinary Means
Stem Cell Research
ANH in PVS Cases
Reproductive Technologies
Phoenix Abortion/Excommunication Case

Catholic Politicians and Politics
Faithful Citizenship
Communion for Pro-Choice Politicians
Voting for Pro-Choice Candidates

Fundamental Moral Theory
Veritatis Splendor
Moral Norms
Intrinsically Evil Acts
Fundamental Option
Natural Law

**Magisterium as Moral Teacher**
Competence of the Magisterium to Pronounce on Concrete Material Moral Norms
Dissent from Teachings of the Ordinary Magisterium
Infallibility on moral teaching

**Sexual Ethics**
*Humanae vitae*
*Persona Humana*
*Pastoral Letter on the Care of the Homosexual Person*
Contraception and Responsible Parenthood
Reproductive Issues
Uterine Isolation
Morality of Same-Sex Unions
Limitation of civil rights of homosexuals
Admissibility of Gay Seminarians into the Priesthood
Condom Usage When One Married Partner is HIV+ and One HIV-
Condom Usage to Prevent AIDS Wide-Spread Transmission