

# No Solution in Withdrawal—No Solution in Conforming: Merton, Teilhard, Kung and Curran

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Thomas Merton, Pierre Teilhard de Chardin, Hans Kung, and Charles Curran strongly influenced American Catholic culture during the time period covered in this article.<sup>1</sup> All spoke clearly. Their words affected many minds and many hearts, including mine. All these priests expressed some ideas which they knew would not be welcome in Rome. Why? This investigation focuses on that question and suggests answers. All were ordered by Rome to stop expressing those ideas. All continued to love the Church. None of them walked out. Why not? The paper ends with a brief indication of how each person addressed that question.

The goal of this article is to tell these four stories as seen through the eyes of these four people by examining their perception of the issues, using their own words when possible. The term dissent, as used here, refers to public intellectual dissent that asserts a position differing from the position advocated by those in power. The study places Merton's dissent within the larger context of other Catholic dissent influencing American Catholics during the last decade of Merton's life (1958-68)—the years just prior to, during, and just after the Second Vatican Council (1962-65). It does so in three ways: 1) by characterizing the context and the manner of each person's dissent, 2) by relating Merton's strong responses to his reading of Teilhard and Kung, and 3) by comparing the way in which Merton dissented to the ways in which Teilhard, Kung and Curran dissented.

This article does not provide general information on background issues such as Vatican II, the anti-modernist movement,<sup>2</sup> or the intellectual history of the U.S. during the 1960s.<sup>3</sup> Nor does the paper evaluate the merits of Merton's position on nuclear war, Teilhard's position on the evolutionary process, Kung's position on structural reform of the Church, or Curran's position on birth control. Instead, the article focuses on each person's expressed

motivation for dissent and on the institutional response the dissent evoked. Although the paper looks at dissent which affected the American Catholic public between 1958 and 1968, it will be necessary also to refer to the difficulties with Rome that Teilhard encountered in 1925, Kung in 1979, and Curran in 1986.

Of course this article reflects my own perceptions. I am a lawyer with a background in intellectual history and I bring that training to these events and to my reflections on them.

### **Pierre Teilhard de Chardin**

Although this paper focuses primarily on Merton, it begins with Teilhard because Teilhard's dissent preceded and may even have influenced Merton's own.

Teilhard's ideas first became widely available to American Catholics with the publication in English of *The Phenomenon of Man* in 1959 and *The Divine Milieu* in 1960. Teilhard's thought spread rapidly and so did news of his difficulties with Rome. In order to understand the influence of Teilhard on American Catholics during the 1960s, we must examine the crisis Teilhard faced in 1925.

In 1925 Teilhard was a 44-year-old Jesuit paleontologist at the Institut Catholique in Paris.<sup>4</sup> Fossil evidence found in many parts of the world indicated that the human species had evolved over long periods of time. While Teilhard was visiting at a Jesuit seminary, a friend of his, a Jesuit professor of dogmatic theology, asked Teilhard to speak to the students and to put down on paper his ideas about how the biblical account of Adam and Eve and the theology of 'the fall' could be reconciled with the evolutionary account of human origins. Although he had only a few days before the visit ended, Teilhard did so, describing his "Note on Some Possible Historical Representations of Original Sin" as a tentative effort.<sup>5</sup> Without telling Teilhard or his friend, an unknown person sent a copy of that draft to the Holy Office in Rome. The practice of 'delation,' sending information to the Vatican in this manner, had long been standard practice.<sup>6</sup>

The Holy Office, through the head of the Jesuit order located in Rome, told Teilhard that he was never again to say or write anything "against the traditional position of the Church on the matter of original sin."<sup>7</sup> Consider the ramifications of that order. The traditional position was developed in total ignorance of the concept of evolution and of fossil evidence. Refusing to allow highly educated Catholic specialists to try to reconcile the tradi-

tional position with new knowledge leaves the question unanswered by those best able to answer it. That is a very high price for any organization to pay—a valuable opportunity lost. The evidence shows that from the 1904 beginning of the anti-modernist campaign<sup>8</sup> until the Second Vatican Council, the Holy Office did not perceive its role in terms of lost opportunity but in terms of preserving the existing tradition from significant change. Neither the incorporation of new knowledge nor the resolution of contemporary problems was deemed to be a priority. The greatest priority was to preserve intact explanations that had been developed in the past. Since Teilhard's essay offered novel approaches, he was deemed to be in error precisely because his explanation conflicted with the existing explanation. Teilhard was not asked to come up with a better explanation; he was ordered not to conflict in any way with the existing explanation.

Teilhard was also ordered to resign his teaching position, abandon the rich academic and social environment of Paris, and leave France. As a Jesuit and a professor, he had tried to reconcile the two roles he loved, that of priest and professor. He was given a forced choice between the two. In May he wrote to a fellow Jesuit: "Dear friend, help me a little. I have behaved properly; but what I feel inside is something like a death agony or a storm."<sup>9</sup>

While agonizing over the decision that faced him, Teilhard met with a group of French Jesuit professors who fully understood his position. They all advised him to obey.<sup>10</sup> Teilhard concluded that the most honorable thing he could do was to submit. In August he wrote to a close friend: "When I thought of the comfort I drew from the appreciation of all these minds, which were really reliable and devoted to the Church, I realized what enormous damage and scandal would have been caused by any act of indiscipline on my part . . ."<sup>11</sup> For the next thirty years, from 1925 until his death in 1955, Teilhard was never allowed to publish his religious writings and never permitted to return to France to live, despite his repeated requests.<sup>12</sup>

In the very same months that Teilhard dealt with his crisis, a man named Scopes was on trial in Tennessee for violation of a state statute prohibiting the teaching of evolution.<sup>13</sup> John H. Scopes received his full legal rights. Consider the rights Scopes had that Teilhard did not have: the right to a list of the specific charges against him, the right to testify in his own defense, the right to face and cross-examine his accuser, the right to counsel, the right

to go free if the prosecutor could not prove his guilt beyond a reasonable doubt, the right to appeal, etc. Teilhard got none of these. These rights developed over centuries within the English common law to prevent the abuse of power. No comparable development occurred within the Vatican.

Note that the Tennessee legislature passed the statute prohibiting the teaching of evolution in order to preserve the existing, traditional, explanation of the biblical account of Adam and Eve. In other words, civil as well as Church authorities tend to favor time-honored customs. The difference here is the treatment of the accused. A person accused of violating the official position in Tennessee has rights that a person who is accused of violating the official position in the Vatican does not have.

For the rest of his life, from age 45 to 75, Teilhard continued to obey the order not to publish his religious writings. He accepted the conditions imposed upon him. Exiled and often lonely, he continued to work on a vision that incorporated both what he perceived as religious truth and what he perceived as scientific truth, holding on to both, trying to reconcile them, developing his "synthesis of all things *in Jesu Christo*."

In a famous letter to the head of the Jesuit order, dated October 12, 1951, he stated both sides of the coin. On the one side: "In my awareness of this synthesis of all things in Jesu Christo, I have found an extraordinary and inexhaustible source of clarity and interior strength and an atmosphere outside of which it has become physically impossible for me to breathe, to adore, and to believe."<sup>14</sup> On the other side:

I fully recognize that Rome may have its reasons for believing that in its present form my vision of Christianity is premature or incomplete, and that as a consequence, it cannot presently be diffused without creating problems.

It is on this important point of exterior fidelity and docility that I wish particularly to assure you (and this is the essential point of this letter) that, despite certain appearances, I am determined to remain "a child of obedience."<sup>15</sup>

What factors frame Teilhard's dissent?

- 1) In 1925, because an unknown person delated him to Rome, he was caught unawares in a situation not of his own choosing. He was presented with a choice between exile and

continuing to be a Jesuit or staying in France and leaving the order. Knowing full well that Rome knew almost nothing about the evolution of the human species and was unsympathetic to and ignorant of evolutionary findings, he nonetheless chose to accept the discipline that Rome had meted out.

2) He saw his choice as either subjecting the church to damage and scandal or protecting the Church; he chose to preserve the public image of the Church. He gave great weight to the example of his peers. He knew and admired French Jesuits who had been targeted by the Vatican's anti-modernist purges. He believed that he should obey as they had done.

3) Once he had taken his course, he never changed it. On the one hand he obeyed the order. On the other hand he was determined to develop his thought, hoping that the day would come when he could discuss his work publicly.<sup>16</sup> As the 1951 letter shows, he deferred to the judgment of Rome, on the stated grounds that Rome knew better than he what was in the best interests of the Church. He did not withdraw from the Church; nor did he agree with intellectual positions he saw as untenable. His actions indicate that he saw no solution in withdrawal; no solution in conforming.

### Thomas Merton

In 1960, five years after Teilhard's death, Merton wrote a review of Teilhard's newly published *The Divine Milieu* and submitted that article to the censors. The superior of his order, headquartered in Rome, after consulting a professor in Rome, refused Merton permission to publish the book review. He told Merton that Rome admitted that particular book of Teilhard's was "harmless." "But one must not say anything in favor of T. de C. One must 'make the silence' regarding T. de C."<sup>17</sup> 'Making the silence' is a time-honored Roman practice of simply ignoring, erasing, dissenters. Rome had ostracized Teilhard during his life and had no intention of changing that treatment after his death.<sup>18</sup>

Merton followed the order not to publish the article on Teilhard but he did not like the way Teilhard was being treated: "I refuse to form part of an indignant chorus against him, and I refuse even to form part of a silently disapproving or hostile assembly of righteous critics. I refuse to draw back from him shaking my garments.

I have nothing but sympathy for his attempt to take a new view of things.”<sup>19</sup>

In his journal the next day Merton complained about church authorities in general. He granted that they were “in good faith,” but insisted that their presuppositions—“are wrong—the placid assumption that since ‘the will of the superior is always the will of God,’ . . . they are always infallible and sacrosanct. The subject has no appeal. His voice should not even be heard . . .”<sup>20</sup>

Merton saw that the premise that those in power always speak for God was a false premise. However, the Holy Office habitually operated on that premise and expected obedience based on that premise.

Two weeks later Merton wrote in his journal:

Struggle in my heart all week. My own moral conflict never ceases. Knowing I *cannot* and *must not* simply submit to the standards imposed on me, and merely conform as “they” would like. This I am convinced is wrong – but the pressure never ceases. It takes every possible form. But it is not obedience. I will do what they tell me, but I will not and cannot think as they think. If I did I would be untrue to God, to myself and to all those who for some reason or other have a kind of confidence in me.<sup>21</sup>

Merton, like Teilhard, struggled against the pressure to conform. Like Teilhard, Merton was willing to do what he was told, but not willing to think as he was told. He saw the latter as morally wrong because it dissolves personal integrity.

An earlier entry in Merton’s journal, November 15, 1957, contemplated a similar issue. Simultaneously full of joy at being at Gethsemani and full of anguish at certain mores, points of view, sets of values that were ‘clearly printed between the lines’ at Gethsemani, he struggled with the conflict.

[I]t will always remain morally impossible for me simply to “conform” and to settle down and accept the official rationalization of what is going on here....

But a great deal of the trouble comes from the fact that I look for a formula and expect to find a good one. If you want to find satisfactory formulas you had better deal with things that can be fitted into a formula. The vocation to seek God is not one of them. Nor is existence. Nor is the spirit of man...

*There is no solution in withdrawal. No solution in conforming...[emphasis added]*

[F]aith is infinitely more than blindly defending yourself with a few catchwords!

*I do want Truth and will pay any price for it. And yet I know that I have found it already.”<sup>22</sup>*

Merton's 'resolution' of the conflict was to realize that he must continue to struggle. He explicitly rejected the option of conforming to the status quo; he explicitly rejected the option of walking out. Neither path would take him where he wanted to go. He stayed within the institution, for he found Truth there, but he continued to struggle for he also found falsehood within the 'official rationalizations.'

By 1961, Merton, at the age of 46, deeply concerned about the very real threat of nuclear war, was coming to believe that he had a duty to speak out.<sup>23</sup> In the early 1960s, the American public was in a state of extreme anxiety over the risk of nuclear war. People were talking about 'preemptive first strikes' against the Communists, using slogans like 'Better Dead than Red' and building bomb shelters in their backyards. The cold war was building up to the Cuban missile crisis. Neither the American Catholic hierarchy nor American Catholic theologians were opposing these currents.<sup>24</sup> In a struggle between the two dominant world powers, Catholics tended to see communism as the enemy and U.S. military power as the best way to 'protect the free world'. In October of 1961, Merton wrote in his journal:

I am perhaps at a turning point in my spiritual life: perhaps slowly coming to a point of maturation and the resolution of doubts—and the forgetting of fears. Walking into a known and definite battle. May God protect me in it... I am one of the few Catholic priests in the country who has come out unequivocally for a completely intransigent fight for the abolition of war....<sup>25</sup>

William Shannon, in *Passion for Peace*, emphasizes that Merton struggled before and after he reached this decision.

Yet despite his misgivings about himself and his message, despite his concern about the abdication of responsibility on the

part of so many of his fellow-citizens, he knew that he had to continue, with whatever means at his disposal, to combat war and to work for the creation of a stable and lasting peace. Commenting on the prison writings of Father Delp, he says:

Christ our Lord did not come to bring peace as a kind of spiritual tranquilizer. He brought to his disciples a vocation and a task: to struggle in the world of violence to establish His peace not only in their own hearts but in society itself.<sup>26</sup>

Two months later, shortly before Christmas, Merton wrote: "More and more the conviction haunts me, that I shall sooner or later be silenced . . . Maybe the best is to say quickly and wisely and fully all that I have to say, all at once, and then let the blow fall."<sup>27</sup> Merton deliberately proceeded to publish as much and as fast as he could. In mid March, he wrote Ping Ferry that the American hierarchy was expressing displeasure with his writings on peace and that he might be silenced.<sup>28</sup> On April 26, 1962 he learned that the blow had fallen—the superior of the order had forbidden him to publish writings on the ethics of using atomic weapons.<sup>29</sup> Three days later, Merton revealed his thoughts in a letter to Jim Forest:

[I]n substance I am being silenced on the subject of war and peace... It reflects an astounding incomprehension of the seriousness of the present crisis in its religious aspect. It reflects an insensitivity to Christian and ecclesiastical values, and to the real sense of the monastic vocation. The reason given is that this is not the right kind of work for a monk, and that it "falsifies the monastic message." Imagine that: the thought that a monk might be deeply enough concerned with the issue of nuclear war to voice a protest against the arms race, is supposed to bring the monastic life into *disrepute*...

Now you will ask me: How do I reconcile obedience, true obedience (which is synonymous with love), with a situation like this? Shouldn't I just blast the whole thing wide open, or walk out, or tell them to jump in the lake?...

I am where I am. I have freely chosen this state, and have freely chosen to stay in it when the question of a possible change arose. If I am a disturbing element, that is all right. I am not making a point of being that, but simply of saying what my conscience dictates and doing so without seeking my own interest. This means accepting such limitations as may be placed

on me by authority, not merely because it is placed on me by authority, and not because I may or may not agree with the ostensible reasons why the limitations are imposed, but out of love for God who is using these things to attain an end which I myself cannot at the moment see or comprehend..."<sup>30</sup>

What factors frame Merton's dissent?

1) He decided that the issue of nuclear war was so important that he would follow the course his conscience dictated and use his writing talents to do all he could short of violating a direct command.<sup>31</sup> He was aware that his stand would anger his superiors and many of his readers and was willing to pay that price.

2) He obeyed not because he agreed with the order or with the reasoning or the motives of his superiors, but on the stated ground that God wanted him to obey the order for reasons Merton could not understand.

3) He continued to work against war in ways that had not been forbidden. He published articles that did not come within the scope of the order, distributed the unpublished Cold War Letters to friends and friends of friends, and after the encyclical *Pacem in Terris* was issued, he immediately asked again for permission to publish, on the grounds that his writing was in agreement with the encyclical.<sup>32</sup>

A comparison of the dissent of Merton and Teilhard reveals significant similarities. Merton was convinced that the way in which the just war theory<sup>33</sup> was being interpreted was inadequate in the context of nuclear war, especially the bombing of cities. Teilhard was convinced that the traditional explication of Adam and Eve and original sin was inadequate as a factual explanation of human origins and of the presence of evil and death in the world. Each felt that the traditional response needed to be revised in the presence of new facts. Each tried to develop a better approach. Each was punished for his effort to integrate new knowledge with the old. The people in Rome whose job it was to protect the status quo correctly sensed a threat to the status quo and dealt with that threat by silencing the messenger. In Merton's case, the Holy Office was not involved; on his own authority, the head of the Cistercians silenced Merton on the topic of war. In Teilhard's case, the Holy Office made it clear to the head of the Jesuits that Teilhard

should be silenced. Both Merton and Teilhard agonized over the conflict between the demands of Rome and their own convictions. Once Rome spoke, they obeyed, continued to agonize, and worked to develop and refine their positions in hopes of eventually persuading the authorities to let them speak. It caused them real pain to accept the fact that on issues they deemed absolutely central to what Christianity was all about, the authorities had suppressed their voices. Both expressed disillusionment with the institution but continued to identify with it. They obeyed because they thought they should obey, even though they were convinced that the orders had been issued in ignorance of the truth. They submitted without public protest.

Under no conditions would either Merton or Teilhard have held a press conference to openly challenge the Church.

Hans Kung and Charles Curran were much more willing to confront the Church publicly. Both had studied in Rome for many years. Kung was ordained in Rome in 1954, Curran in 1958. When they left Rome they were familiar with the way the Vatican Curia actually worked and the attitudes of the major players. They were also aware of the inhibitions that the Vatican's anti-modernist efforts had imposed on Catholic theology. The Second Vatican Council was called not long after their student days in Rome. Each was strongly influenced by the process of Vatican II and by the values it expressed.

### **Hans Kung**

Kung's impact upon American Catholicism during the 1960s may be gauged from the themes in his 1961 book, from his 1963 lecture tour of the States, and from a 1968 declaration he drafted and 1,360 theologians signed. Each will be considered in enough detail to give some indication of the impression they made on American Catholics.

Hans Kung was 33 years old when he wrote *The Council, Reform and Reunion* in 1961.<sup>34</sup> His ambitious goal was to influence the agenda of the upcoming Vatican Council. His message was that the church should reform itself so that its own defects did not prevent reunion with the other Christian churches. Kung dissented from the prevalent view that the church was a perfect society. He named failings without minimizing or excusing them, thus breaking the taboo against open, public, direct criticism of the Catholic Church from within.

In the chapter titled "The Framework for Catholic Renewal" he stated: "The Pope intends that the Council, with the reunion of separated Christians in mind, shall undertake a true reform; in fact a genuine renewal."<sup>35</sup> Asking "What may we, as Christians, do?" Kung addressed four areas.

First, We Can Suffer . . . Anyone who has never, as a member of the Church, suffered on account of his Church, has never known her as she really is or never loved her. Genuine suffering on account of the Church springs from love of the Church: love for a Church who is too unlike her Lord.<sup>36</sup>

Second, We Can Pray . . . It is the Spirit who will form all things anew. The daily prayer of Christians in the Church, for the Church and not least for themselves, will be *Veni, Sancte Spiritus*:

What is filthy, do thou wash,  
 What is dry, do thou refresh,  
 What is wounded, do thou heal;  
 What is rigid, do thou bend,  
 What is frozen, do thou melt,  
 What is wandering, do thou rule.<sup>37</sup>

Third, "We Can Criticize. While we suffer and pray, we do not have to give our assent and amen to *everything* in the Church. Criticism, indeed loud criticism, can be a duty . . .

As a Church of *men*, sinful men, the Church, though of divine foundation, *needs* criticizing; as the Church of *God* she is, more than any other institution, *worth* criticizing. To show by criticism what has become humanly deformed in the Church is a necessary preliminary to any reform. How can failures and abuses be corrected if they cannot be spoken of and discussed?<sup>38</sup>

Fourth, We Can Act.<sup>39</sup>

[T]his is what we may, with God's grace, do: in the cause of renewal we can suffer, pray, criticize, and above all act; not for revolution, not for restoration, not for a mere change of heart nor a mere reform of abuses but for a creative reform of the state of the Church . . . The ancient basilica is not to be torn down and rebuilt . . . nor is it merely to be scrubbed down, patched up and dusted off; it is to be, in accordance with the ancient plan of its founder, but for the needs of this new age, *renewed*.<sup>40</sup>

Merton loved Kung's book. His journal noted: "If I wanted to start copying bits of it I would end by copying page after page, because I am so glad these things are at last said."<sup>41</sup> In his letters, Merton called Kung's book "splendid," "remarkable," "exciting," "a breath of new life," "awake and frank and not wild, but objectively Catholic in the finest sense."<sup>42</sup> Further, "It is one of the most forthright, direct and powerful statements of our actual condition and problem that I have ever seen."<sup>43</sup>

In March 1962 as Merton finished reading *The Council, Reform and Reunion* he pondered its message in his journals. (The ellipses below are in the original.)

Whether it is easy to love the Church, the Church as she *is* [underlined twice] and not as she might be . . . To love the "poor" sinners, yes. For we count ourselves among the poor ones.

But the great, complacent, obtuse, powerful and self-satisfied sinners who are aware only of their righteousness, who close the doors, who do not enter in and help others out, the Grand Inquisitors who build their own structure on top of God's structure and attach more importance to what they themselves have built than to what He builds . . . Yet they are in their own way patient and gentle. They too suffer. They too have a kind of humility. But they are *closed* [underlined twice]. There are human realities to which they absolutely refuse to be sensitive. For they have somehow come to believe that a certain kind of compassion is a weakness they cannot afford.<sup>44</sup>

Finishing the Kung book on *The Council, Reform and Reunion*. Tremendous, clear, outspoken. Will his hopes be realized? He is sane about them, and realistic. A sobering discussion of possibilities which may never be realized. If they are not, it will be a disaster.<sup>45</sup>

Merton acknowledged that some churchmen had closed minds, righteous attitudes, lack of compassion, and inquisitorial habits. He did not condemn them as bad people: "Yet they are in their own way patient and gentle. They too suffer." Merton, recognizing that the goals outlined in Kung's book might not be realized, was also convinced that failure to achieve them would be disastrous for the Church.

In 1963, after the first session of the Second Vatican Council, Hans Kung arrived in the U.S. to begin an 8-week lecture tour.<sup>46</sup>

Two weeks before his arrival he read in the *Washington Post* of February 23, 1963 that the Catholic University of America had banned lectures on campus by Godfrey Diekmann, Hans Kung, John Courtney Murray and Gustav Weigel.<sup>47</sup> Joseph Fenton, who placed the ban, had long been the dean of the theology school at Catholic University and a close friend of Cardinal Ottaviani, the head of the Vatican Congregation for the Doctrine of the Faith. John Tracy Ellis, a historian of American Catholicism and for many years a faculty member of Catholic University, reported:

The reason given by the administration was that since these four men... all represented the progressive school of thought, and since the institution belonged to the entire hierarchy of the United States, the university should not show partiality to any single aspect of theological thought while the ecumenical council was still debating certain controverted issues on which the four theologians were thought to hold a single point of view. The fact that in banning the representatives of this point of view an advantage was implicitly given to the opposing side in a way that jeopardized the neutrality which the administration was desirous of safeguarding seems to have been overlooked by the rector of the university and his associates.<sup>48</sup>

When Kung arrived in the U.S., Cardinal Cushing offered Kung his full support and escorted him to his first lecture at Boston College. Kung's goal, in his words, was to be "honest and direct without academic fussiness and clerical unctuousness."<sup>49</sup> He talked about the 'elephant in the living room'—freedom and the Church. His book *Freedom Today*<sup>50</sup> is based on the themes of that lecture tour. In Boston, Kung received his first standing ovation; 3,000 people were still clapping as he left the hall with Cardinal Cushing. He spoke to 5,000 at McCormick Place in Chicago; 6,500 at the University of San Francisco. At St. Louis University, in the presence of 8,500 people, Kung was granted an honorary degree.<sup>51</sup> Merton regretted that Kung had not come to Gethsemani while he was in the U.S. for his 1963 lecture tour.<sup>52</sup> Tentative plans for Kung to come had been made but did not materialize.

In 1968, only three years after the Second Vatican Council, Kung drafted a declaration entitled *For the Freedom of Theology*.<sup>53</sup> Yves Congar, Karl Rahner and Edward Schillebeeckx edited the decla-

ration; 1,360 Catholic theologians, from 53 countries, signed it. The declaration began:

In full loyalty and unequivocal fidelity to the Catholic Church we, the undersigned theologians, consider ourselves prompted and obliged to make the following point publicly and with great seriousness: The freedom won for theologians and theology by the Second Vatican Council for service to the Church must not be placed at risk again today.<sup>54</sup>

“Since the threat to free theological work now seems to be on the increase again,” the theologians stressed the need for the personnel of the Congregation for the Doctrine of the Faith to represent the “legitimate multiplicity of today’s theological schools,” rather than presenting the appearance of partisan bias “for the sake of a certain theological party line.”<sup>55</sup> The theologians stated that in today’s world, erroneous theological notions could not be stopped by compulsory measures. They could be corrected only through unimpeded, objective, scholarly discussion and research. The use of procedures derived from the Inquisition not only harmed the development of healthy theology, it also damaged the credibility of the entire Church. The theologians recommended specified procedural guidelines to be implemented for future investigations, including rights for the accused.<sup>56</sup>

The significance of this declaration lies not only in its content, but in its timing (only three years after the Council), in its leaders (Kung, Congar, Rahner and Schillebeeckx), in its signatories (1,360 Catholic theologians throughout the world), and in its hope (that the Vatican would revise its procedures). The declaration did not dissent from the Church envisioned by the Council. It was a straightforward statement that the Congregation was acting in a way that was contrary to the principles of Vatican II, an explanation of why that behavior was harmful to the Church, and a list of specific reforms that should be instituted. The very act of loyalty to the goals of the whole church as stated in Council documents was dissent from the attitudes, structures, and procedures of the Congregation.

During Merton’s lifetime, what factors framed Kung’s dissent?

- 1) Kung demonstrated direct, open, public discussion of structural problems within the Church. He spoke with clarity, erudition, and boldness. He did not mince words. Structural

problems included procedural practice which denied rights to those accused, as well as the standard practice of making decisions without input from those affected and doing so behind closed doors.

2) Kung struggled to protect freedom and diversity within the Church. He resisted the efforts by the Congregation for the Doctrine of the Faith to revert to the status quo before the Council by imposing its own view as the only legitimate view.

3) Kung worked with groups, building coalitions to express mutual concerns and to propose structural remedies. He was willing to be a standard bearer, as shown by his role in the declaration *For the Freedom of Theology*. He spoke not only to the academy and to the hierarchy but directly to the public, writing so that his theology was accessible to the lay reader.

One similarity between Kung and Merton is that both made it a point to write in a way that a general reader could understand. Both wrote with fluency and passion. One difference is that Kung spent a great deal of time working with groups on matters of common interest. Merton, in contrast, was hesitant about joining groups, concerned that they might do things he would not approve, aware that he could not participate effectively in the ongoing dynamics of groups outside the monastery. During the 1960s Merton resisted pressure to come out of the monastery to work for peace and justice, convinced that he could make his greatest contribution by continuing to live as a monk, nourishing both his self and his writing from the same source. Another difference between the two is that whereas Kung tried hard to change the institutional Church through structural reform, most of Merton's work was directed not toward revision of organizational structures, but toward internal change within individuals.

Kung could be iconoclastic and to my knowledge felt no need to apologize for it. Merton could also be iconoclastic but he did feel a need to apologize for it. He tried to write in a way that would avoid antagonizing others. His goal was to establish the common ground he shared with his readers and from that base persuade them to see the reasonableness of the position he was advocating. Under no conditions would Kung have perceived himself to be a 'guilty bystander'; he was professionally and fully in the fray. Sometimes Merton was similarly immersed, as he was with his anti-war writing, but more often he tried to stand outside

it, to perceive it from a detached, monastic perspective. This standpoint, although removed, was not aloof. Merton's claim was that being an outsider was the best standpoint for him given all the givens, the place from which he could best be himself, understand what was really important, and do his best work.

The love that both Merton and Kung had for the Church fortified their determination not to withdraw. On the other hand, their shared view that the Church was "too unlike her Lord" enabled them to resist pressure to conform to attitudes and mores prevalent within the culture of the Church.

### Charles Curran

Two events brought Charles Curran to the attention of American Catholics in the late 1960s: first a tenure controversy at Catholic University in 1967 and second, the *Statement of Catholic Theologians* issued shortly after the release of the birth control encyclical in 1968.

In 1967, Charles Curran, 33 years old at the time, applied for tenure at the Catholic University of America.<sup>57</sup> Six years earlier, Curran had earned a doctorate from the Gregorian University in Rome and a doctorate from the Academia Alfonsiana, the Redemptorist University in Rome. The topic of his first dissertation was the prevention of conception after rape, through which he learned about the biological, medical and theological aspects of the act of conception. His second dissertation focused on St. Alphonsus Ligouri's emphasis on the 'subjective' state of the person in contrast to the 'objective' legal norms the Jansenists were championing during Ligouri's lifetime. While in Rome, Curran had studied under Joseph Fuchs and Bernard Häring, both of whom were later members of the papal birth control commission.

John Tracy Ellis in *American Catholicism* described the cultural change that was occurring in many American Catholic colleges in the decade before Curran applied for tenure. Ellis noted that in the early part of the twentieth century, the norm was:

well-nigh universal docile acceptance in Catholic circles not only of the teachings of the Church but also of the authoritarian regimes that governed the Church's colleges. To question an article of Catholic belief or to challenge a ruling by a president or a dean in a Catholic institution was almost unthinkable.

Some years before Vatican Council II, however, a more critical spirit and a greater eagerness for the democratic process began to pervade the leading Catholic centers of learning . . .

One of the first places where the conflict between the proponents of a broader and more genuine freedom for faculty and students and a highly conservative administration broke into the open was the Catholic University of America.<sup>58</sup>

Curran's application for tenure received the unanimous support of the faculty of the school of theology and the unanimous approval of the academic senate. There was no opposition from the administration, so the standard tenure process was successfully concluded.<sup>59</sup> In a "sudden and unexplained move," the trustees of Catholic University decided that Curran's contract would not be renewed for the following year.<sup>60</sup> In effect, Curran was fired. The faculty of the School of Theology unanimously reaffirmed their confidence in Curran, noting that no charges had been made against him. The dean, Walter J. Schmitz, stated: "the academic freedom and the security of every professor of this University is jeopardized . . . [The theology faculty] can not and will not function until Father Curran is reinstated."<sup>61</sup>

He concluded by inviting the other schools of the university to join the theologians' protest, an appeal that met with an immediate and overwhelming response from most of the other faculties, except that of the School of Education. Almost within a matter of hours the institution came to a standstill by a virtually total boycott of classes until such time as Father Curran would be restored to his post . . . [T]he trustees' procedure at Chicago, to which Paul J. Hallinan, Archbishop of Atlanta, had alone entered a negative vote, met with such instant, vigorous, and sustained opposition from both faculty and students that after a week of boycott the trustees capitulated completely and the chancellor announced that Father Curran had been reinstated and his promotion approved.<sup>62</sup>

In 1967 all the members of the board of trustees were members of the American hierarchy. Their action in firing Curran, like the university's 1963 action in banning the four theologians from speaking on campus, was an effort to ensure that only official positions would have a voice on campus.

Somewhat more than one year after the tenure controversy, on July 29, 1968, Vatican officials released the long awaited birth control encyclical, *Humanae Vitae*, at a press conference in Rome at 4:30 a.m. Washington time.<sup>63</sup> The American bishops released an English version of the encyclical at a press conference that Monday afternoon in Washington, D.C. At 5:00 p.m. that same day, a group of ten theology teachers, five from the Catholic University of America and five associated with other institutions, met to "read, analyze, discuss and evaluate" English language copies of the encyclical.<sup>64</sup> "Before and during the discussion, the members of the group had been in contact with other theologians throughout the country. It was finally agreed that a statement would be made and released to the press the next day."<sup>65</sup> One of the underlying reasons for their decision to do so is stated below:

The Statement of the Theologians was not the first public statement on the issue. On July 29 a number of American bishops made statements about the Encyclical. For example, the Archbishop of Washington said: 'I call upon all priests in their capacity as confessors, teachers, and preachers of God's word to follow without equivocation, ambiguity or simulation the teaching of the Church on this matter as enunciated clearly by Paul VI.'<sup>66</sup> Such a reaction on the part of American bishops was not wholly unexpected. In January, 1968, the American bishops had released their pastoral letter, *The Church in Our Day*, which did not adequately distinguish between the absolute assent of faith and the conditional religious assent which is due to noninfallible authoritative teachings. This letter failed even to mention the possibility of dissent from authoritative, noninfallible teaching.<sup>67</sup>

Two Catholic University professors (Hunt and Tracy) had pointed out this confusion to one of the bishops on the drafting committee of the pastoral, but no changes were made. Thus on the American scene it was obvious that many Catholics, including bishops, were not totally aware of what the Theologians' Statement referred to as the common teaching about the possibility of dissent from authoritative teaching. People who did not have this knowledge faced the false dilemma of either accepting the teaching of the Encyclical or thinking they had to reject their Roman Catholic faith commitment. Undoubtedly, one could propose many reasons to explain why this was not common knowledge in the Church in the United States,

but the important matter remains the fact that a large number of Roman Catholics did not know the existence of the right to dissent from authoritative teachings when there is sufficient reason for such dissent.<sup>68</sup>

The *Statement by Catholic Theologians* was drafted that evening. Each of the ten theologians present then contacted other theologians by phone to read the statement to them and ask if they would be willing to sign the Statement. Curran called Bernard Haring, a noted theologian and member of the birth control commission, who added his name.<sup>69</sup> At a press conference the next morning, July 30, less than 24 hours after the bishops' press conference, about 10 of the signers were present and available to the press. Curran acted as the spokesperson for the group of 87 theologians who had endorsed the Statement by that time. The next day, July 31, letters and copies of the Statement were mailed to the approximately 1,200 members of the Catholic Theological Society of America and the College Theology Society. In the next few months, American Catholic theologians from 200 institutions added their signatures to the Statement, bringing the total number of signers to 600.<sup>70</sup>

At another press conference the following day, August 1, all the American lay members of the papal birth control commission "publicly agreed in substance, in accord with their respective competencies, with the Statement of the Theologians."<sup>71</sup> The spokespersons were commission members Andre Hellegers and Thomas Burch, from Georgetown University, and the special consultant to the commission on historical matters, John Noonan, from the University of California at Berkeley.<sup>72</sup>

Clearly, this entire sequence of events constituted organized, widespread, public dissent.<sup>73</sup>

The *Statement by Catholic Theologians* began by acknowledging a distinct role for the hierarchical *magisterium*; indicated that the Catholic tradition assigns to theologians the responsibility to evaluate and interpret pronouncements of the *magisterium* in the light of the whole tradition; noted that the encyclical was not an infallible teaching; and commented on the positive values concerning marriage expressed in the encyclical. It is significant that the next major point concerned not birth control but ecclesiology.

[W]e take exception to the ecclesiology implied and methodology used by Paul VI in the writing and promulgation of the document: they are incompatible with the Church's self awareness as expressed in and suggested by the acts of the Second Vatican Council itself. The Encyclical consistently assumes that the Church is identical with the hierarchical office. No real importance is afforded the witness of the life of the Church in its totality, the special witness of many Catholic couples is neglected . . . .<sup>74</sup>

The encyclical rejected "the majority view presented by the Commission established to consider the question," and "the conclusions of a large part of the international Catholic theological community."<sup>75</sup> This part of the Statement voiced a sense of betrayal, a perception that an encyclical issued in this manner was an explicit rejection of the Vatican II understanding that the deliberations of the papal birth control commission mattered, that the theological community mattered, that the witness and testimony of Catholic couples mattered.<sup>76</sup> The methodology of and result reached by the encyclical inextricably bound together the issues of ecclesiology and birth control.<sup>77</sup>

After stating substantive reasons for their disagreement with the theology underpinning the encyclical, the theologians stated: "It is common teaching in the Church that Catholics may dissent from authoritative, noninfallible teachings of the magisterium when sufficient reasons for so doing exist."<sup>78</sup>

The theologians ended with two final points.

Therefore, as Roman Catholic theologians, conscious of our duty and our limitations, we conclude that spouses may responsibly decide according to their conscience that artificial contraception in some circumstances is permissible and indeed necessary to preserve and foster the values and sacredness of marriage.

It is our conviction also that true commitment to the mystery of Christ and the Church requires a candid statement of mind at this time by all Catholic theologians.<sup>79</sup>

The first of the sentences immediately above addressed the issue of birth control; the second was a direct challenge to all Catholic theologians to openly, honestly, and publicly express their positions.

During Merton's lifetime, what factors framed Curran's dissent?

1) Curran chose and was chosen to be a spokesperson for a large group of Catholic theologians. At the time he was 34 years old and a vice president of the Catholic Theological Society of America. He wanted, as his peers did, to explain to those Catholics who felt that they must either conform to the encyclical or withdraw from the Church that that perception could be a false dilemma.

2) The theologians agreed that the laity should have information known to theologians that the hierarchy had not made available to the laity. The decision to publish that information was taken after efforts to incorporate such information into the bishops' pastoral had been rejected and after some bishops had demanded complete unquestioning compliance with the encyclical.

3) Curran cared deeply about academic freedom, a concept based on the premise that full and fair discussion is in the best interests of the group because it leads toward greater truth. He also was convinced that the biological and theological bases for the encyclical were unsound.

Although this article has focused on events that occurred during the last decade of Merton's life, it is necessary to state here that after Merton's death the Congregation acted against both Kung and Curran, declaring them to be 'neither suitable nor eligible' to function as professors of Catholic theology. The history of the Vatican's action against Kung in 1979 is fully documented in *Kung in Conflict*<sup>80</sup> and that of the Vatican's action against Curran in 1986 is fully documented in *Faithful Dissent*.<sup>81</sup>

This paper has reviewed Merton's comments on Teilhard and Kung. I searched, unsuccessfully, to find comments Merton made about Curran. The fact that I did not find any did not mean that none existed. I asked William Shannon who said that as far as he knew Merton never mentioned Curran. Given Shannon's extensive knowledge of the Merton corpus, I take that statement as conclusive.

Merton did make a few remarks in his journal about the birth control encyclical. On August 1, 1968, three days after the encyclical was issued and two days after the Statement, Merton dis-

cussed the encyclical, and probably the fact that the theologians had made a statement, with Father Raymond.

[S]topped in at the hospital to talk to Fr. Raymond who was operated on last week . . . He was full of truculent opinions and satisfaction about the new birth control encyclical ('There will be a schism'). A curious thing, that encyclical! I wonder what will come of it!<sup>82</sup>

Significantly, Merton said nothing about his own opinion of the encyclical. Merton's journal for August 5 recorded news he had received from Ping Ferry: "John Cogley in protest against Pope Paul's birth control encyclical, has given up his column in 25 diocesan papers."<sup>83</sup> Again, Merton says nothing about his own position. Merton had broad interests but he did not attempt to keep up on everything and birth control was not a subject he chose to engage, although in his letters he occasionally made a brief remark on the topic. At that time, the summer of 1968, Merton was preparing for his trip to Asia.

Comparing the style of Merton's dissent to that of Curran's highlights Merton's role as a non-expert with Curran's role as an expert. When Merton tried to convince his readers in the early 1960s that nuclear war was a moral evil and that Christians should act to prevent catastrophe, he was not an expert on the subject of nuclear war nor did he pretend to be. He had qualms about his role; he stepped in to do a job that he was convinced needed to be done and that other prominent American Catholics simply were not doing. In contrast, in 1968 Curran acted as a leader of a group composed of articulate, like-minded professionals analyzing a document they had been trained to analyze. Curran's views, as evaluated by his peers, were modulated and moderate. He spoke precisely from his expertise in the field of Catholic moral theology. Another difference was that Merton's habit was to express his opinion in his own idiosyncratic way, whereas Curran was comfortable with group statements and group action. It is very hard to imagine Merton as a member of a group of moral theologians, and almost impossible to imagine him participating in a press conference that many people saw as direct disobedience.<sup>84</sup> Curran was a participant and an activist in the situations described above. Merton did not want to join the fray; he preferred to be an observer—he fought efforts to pull him into an activist role. Merton deliberately chose to stay within the monastery, accepted his stance

as a 'bystander' and to some extent did feel 'guilty' about it. But not guilty enough to change his basic stance. He chose to be a monk, to be a contemplative, and to write on topics important to him to the extent he could in the time remaining after he had met those prior commitments.

Having compared Merton's dissent to that of each of the other three, the article now considers two social factors that go far to explain how the dissent of Teilhard and Merton and their response to Vatican orders differed from that of Kung and Curran.

First, it would have been foreign to the cultural milieu in which Teilhard and Merton lived for them to protest publicly as Kung and Curran did. It was almost unthinkable. Prior to Vatican II, public criticism of the Church from within was deemed to be very close to sedition. The Church presented itself as a 'perfect society.' That image became much more complex when, from 1962 to 1965, Vatican II was often front page news. Thousands and thousands of articles appeared explaining to the general public, Catholic and non-Catholic alike, the differing goals and values of various groups within the Church. The American Catholic public became accustomed to open discussion of the struggles within the Church. The American Catholic hierarchy for multiple reasons, including their age and status, tended to think that public dissent was disloyal. Before, during and after Vatican II some groups within the Church saw dissent as legitimate and as urgent. Kung and Curran were in the latter group for multiple reasons, including their age and status. Their attitudes were formed at a time when many of their peers saw reform as an urgent need and open, public discussion as a necessary means to accomplish that reform. When Teilhard and Merton chose not to publicly criticize the Church the climate of the times was very different than it was when Kung and Curran chose to directly and publicly protest actions the church had taken.

Second, both Teilhard and Merton were individual thinkers. No one else was saying what they were saying. When ordered to be silent, each of them made an individual decision to be silent and that settled the matter. In contrast, Kung and Curran spoke not just as individuals but as members of a group. Granted, the 'group' was in many ways unorganized and amorphous; nonetheless in some way Kung and Curran were chosen leaders. In fact, it may well be that the reason they were singled out for censure was precisely their leadership role. Without doubt, their censure was intended to 'send a message' to persons in addition to

the principals. The 'aloneness' characteristic of Teilhard and Merton contrasts to the 'togetherness' Kung and Curran shared with those who agreed with and rallied around them. One by-product of the communal aspect of the dissent of Kung and Curran is that they acted with the support of others, whereas Merton and Teilhard acted without it. Granted, Merton and Teilhard were in contact with some people who understood the issues and offered support. Granted also, no amount of support from others could remove the pain Kung and Curran personally suffered. It remains true that Merton and Teilhard were more alone and cut off from like-minded people than were Kung and Curran.

In some significant ways, Merton differed from all three of the others. First, Teilhard, Kung and Curran were 'cradle Catholics' who entered seminaries at a young age; Merton had much more experience of the world before he became a convert at age 23 and entered the monastery at age 26. Second, Teilhard, Kung and Curran obtained doctoral degrees, became acknowledged experts in their fields, and spoke out on the basis of that expertise. In contrast, Merton read widely in any subject matter area that interested him at the time and quickly grasped the main points well enough that he was ready and willing to comment on the subject. His goal was not to do scholarly research but to search for wisdom wherever he could find it, most often within the monastic tradition, and then to incorporate it into his life and writing. Third, Teilhard, Kung and Curran had difficulty with the entity that was called the Holy Office and later renamed the Congregation for the Doctrine of the Faith. The Vatican determined that aspects of the theological positions taken by Teilhard, Kung and Curran were unacceptable. In contrast, Merton's orthodoxy was not challenged. Merton was silenced by the head of his order on the ground that it was 'inappropriate' for a Trappist monk to be writing on the topic of nuclear war. It was deemed 'inopportune' for Merton to be taking such a strong stance against nuclear war at a time when most of his superiors and most of the American Catholic hierarchy saw the U.S. nuclear arsenal as a legitimate means of defense.

As stated in the beginning, the main purpose of this article is to tell four stories, whenever possible doing so from the viewpoint and in the words of the principal. The paper puts Merton's dissent into the larger context of other Catholic dissent also affecting the American Catholic public during the last decade of Merton's life

(1958-1968). As noted at the beginning of the paper, it will end by addressing the fact that each of these people continued to love the Church and chose to stay within the institution. Rome made deliberate efforts to restrict the influence of these four thinkers, to label their positions as 'beyond the pale,' to marginalize their voices. They felt the weight of the system when it was thrown against them. Yet they continued to identify themselves with and commit themselves to the institutional Church—warts and all. None of them chose to leave the priesthood or the Church. They did not withdraw. Nor did they conform.

The term love need not include infatuation, illusion, or refusal to admit the defects of the beloved. At times each of these people said harsh things about the Church. Each knew the truth of Kung's words:

Anyone who has never, as a member of the Church, suffered on account of his Church, has never known her as she really is or never loved her. Genuine suffering on account of the Church springs from love of the Church: love for a Church who is too unlike her Lord.<sup>85</sup>

The rest of the article presents first, a statement by each person, second, a few remarks about the circumstances in which the statement was written and on its meaning, and third, a reflection on the statement in light of the following thought from David Tracy.

[T]heologians, like all inquirers, would betray their vocation and indeed their own way of being religious, if they simply yielded to coercion. There is, after all, the reality of intellectual integrity. When that integrity is gone, all true inquiry ceases. When persuasion is abandoned, the vacuum is soon filled by the furies let loose by coercion. Along that way lies presumption for the few and despair for the many. But presumption and despair are theological vices whose only service is to clarify anew the need for hope as the central theological virtue of our period—a hope grounded in faith, intellectual integrity, and courage; a hope functioning as the love empowering all true persuasion in the community of hope.<sup>86</sup>

Statements made by Curran, Kung, Teilhard, and Merton will be considered in that order. The chronological order of the statements themselves is 1926, 1967, 1980 and 1986, but I have not followed

that sequence. Out of the many things each of these people said, I have selected a few words I think relevant to why each of them chose to stay within the Church. The statements of Curran and Kung explicitly address that question; those by Teilhard and Merton do not explicitly address it, but I find the selected statements to be indicative of their answer to it.

### **Charles Curran**

I am conscious of my own limitations and my own failures. I am aware of the consequences of what is involved. But I can only repeat what I wrote Cardinal Ratzinger in my final response of April 1, 1986: 'In conscience at the present time I cannot and do not change the theological positions I have taken.' In my own judgment and in the judgment of the majority of my peers I have been and am suitable and eligible to exercise the function of a Professor of Catholic Theology.

I remain convinced that the hierarchical teaching office in the Roman Catholic Church must allow dissent on these issues and ultimately should change its teaching. My conviction in this matter is supported by a number of factors. First, the overwhelming support of my theological colleagues has buoyed me personally and strengthened my own hope for the ultimate acceptance of these convictions. Second, the best and the mainstream of the Catholic theological tradition support my basic approaches. According to Catholic theological tradition, the word and work of Jesus must always be made present and meaningful in the contemporary historical and cultural circumstances. The Catholic tradition also insists on the transcendence of faith and the principle that faith and reason can never contradict one another. In addition, Catholic ethics has insisted on an intrinsic morality. Something is commanded because it is good and not the other way around. Authority must conform to the truth . . .

I remain a loyal and committed Roman Catholic. I pray daily that I might continue to love and serve the Church without bitterness and anger.

I will continue to work for the legitimacy of some theological and practical dissent, the need to change some official hierarchical church teachings, the importance of academic freedom for Catholic theology, and the need for just structures to

deal with the inevitable tensions that from time to time will exist between theologians and pastors. I believe these are all for the good of the Roman Catholic Church—my Church.<sup>87</sup>

Curran's words are excerpted from his public statement issued August 20, 1986, two days after he was notified that the Vatican had determined that he would "no longer be suitable nor eligible to exercise the function of a Professor of Catholic Theology."<sup>88</sup> In his statement, Curran summarizes the reasons he cannot agree with the official position. He acknowledges that it is hard not to be bitter and angry when what he sees as his legitimate dissent is seen by the Vatican as intolerable. He prays to overcome his dejection. He promises to continue to work for a Church that will respect the intellectual integrity of its theologians and its members and will cease to rely on unjust structures to coerce submission. He states his conviction that these changes will make the Church to which he has committed himself a better Church. His tone, as usual, is composed and moderate.

Tracy recognized that for a theologian simply to yield to coercion, to change a carefully thought out position in order to avoid censure, would destroy the integrity of the theologian. Curran chose to retain his integrity rather than to conform to an official position that he could not perceive as in accord with truth. Following the Vatican's action, Curran continues to hope that eventually the church will change and commits himself to work toward that end. As I see it, his actions demonstrate, in Tracy's words, "hope grounded in faith, intellectual integrity, and courage."

### **Hans Kung**

After an unjust and unfair procedure on the part of the highest ecclesiastical authorities, I was deprived by decree of the title of "Catholic theologian" and an attempt was made to drive me out of my faculty of Catholic theology after twenty years of teaching there and to thrust me—without being overscrupulous about methods—to the margin of my Catholic Church very shortly after I had completed twenty-five years as a priest....

Why then do I remain a Catholic? The answer will first of all be for me as for many other people: I do not wish to allow that to be taken away from me which throughout my life has

become valuable and dear to me. In the first place, I was born into this Catholic Church: baptized it is true, into the much larger community of all those who believe in Jesus Christ – nevertheless, born at the same time into a Catholic family which is dear to me, a Swiss Catholic parish to which I am always glad to return: in a word, into a Catholic homeland which I do not want to lose, which I do not want to abandon . . .

The Catholic Church must not become confused simply with the Catholic hierarchy, still less with the Roman bureaucracy . . .

[F]or the sake of the freedom of theological science, I have had to resist throughout all the years an interrogation of an Inquisition according all rights to itself and practically none to the accused person. That much I owe to those also who have suffered—and, as it seems, will suffer in the future—under these inhumane and un-Christians measures....

I know that I am not alone in this controversy about true catholicity. I shall fight against any acquiescence together with the many people who have hitherto supported me. We must continue to work together for a truly Catholic Church that is bound by the Gospel. For this, it is worthwhile to remain a Catholic.<sup>89</sup>

After the Vatican's sudden and unexpected declaration, issued December 18, 1979,<sup>90</sup> that Kung was not eligible and not suitable to exercise the function of a professor of Catholic theology, many people asked Kung why he tolerated such treatment. In early January, 1980 Kung wrote a seven page essay titled "Why I Remain a Catholic." The selected words above, extracted from that essay, show his Catholic faith has deep and lasting value to him. He does not want to lose his bond with fellow Catholics or to abandon the ship in a storm. After the censure, as before, Kung sees the Church as broader and deeper than the Vatican and the hierarchy. He mentions what he has talked about at length elsewhere—the procedures of the Congregation, derived from those of the Inquisition, accord almost all rights to the Congregation and practically none to the accused person. Kung remains committed to the structural reforms he was advocating before the ban.

His tone, as usual, is forthright and plainspoken, calling it as he sees it, expressing his determination to 'fight against any acquiescence' to what he deems to be unjust or untrue. Considering

Kung's words in light of Tracy's statement, it is clear that Kung, by temperament, is not likely to yield to coercion. In no way does Kung compromise his intellectual integrity. He reasserts his determination to continue to work with others for structural reform, including freedom for theologians and rights for the accused. To do so requires hope. To do so right after Kung had suffered the Vatican attack upon his work required faith, hope, and love.

### Pierre Teilhard de Chardin

I admit all the defects, but I tolerate them even as I react against them, because for now they are inseparable from what seems to be the only axis along which human activity can legitimately progress. Believe me when one has penetrated to this axis of the Christian attitude, the ritual, disciplinary and theological encrustations matter little more than musical or acoustical theories matter to the enjoyment of a beautiful piece of music. Truly, there is a Christian *note* which makes the whole World vibrate like an immense gong, in the divine Christ. This note is unique and universal and in it alone consists the Gospel. Only it is real (happily). And for this reason it is inevitable that, in trying to fix and hold its reality, men analyze it out of sight (as the physicist does with the most divine nuances of sound and color). This is what begets, under the very simple dogma, an unlimited complexity which is aggravated by theorists' presumption in substituting their constructs for reality. In any case, for you, as for everyone, there is only one road that can lead to God and this is the fidelity to remain constantly true to yourself, to what you feel is highest in you. Do not worry about the rest. The road will open before you as you go.<sup>91</sup>

Teilhard wrote the above words not in a statement intended for the public but in a private letter to a personal friend who was not a Catholic.<sup>92</sup> Teilhard seems to be responding, in a way he hopes a non-Catholic can understand, to a question the friend seems to have asked—why do you put up with the conditions imposed on you? Teilhard wrote on June 11, 1926, approximately a week after he had arrived in Tientsin, China, where he had gone following the command that he leave his teaching position in Paris and leave France.

Teilhard characterizes the Church's "ritual, disciplinary and theological encrustations" as a by-product of too much theorizing. In an effort to understand Christianity, 'men analyze it out of sight,' substituting 'an unlimited complexity which is aggravated by theorists' presumption in substituting their constructs for reality.' He advises his friend to set all that aside, concentrating instead upon the only road that can lead to God, 'the fidelity to remain constantly true to yourself, to what you feel is highest in you.' For himself, Teilhard chose to accept the Catholic Church, admitting its defects, reacting against them, but ultimately tolerating them, seeing them 'for now' as inseparable from the gospel of Christ.

Teilhard's tone is very much his own. It is unlike that of Curran and Kung. Analyzing is their job. Their role as theologians is to devote their energies to distinguishing 'the axis' of Catholicism from its 'encrustations' and to develop persuasive reasons to move past the 'encrustations,' while trying not to substitute their own constructs for reality. To the extent that theology is the analytic study of mental concepts, Teilhard was no theologian. Here he describes the Christian message as music; he wants to listen to and be absorbed in the music, not to compose acoustical theories. Elsewhere, Teilhard expressed his wish that he had had the talent to be a musician or a novelist instead of what he was. His decision to take himself as he was preceded the work product he gave the world.

Tracy said that 'theologians, like all inquirers, would betray their vocation and indeed their own way of being religious, if they simply yielded to coercion.' Teilhard was not an analytical theologian, but he certainly was an inquirer, a visionary, a synthesizer. Far from betraying 'his own way of being religious,' Teilhard was true to what was highest in him and he accomplished that within the Church. Although Teilhard suffered periodic bouts of severe depression, he avoided what Tracy calls the theological vice of despair, living instead in 'a hope grounded in faith, intellectual integrity, and courage.'

### **Thomas Merton**

It remains to speak one word to the monks themselves; that is, to those who now, at this time, are persevering in monasteries and hermitages. That word is: *do not be impatient and do not be*

*afraid.* Do not imagine that everything depends on some instant magic transformation of constitutions and of laws. You already have what you need right in your hands! You have the grace of your vocation and of your love. No earthly situation has ever been ideal. God does not need an ideal situation in order to carry out his work in our hearts. If we do what we can with the means and grace at our disposal, if we sincerely take advantage of our genuine opportunities, the Spirit will be there and his love will not fail us. Our liberation, our solitude, our vision, our understanding and our salvation do not depend on anything remote from us or beyond our reach. Grace has been given to us along with our good desires. What is needed is the faith to accept it and the energy to put our faith to work in situations that may not seem to us to be promising.<sup>93</sup>

Robert Coles, who wrote a forward for the revised edition of *Contemplation in a World of Action*, the volume from which the above words were taken, perceptively notes that here Merton is writing from "his manner of being."<sup>94</sup> Merton's words stem not from book learning, not from systematic analysis, but from the monastic tradition and hard life experience. The tone is both matter-of-fact and hopeful. Merton is speaking to his fellow monks and, by inference, to us.

Here is a "rough translation" of Merton's message. Don't wait impatiently for better days. Have no fear. Face today's facts. Life is and always will be imperfect. Make the best of it. Take advantage of the opportunities at hand. Don't put your hopes in future structural reform. Freedom, solitude, vision, understanding and salvation are close by, not far away. You have what you need. Use it. Do what you can with what you've got. Have enough faith to put your energies to work in situations that do not look promising. Grace has been given to you. God has the power to work in your heart. Allow that to happen. The love of the Spirit will not fail you. Trust that love.

How does the Tracy quote apply to Merton? Merton learned how to parse his sentences to satisfy his censors, including the censor in his head that genuinely did not want to further polarize the world. He tried to make himself understood to a broad audience, to build on what we have in common. When he got polemical, and sometimes he did, he criticized himself for that posture.

At the same time, Merton knew that to accept values that were 'clearly printed between the lines' at Gethsemani but alien to what he stood for would have been an act that was "untrue to God, to myself and to all those who for some reason or other have a kind of confidence in me."<sup>95</sup> In Tracy's words, 'There is, after all, the reality of intellectual integrity. When that integrity is gone, all true inquiry ceases.' Merton's decision to obey the order not to publish his writings on nuclear war did not damage his intellectual integrity. All parties knew that he had not changed his position on the issue. There were times when Merton was close to despair, but he kept being pulled back to what Tracy called 'a hope grounded in faith, intellectual integrity, and courage; a hope functioning as the love empowering all true persuasion in the community of hope.'

Merton knew by November 15, 1957 that: "There is no solution in withdrawal. No solution in conforming."<sup>96</sup> During the last decade of his life, day by day, at Gethsemani, Merton lived into his solution.

We discover our identity when we accept our place and our way in the midst of persons and things, in a historical situation, that we do not have to completely understand. We simply see that it is our own place and decide to live in it, for better or for worse. In the light of this simple and primordial acceptance, a natural consent, an obedience to reality that is already analogous to the obedience of faith, we can finally "be ourselves."<sup>97</sup>

## Notes

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1. Very briefly, Thomas Merton (1915-1968), American, was a writer and a Cistercian (Trappist) monk who spent 27 years at the Abbey of Gethsemani in Kentucky. Pierre Teilhard de Chardin (1881-1955), French, was a paleontologist and a Jesuit who spent thirty years outside France, most of that time in China, doing field work, research and writing. Hans Kung, born 1928, Swiss, is a theologian and a diocesan priest who argued in favor of structural reform of the Catholic Church and who has worked for many years on global ethics. Charles Curran, born 1934, American, is a theologian and a diocesan priest who acted as spokesperson for many theologians with respect to the 1968 birth control encyclical and who, since 1991, has taught ethics at Southern Methodist University.

2. Modernism in religion is described in *The Concise Columbia Encyclopedia*, second edition (1989) as a "movement to reconcile developments of nineteenth- and twentieth-century science and philosophy with historical Christianity. It arose from the application of modern critical methods to the study of the Bible and the history of dogma and stressed the humanistic aspects of religion." More broadly, the term 'modernism' refers to a widespread cultural tendency to grant less deference to authority and to tradition and more weight to reason and empirical evidence. Even more broadly, the term refers to the social changes accompanying the rise of the middle classes as the power of aristocratic classes declined and to the rise of nations organized as political democracies as monarchies declined. Groups supporting such changes were referred to as modernists and groups opposing them as anti-modernists. See also note 8.

3. A few endnotes, such as the two above, have been inserted to explain items that may not be familiar to some readers.

4. Information about Teilhard in this section is taken from four sources. The first source is Robert Speaight, *Teilhard de Chardin – A Biography* (London: Collins, 1967), especially pp. 136-141. Within the context of this paper it is worth noting that Speaight also wrote book reviews of Merton's *The Sign of Jonas* and *The Secular Journal of Thomas Merton* published in the London Tablet in 1953 and 1959. See Marquita Breit, Patricia Burton, Paul Pearson, 'about Merton' – *Secondary Sources 1945-2000 – A Bibliographic Workbook*, (Louisville, KY, The Thomas Merton Foundation, 2002), p. 107.

The second source is Mary Lukas and Ellen Lukas, *Teilhard* (Garden City, NY: Doubleday, 1977), especially pp. 71-75 and 84-96.

The third source is Ursula King, *Spirit of Fire – The Life and Vision of Teilhard de Chardin*, (Maryknoll, NY: Orbis, 1996), especially pp. 104-109. This biography is more recent than the others and makes available to the reader new research and much material from the archives of the Fondation Teilhard de Chardin and the Éditions de Seuil in Paris, and from the Georgetown University Library Archives in Washington, D.C.

The fourth source is the English translation of the first major biography of Teilhard, originally published in French in 1958, only three years after Teilhard's death, i.e., Claude Cuenot, *Teilhard de Chardin - A Biographical Study* (Baltimore, MD: Helicon, 1965). This biography glosses over Teilhard's problems with Rome, as shown in the following example: "It was decided – without any rancour, we note – that Teilhard was to confine himself to purely scientific publications, and that he was to leave Paris. Painful though this was to Teilhard, he was consoled by the sympathetic attitude of his superiors and of his friend [Edouard] Le Roy, and by his own realization that it was only through the Church and the

Society [of Jesus] that advance in the spiritual life could be found" (p. 61). With the possible exception of 'rancour,' that statement is true, but the tone and the brief treatment minimize the problem.

5. The text of "Note on Some Possible Historical Representations of Original Sin" is reproduced in Pierre Teilhard de Chardin, *Christianity and Evolution* (New York: Harcourt Brace Jovanovich, 1974), pp. 45-55.

6. When the Papal Secretary of State wrote Merton's abbot to urge a "diminution of contacts with Protestant ministers and scholars" Merton inferred that he had been delated to Rome for his ecumenical efforts in the early 1960s. Thomas Merton, *Turning Toward the World – The Pivotal Years*, ed., Victor A. Kramer (San Francisco: HarperCollins, 1996), p. 187 [December 22, 1961].

7. "[T]he article came to the eyes of Cardinal Merry del Val [the head of the Holy Office], who was as alert to the suspicion of heresy as a foxhound is alert to the scent. He made sharp representations to the General of the Jesuits, Father Ledochowski, who had already been warned from other sources. Ledochowski was no more qualified than Merry del Val to appreciate the difficulties apparent to Teilhard, as they were to so many others, and Teilhard was asked to promise that he would neither say nor write anything 'against the traditional position of the Church on the matter of original sin.'

"The demand was at once, he complained, 'too vague and too absolute.' . . . New censors were called in, and in spite of all the efforts in his favour made by Monseigneur Baudrillart, Rector of the Institut Catholique, and by his own immediate superiors, Rome was implacable." With reluctance, and on the advice of his friends, Teilhard signed the document Rome demanded. (Speaight, *Teilhard de Chardin – A Biography*, pp. 136-137; see also King, *Spirit of Fire*, pp. 106-107).

8. A basic description of modernism is given above in note 2. One of the popes who took a strongly anti-modernist position was Pope Pius X (1903-14) as illustrated by *Lamentabili*, a decree issued by the Holy Office in July of 1907, condemning 65 propositions ascribed to modernism, and by the encyclical *Pascendi*, issued in September 1907. The anti-modernist campaign was directed first against those Catholic intellectuals the Holy Office deemed to be modernists, and later became a general effort to prevent Catholics from being influenced by modernism. For example, clergy were required to take oaths against modernism and teachers accused of promoting modernism were summarily removed from their positions.

9. May 16, 1925 letter from Teilhard to Auguste Valensin, S. J. The letter continues: "I think I see that if I went off on my own or kicked over the traces in one way or another (and humanly speaking it would be so simple and 'easy') I should be unfaithful to my belief that every-

thing that happens is animated by our Lord; and to my belief in his worth, which is greater than all the elements that make up this world of ours. Furthermore I should compromise the religious value of my ideas. People would think I was straying from the Church; I should be accused of pride" (Speaight, *Teilhard de Chardin – A Biography*, p.138; see also King, *Spirit of Fire*, p. 108).

10. "The memory of the Modernist witch-hunt was too recent for Teilhard's Jesuit superiors – sympathetic as many of them were, and notably his own Provincial – to run unnecessary risks. It was ten years since Bergson had been put on the Index, and *Etudes* had taken the measure of a persecution which was still counting its victims" (Speaight, *Teilhard de Chardin – A Biography*, p. 138).

11. The passage continues: "nothing spiritual or divine can come to a Christian, or to one who has taken religious vows, except through the Church or his Order" (Speaight, *Teilhard de Chardin – A Biography*, p. 139: August 16, 1925 letter from Teilhard to Edouard Le Roy).

12. A chronology listing Teilhard's visits to France can be found in *The Letters of Teilhard de Chardin and Lucile Swan*, edited by Thomas M. King, S.J., and Mary Wood Gilbert, (Scranton, PA: University of Scranton Press, 2001. pp. 299-302). (The book was originally published by Georgetown University Press in 1993.) Teilhard received permission to visit France 6 times between 1926 and 1945, 8 times between 1946 and 1951 (he had a major heart attack in 1947), and once in 1954. With respect to Teilhard's efforts to publish his religious writings, he wrote both *The Divine Milieu* and *The Phenomenon of Man* in China, hoping they would pass the censors in Rome. In 1948 he went to Rome in hopes that he would obtain permission to publish and to request permission to accept a chair at the College de France but both requests were denied. "[T]he answer, when it came, was blandly and blankly negative; Teilhard must neither publish nor teach" (Speaight, *Teilhard de Chardin – A Biography*, p. 285).

13. The Scopes Trial began in July 1925. John H. Scopes, a teacher in a public school in Tennessee, was charged with violation of a state statute that prohibited the teaching in public schools of theories contrary to the popular conception of the biblical account of human creation. William Jennings Bryan was the lead lawyer for the prosecution; Clarence Darrow was the primary defense attorney.

14. Pierre Leroy, *Letters From My Friend Teilhard de Chardin 1948-1955* (New York: Paulist Press, 1980), p. 105. The original French version was published in 1976.

15. Leroy, *Letters From My Friend Teilhard de Chardin*, p. 106.

16. The purpose of the following note is to explain how Teilhard's work came to be published. In France, following the issuance of the

encyclical *Humani Generis* in 1950, there was a "large scale *integriste* (that is to say fundamentalist) offensive . . . The atmosphere in ecclesiastical circles was reminiscent of the worst years under Pius X. Five professors – men of great distinction – had been forced to leave the Lyon scholasticate . . ." (Speaight, *Teilhard de Chardin – A Biography*, p. 298). "The rightist religious paper, *France Catholique*, began a series about the types of religious deviation reproved by *Humani Generis*, and chose as the subject of the first of the articles Teilhard's philosophy" (Lukas, *Teilhard*, p. 293). Despite the fact that Teilhard was now 70 years old and had suffered a major heart attack, he and his superiors thought it best that he leave France. All parties realized that he might die abroad. Friends had urged him to leave the Jesuits and become a secular priest so that he would have control over his manuscripts. He refused. "It would mean,' he said, 'cutting myself off from my 'divine milieu'; I should be breaking the thread that binds me to the will of God . . .'" (Cuenot, *Teilhard de Chardin - A Biographical Study*, p. 307). A few days before Teilhard was scheduled to leave France, July 5, 1951, his friend, Raymond Jouve, the editor of *Études*, a French Jesuit periodical, told Teilhard that Jouve would never be able to publish Teilhard's work and urged him to secure the future of his writings. "Three days before Teilhard's proposed departure, therefore, he [Jouve] went to him to ask for a decision as to the disposition of his papers. He found Teilhard sitting in his room, surrounded by his baggage, seemingly paralyzed with indecision. Seeing he had no choice but to take the case in hand himself, he put Teilhard's moral quandary (as a purely hypothetical problem) to a [Jesuit] canon lawyer who happened to be visiting the house. As the canonist saw it, two possible courses of action were open to Teilhard: to consider the essays the property of the Society, or to follow what his conscience told him was his real vocation and make provision for the preservation of his papers after his death. Both decisions, said the canonist, were equally legitimate" (Lukas, *Teilhard*, pp. 296-297). Cuenot's account states that "his vow of poverty was no bar to his ownership of his own manuscripts, and, though canonists are not at all in agreement on this point, canon law does not formally prohibit their being disposed of by gift or testament" (Cuenot, *Teilhard de Chardin - A Biographical Study*, p. 307). Jouve conveyed the information from the canon lawyer to Teilhard and Jouve suggested Jeanne Mortier as a faithful and dependable lay person who could act as legatee (Lukas, *Teilhard*, p. 297). Mortier had "studied scholastic philosophy for ten years at the Institut Catholique without finding satisfaction. She was overwhelmed when she read a typed copy of *Le Milieu Divin* and then met Teilhard in January 1939" (*The Letters of Teilhard de Chardin and Lucile Swan*, p. 297). Shortly before he sailed, Mortier visited the Jesuit house where Teilhard

was staying to say goodbye. Teilhard wrote out a short statement saying that in case of his death all rights over his non-scientific writings were to go to Mortier (King, *Spirit of Fire*, p. 207). Speaight concludes his account of this event with these words: "His cause would no longer be debated *in camera* and before a packed jury" (Speaight, *Teilhard de Chardin – A Biography*, p. 301).

17. Merton, *Turning Toward the World*, p. 64 [November 14, 1960]. Within the context of this paper it is worth noting that Teilhard may have been aware of *The Seven Storey Mountain*. There is an intriguing comment in his January 25, 1949 letter to a friend in New York City. Teilhard wrote: "Sorry for the Trappist monk. . . : but it becomes more and more evident every day that no religion will satisfy Man henceforth, unless it combines together both the faith in Heaven and in Earth." The ellipsis is in the version of the letter printed in Pierre Teilhard de Chardin, *Letters to Two Friends 1926-1952*, ed., Ruth Nanda Aschen (New York: New American Library, 1968) p. 194. *The Seven Storey Mountain* had been published in October of 1948 and it is possible the friend had written Teilhard about it. If Merton is the monk, Teilhard is presumably referring to the world-denying tone of *The Seven Storey Mountain*.

18. Within the context of this paper, a comment Hans Kung made about Teilhard is relevant here. Speaking of his own student years in Rome in 1951, Kung states: "[A]t that time there is much that I don't know or understand. For example, that as early as 1926 the Jesuit Pierre Teilhard de Chardin had lost his chair at the Institut Catholique and since then has been persecuted by the Roman Inquisition; that he is not allowed to see a single of his theological works printed during his lifetime; indeed that in the course of the purge following the 1951 encyclical *Humani generis* he is banished somewhere into the backwoods of New York State, where on Easter Day 1955 just one person will follow his coffin to the grave. As a visiting professor in New York in 1968, one day I will travel 160 kilometres along the Hudson to his burial place and will be distressed that the tomb of the great palaeontologist and theologian is not marked in any way, so that I have difficulty finding it. "'*Damnatio memoria – obliterated from memory*' – an old Roman custom!" Hans Kung, *My Struggle for Freedom – Memoirs* (Grand Rapids: Michigan, Eerdmans, 2003), p. 71. Sometime prior to the fiftieth anniversary of Teilhard's death, April 10, 2005, a marker like that of the other Jesuits buried in Poughkeepsie, New York was placed at the gravesite.

19. Merton, *Turning Toward the World*, p. 65 [November 14, 1960]. The fact that Merton disapproved of the way Teilhard had been treated does not mean that Merton liked what Teilhard had to say. Merton read *The Divine Milieu* and some of de Lubac's work on Teilhard but never seemed to see and value what many others found in Teilhard. Two 1967

essays "The Universe as Epiphany," and "Teilhard's Gamble," are in Thomas Merton, *Love and Living*, eds., Naomi Burton Stone and Patrick Hart (New York: Farrar, Straus & Giroux, 1985), pp. 171-191. Richard W. Kropf, "Crying with a Live Grief: The Mysticism of Merton & Teilhard Compared," is a well-researched and interesting article in *The Merton Annual*, volume 5, 1997, pp. 227-45.

20. Merton, *Turning Toward the World*, p. 67 [November 15, 1960].
21. Merton, *Turning Toward the World*, p. 70 [November 28, 1960].
22. Thomas Merton, *A Search for Solitude – Pursuing the Monk's True Life*, ed., Lawrence Cunningham (San Francisco: HarperCollins, 1996) pp. 138-139. The title of this paper comes from this passage. Each of these thinkers independently reached the conclusion that there was no solution in conforming to positions they found unwarranted and unacceptable. Each also decided that there was no solution in withdrawing, depriving themselves of a relationship with the Church, and leaving the field to those pronouncing such positions. They chose to stay and work within the institution.
23. A perceptive and thorough account of Merton's anti-war writing and the toll it exacted can be found in Thomas Merton, *Peace in the Post-Christian Era*, ed., Patricia A. Burton (Maryknoll, NY: Orbis, 2004), pages xxv-lv. Burton's introduction, titled "The Book That Never Was," is based on her close study of the text Merton had been forbidden to publish in 1962 and on her extensive knowledge of the Merton corpus. Burton contributed two items to volume 17 of *The Merton Annual*—an editorial note (pp. 14-15) and an article concerning the book that Merton had been forbidden to publish (pp. 27-57). It was through her efforts that the "book that never was" later came to be.
24. In the introduction to *Passion for Peace* Shannon states: "It is not easy for us to grasp the anguish that this struggle posed for Merton . . . We live at a time when it is not an uncommon thing for Roman Catholics to protest against war . . . But in 1961 . . . no Catholic priest or bishop – at least none well known – had spoken out against war." Merton struggled over what he should do. "Merton faced it in 1961; I think it is safe to say he agonized over it throughout that year and the next and actually never set it aside. The struggle, simply stated, was this: Should I, a monk of Gethsemani vowed to silence and solitude, speak out against the terrible violence of war that threatens the very life of the planet, or should I keep a discreet silence as the appropriate stance for a monk?" (Thomas Merton, *Passion for Peace*, pp.1-2).

25. Merton, *Turning Toward the World*, p. 172 [October 23, 1961]. In the same entry, Merton referred to a current article in *America* in which a Jesuit "condoned – even apparently encouraged – the business of sitting in your fallout shelter with a machine gun to keep others out! That

is the best Catholic theology has had to offer in this country, so it appears" (Merton, *Turning Toward the World*, p. 173).

26. Merton, *Passion for Peace*, pp. 3-4.

27. Merton, *Turning Toward the World*, pp. 186-187 [December 22, 1961]. In the same entry, Merton referred to Fr. Ford S.J. who, although one of "the minority of U.S. Catholic moralists who are against the nuclear bombing of cities, assures me that I *cannot* deduce from the statements of Pius XII against nuclear war that the nuclear bombing of cities is 'condemned'" (p. 186).

28. "The top brass in the American hierarchy is getting wind of my articles and is expressing displeasure. An editorial in the *Washington Catholic Standard*, evidently by a bishop, takes very strong exception to the *Commonweal* article and I am strongly reproved for 'startling disregard of authoritative Catholic utterances and unwarranted charges about the intention of our government towards disarmament.'

"In actual fact the editorial twists and misquotes my own statements, trying to make me out an absolute pacifist and trying to make it appear that I said the Pope had taken a stand which was a condemnation of all war.

"So you see it is beginning. The whole line taken by this editorial is the official Pentagon line. Russia's attitude is the real obstacle to peace. It is implied that I am unjust to our government by my 'gross conclusions' which say that indiscriminate destruction is what is intended in the use of nuclear weapons . . .

"This is a straw in the wind and I guess in a little while there will be more than straws, there will be pine trees. Which may make it difficult or even impossible to bring out the book on peace I was hoping to do. . . And of course there is no harm in my sharpening up my use of theological statements and trying to make them more foolproof. I wish I were more of a professional, for the sake of peace."

Thomas Merton, *Letters from Tom – A Selection of Letters From Father Thomas Merton, Monk of Gethsemani, to W.H. Ferry, 1961-1968*, chosen and edited by W. H. Ferry (Scarsdale, NY: Fort Hill Press, no date), pp. 26-27. The same text is found in Thomas Merton, *The Hidden Ground of Love: The Letters of Thomas Merton on Religious Experience and Social Concerns*, ed., William H. Shannon (New York: Farrar Straus & Giroux, 1985), p. 210.

29. Merton, *Turning Toward the World*, p. 216 [April 27, 1962]. See also Merton, *Peace in the Post-Christian Era*, Burton's introduction, pp. xxxiii-xxxv; Shannon, *Silent Lamp*, pp. 222-223; Forest, *Living with Wisdom*, p. 144; and Mott, *The Seven Mountains of Thomas Merton*, pp. 378-379.

30. Thomas Merton, *The Hidden Ground of Love*, pp. 266-268 [Letter to Jim Forest April 29, 1962]. The book Merton was forbidden to publish in 1962 was published in 2004. See note 23 above.

31. Merton felt a duty to do as much as he could. He considered a direct order from his superiors directing him to stop to be the limit beyond which he could not go. This attitude of Merton's is somewhat clarified by Ed Rice, a college friend of Merton's and editor of *Jubilee*, a Catholic publication in which Merton's book review of Teilhard's *The Divine Milieu* would have appeared but for the decision by the superior of the order that it should not published. Rice says that Merton wrote "in summary of an idea of Teilhard's, but one which was essentially his as well, "One of the most formal obligations of the Christian is to struggle against evil, whether it be moral or physical. The Christian can only resign himself passively to the acceptance of evil when it is quite clear that he is powerless to do anything about it. Hence it is an utterly false Christianity which preaches the supine acceptance of social injustice, ignorance, impossible working conditions, and war as though it were virtue to 'take' all this and 'offer it up' without even attempting to change anything." Edward Rice, *The Man in the Sycamore Tree: The Good Times and Hard Life of Thomas Merton* (Garden City, New York: Doubleday, 1972), p. 86. Merton went as far as he could go with his anti-war writing until he met with an absolute order that he was powerless to change. He then stopped doing what the order, narrowly interpreted, prohibited.

32. Merton told Jim Forest: "I wrote to the Abbot General and said it is a good thing Pope John didn't have to get his encyclical through our censors: and could I now start up again?" Letter to Jim Forest dated April 26, 1963 (*The Hidden Ground of Love*, p. 274). Shannon notes that *Pacem in Terris* came a year after Merton was silenced on the topic of war and made a number of points that Merton had made. "Merton promptly wrote to the abbot general, Dom Gabriel Sortais, expressing mock relief that Pope John had not been an American Cistercian. For the American censors would never have approved the Pope's peace encyclical" (Shannon, *Silent Lamp*, p. 223).

33. Augustine and others contributed to the development of the just war theory which maintained that war could be justified under certain conditions and that Christians could engage in just wars. Needless to say, that theory was developed long before the development of twentieth-century weapons of mass destruction. Some people tried to adapt the theory to the new conditions. Others maintained that the damage to citizens and the environment caused by nuclear war required a new analysis.

34. Hans Kung, *The Council, Reform and Reunion*, (New York: Sheed and Ward, 1961). In his memoir, *My Struggle for Freedom*, Kung discusses *The Council, Reform and Reunion* at pages 261-267.

35. Kung, *The Council, Reform and Reunion*, p. 38.

36. Kung, *The Council, Reform and Reunion*, pp. 38-39. Merton copied the last sentence into his journal on March 10, 1962. Merton, *Turning Toward the World*, p. 210.

37. Kung, *The Council, Reform and Reunion*, p. 41. Kung makes the point that prayers are especially needed for theologians who are working to clarify ideas and to clear away the debris of centuries of polemic. p. 43.

38. Kung, *The Council, Reform and Reunion*, p. 44.

39. Kung, *The Council, Reform and Reunion*, p. 50.

40. Kung, *The Council, Reform and Reunion*, pp. 59-60.

41. Merton, *Turning Toward the World*, p. 209 [March 10, 1962].

42. Thomas Merton, *Witness to Freedom: The Letters of Thomas Merton in Times of Crisis*, ed., William H. Shannon (New York: Farrar Straus & Giroux, 1994), pp. 45-46. Merton goes so far as to say in effect that Kung did for Merton what Merton did for many others, that is, clarified things that the reader had sensed but not yet articulated. "A book like this makes one realize many, many things. It enables one to judge and to accept many things that were felt heretofore in the conscience only as obscure and ambiguous gnawings. It is then quite true that we are right to feel so uncomfortable and so terribly beaten down by the old negative, falsely conservative, and authoritarian spirit that purely and simply clings to the status quo for its own sake" (p. 46).

Merton wrote in more measured tones to Thérèse Lentfoehr in Thomas Merton, *The Road to Joy – Letters to New and Old Friends*, ed., Robert Daggy (New York: Farrar, Straus & Giroux, 1989), p. 242.

43. In a March 10, 1962 letter to John Tracy Ellis, referred to later in this paper, Merton wrote: "You must by now have had a look at the new Hans Kung book, *The Council, Reform and Reunion*. If you have not, then do by all means get it as fast as ever you can. I think it is not out but I have a review copy. It will really gladden your heart. It is one of the most forthright, direct and powerful statements of our actual condition and problem that I have ever seen. It is a most remarkable book and it will have a terrific impact. What the results will be, no one can say, but it is in a lot of ways a portent . . ." (*Hidden Ground of Love*, p. 178).

44. Merton, *Turning Toward the World*, pp. 209-10 [March 10, 1962].

45. Merton, *Turning Toward the World*, pp. 213 [March 24, 1962].

46. In his memoir, *My Struggle for Freedom*, Kung discusses the 1963 lecture tour at pages 302-315.

47. Merton was aware of this ban. On February 19, 1963, he refers to it in a letter to Sr. Thérèse Lentfoehr. Merton, *The Road to Joy – Letters to New and Old Friends*, p. 243.

48. John Tracy Ellis, *American Catholicism*, (Chicago, University of Chicago Press, second edition, revised, 1969), pp. 211-212. The publicity and the resulting criticism of the ban caused Catholic University to revoke it. Kung, *My Struggle for Freedom*, p. 303. Kung did speak in Washington, D.C. during the summer of 1963 at both Catholic University and Georgetown.

49. Kung, *My Struggle for Freedom*, p. 304.

50. Hans Kung, *Freedom Today* (New York: Sheed and Ward, 1966). The book is dedicated to Boston College, the first U.S. university to extend Kung an invitation to speak, and to St. Louis University which gave him his first honorary doctorate.

51. Kung, *My Struggle for Freedom*, p. 304. Data about the size of the audience is provided on pages 305, 308, and 311.

52. Thomas Merton, *The School of Charity – The Letters of Thomas Merton on Religious Renewal and Spiritual Direction*, ed., Patrick Hart (New York: Farrar, Straus & Giroux, 1990), p. 188 [December 20, 1963 letter to Kilian McDonnell].

53. Hans Kung, *Reforming the Church Today* (New York: Crossroad, 1990), pp. 177-180. During the Council, Kung had served as a *peritus* (expert). He was familiar with the Vatican curia, especially the Holy Office, renamed the Congregation for the Doctrine of the Faith during the closing days of the Second Vatican Council. Cardinal Ottaviani, the Prefect of the Congregation, did not agree with the goals and values of the majority of the voting members of the Council.

54. Kung, *Reforming the Church Today*, p. 177.

55. Kung, *Reforming the Church Today*, p. 178.

56. Kung, *Reforming the Church Today*, p. 177-179. The declaration is one of the documents included in *Reforming the Church Today*, published in 1990. At that time, Kung added a postscript to the declaration stating that the Congregation for the Doctrine of the Faith issued a procedural ordinance "that accepts some of the desiderata put forth; but it ignored, and to this day still ignores, the most important ones." Kung, *Reforming the Church Today*, p. 179-80. A different translation of the document is reproduced in Hans Kung, *Kung in Conflict*, edited with translation and commentary by Leonard Swidler (New York: Doubleday, 1981), pp. 26-31.

57. Many of the facts concerning Curran in this paper are taken from one of four sources of information.

The first source is Charles Curran, Robert Hunt and the 'Subject Professors,' *Dissent In and For the Church – Theologians and Humanae Vi-*

tae, (New York, Sheed & Ward, 1969). It was written by professors from Catholic University who signed the *Statement by Catholic Theologians*. They explain what they did, why they did it, and provide theological support for their actions.

The second source is John Hunt and Terrence Connelly, *The Responsibility of Dissent: The Church and Academic Freedom* (New York: Sheed and Ward, 1969). It was written by the lawyers representing the theologians. It lays out the academic freedom issues and describes the legal proceedings of the academic panel set up to determine whether the subject professors had violated their contracts with the university. The faculty hearing committee vindicated the accused professors.

The third source is Charles Curran, *Faithful Dissent* (Kansas City, MO: Sheed & Ward, 1986). It was written by Curran in 1986 and covers some of the 1968 material as it relates to the Vatican's 1979-1986 investigation of Curran. See especially pp. 15-20 which covers the 1967-68 period.

The fourth source is William H. Shannon, *The Lively Debate – Response to *Humanae Vitae** (New York: Sheed and Ward, 1970). It provides a contemporary examination of the birth control issue. The first half of the book begins with *Casti Connubii* and follows developments up to the time of the encyclical. The second half analyses the encyclical and then provides dozens of detailed accounts of the many responses by bishops, national conferences of bishops, theologians and laity. The final chapter addresses both the functioning of authority in the Church and the theology of dissent. The book does what this paper does not – it examines 'the big picture' of the birth control controversy, within which the *Statement by Catholic Theologians* arose. Shannon covers the *Statement by the Theologians* on pp. 148-150 and the response of the American lay members of the papal birth control commission on pp. 183-187.

At the time this paper was written, one excellent source was not yet available—Charles E. Curran, *Loyal Dissent: Memoir of a Catholic Theologian* (Washington D.C.: Georgetown University Press, 2006). Curran's mature reflections on his role in the 1960s and on the church today show his broad understanding, depth, and insight.

58. Ellis, *American Catholicism*, pp. 210-211.

59. This description of the 1967 tenure controversy is taken from Ellis, *American Catholicism*, pp. 216-19.

60. Ellis, *American Catholicism*, p. 216. "The reason for the punitive measure against Father Curran was never clearly stated, although it had been rumored that it had resulted from his teaching on birth control, a rumor that was stoutly denied by the university's chancellor, Archbishop Patrick A. O'Boyle."

61. Ellis, *American Catholicism*, p. 216. Ellis cites the students' weekly newspaper, *The Tower*, April 25, 1967, p. 4.

62. Further, "In both the Curran case and that of the banned theologians in 1963 informed persons realized that the progress of the university in these and other matters was hampered in no small measure by the prime weakness from which the institution suffered and which lay at the bottom of many of its difficulties. That weakness stemmed from what might be described as 'excessive ecclesiasticism' which periodically showed in various forms, especially in the use of the university as a steppingstone for careers in the Church and, second, in the interference from time to time in its academic affairs of high ecclesiastics whose knowledge and understanding of what a university was about left much to be desired." Ellis, *American Catholicism*, p. 216-217.

63. Curran, *Dissent In and For the Church*, p.5. Within the context of this paper it is worth noting that members of the press notified Curran that the encyclical was about to be released while he was working on his German language skills at St. Bonaventure, near Olean in upper New York state. Merton had taught at St. Bonaventure immediately before entering Gethsemani.

64. Curran, *Dissent In and For the Church*, p. 5.

65. Curran, *Dissent In and For the Church*, p. 5. The issues involved in the birth control controversy had been widely discussed for many years and these theologians had been studying the relevant theology for longer than that. When they focused on the encyclical, they were reviewing material with which they were already familiar. They said in the Statement: "In actual fact, the Encyclical demonstrates no development over the teaching of Pius XI's *Casti Connubii* whose conclusions have been called into question for grave and serious reasons. These reasons, given a muffled voice at Vatican II, have not been adequately handled by the mere repetition of past teaching" (Hunt, *The Responsibility of Dissent*, p. 204).

66. Curran, *Dissent In and For the Church*, p. 7. The text quoted in this paper contained a note. What appears here as note 66 appeared in the original text as note 1 and read as follows: "Washington Evening Star, July 30, 1968, p. A-4. The article referred to the fact that O'Boyle 'released his statement to newsmen by telephone from Pennsylvania.'" That note is found at Curran, *Dissent In and For the Church*, p. 26.

67. Curran, *Dissent In and For the Church*, p. 7. The text quoted in this paper contained a note. What appears here as note 67 appeared in the original text as note 2 and read as follows: "The Church in Our Day (Washington, D. C.: U.S.S.C., 1968), pp. 69-73." That note is found at Curran, *Dissent In and For the Church*, p. 26.

68. Curran, *Dissent In and For the Church*, pp. 7-8.

69. "The most noted theologian among the original eighty-seven signers of the Washington statement was Bernard Haring, the German theologian whose three-volume *Law of Christ* had already become a contemporary classic in Catholic moral theology. The evening before the meeting [July 30, 1968 press conference] at the Mayflower Hotel, Father Charles E. Curran who had studied under Father Haring in Rome, contacted his former teacher by telephone (Haring was lecturing at Santa Barbara, California at the time) and asked for his support. 'I almost fell off the chair when he said Yes,' Curran said. [Shannon cites the *National Catholic Reporter*, August 7, 1968 for the quotation.]

"Father Haring's decision to add his name to the list of dissenting theologians was significant, not only because of the worldwide respect he enjoys, but for two additional reasons. First, he had been secretary to Vatican II's subcommission on marriage and the family, and a member of the theological section of the papal birth control commission. Secondly, up to the time of the encyclical's publication, he had exercised great caution and had not really taken an unambiguous stand" (Shannon, *The Lively Debate – Response to *Humanae Vitae** pp.166-167).

70. Curran, *Dissent In and For the Church*, pp. 6-7.

71. Curran, *Dissent In and For the Church*, p. 8.

72. Curran, *Dissent In and For the Church*, p. 8.

73. "This immediate, organized, public dissent by Roman Catholic scholars from a formal and authoritative papal teaching was unprecedented in Church history . . .

"The joint publication of the Statement of dissent from *Humanae Vitae*, was, of course, inconsistent with the view, not uncommon in some Catholic circles, that the role of the theological scholar in the Church was to offer his supporting services to the pronouncements of the hierarchical teaching office of the Church, or else to be silent. Moreover, those who held this view, which included many members of the American hierarchy, considered the Statement to be a scandalous, disloyal action. Such challenges raised a central question: can a Roman Catholic dissent from an authoritative papal teaching and still claim good standing with the Catholic Church? The Statement, of course, had insisted that such a right to dissent existed in the Church and was applicable to the birth control Encyclical. The Statement inherently also claimed that those who did so dissent had the right to make their views public.

"While these issues are essentially Catholic *intellectual* issues, they were joined in a practical context. The Statement, by communicating the right to dissent, told millions of troubled Catholics that their apparent choice between their own consciences and the papal teaching on contraception was a false dilemma: the theologians asserted that Catho-

lics could dissent in practice on the issue *without* putting themselves outside the Church. Many troubled bishops, however, felt that the dissenting theologians were going beyond the bounds of their science and usurping a pastoral teaching function that properly belonged solely to the hierarchy. The *Statement by Catholic Theologians*, therefore, was not only a continuation of the birth control controversy but also a spring-board to new questions on the right to dissent itself and on the role and relationship of bishops and theologians," (Hunt, *The Responsibility of Dissent*, pp. 5-6).

74. Hunt, *The Responsibility of Dissent*, p. 203.

75. Hunt, *The Responsibility of Dissent*, p. 204.

76. William Shannon in a section of *The Lively Debate* titled "The Theology of Dissent" lists a number of ways in which dissent may be useful to the church, including this one: "Responsible dissent freely allowed in the Church will protect the Church authority from being isolated. Father John J. O'Callaghan expressed the feeling of many about *Humanae Vitae*, when he said: 'The idea of Pope Paul, alone on the remote heights of teaching authority, agonizing over the [birth control] decision which only he must make, does not appeal to me,'" (p. 201, citing John J. O'Callaghan, *Reflections on Humanae Vitae, Theology Digest* 16 [Winter 1968], p. 325).

77. Some commentators have stated that the primary reason that *Humanae Vitae* prohibited birth control was that the Vatican was unwilling to change the position it had taken in *Casti Connubii*. For example: "Why did Paul VI ignore the more humane and personalistic teaching on responsible parenthood that his own birth control commission, following *Gaudium et spes*, had recommended? Why did he return to a rigoristic teaching based on a Stoic understanding of natural law? As Karl Rahner wrote: 'It becomes clear in the encyclical itself that the real and primary reason for adhering to this position is the need that is felt to hold firm to the traditional teaching of Pius XI and Pius XII'" (Philip S. Kaufman, *Why You Can Disagree and Remain a Faithful Catholic*, New York: Crossroad, 1991, pp. 51-52). The Rahner quote is cited as "On the Encyclical 'Humanae Vitae,'" *Theological Investigations*, XI (New York: Seabury, 1982), p. 266.

78. Hunt, *The Responsibility of Dissent*, p. 204.

79. Hunt, *The Responsibility of Dissent*, pp. 204-05.

80. Hans Kung, *Kung in Conflict*, edited with translation and commentary by Leonard Swidler (New York: Doubleday, 1981). *Kung in Conflict* includes the correspondence among Kung, the Vatican and the German bishops concerning several of Kung's books; documents generated during the investigation of Kung's orthodoxy; and public state-

ments issued throughout the world by those dismayed by the Vatican's determination that Kung was 'neither suitable nor eligible' to exercise the function of a professor of Catholic theology.

81. Charles Curran, *Faithful Dissent* (Kansas City MO: Sheed and Ward, 1986). *Faithful Dissent* provides a narrative account beginning with Curran's student days in Rome in the 1950's and finishing shortly after the Vatican's 1986 decision that he was 'neither suitable nor eligible' to exercise the function of a professor of Catholic theology. It includes the correspondence between the Vatican and Curran during the entire investigation and statements made by the hierarchy and theologians during 1986.

82. Thomas Merton, *The Other Side of the Mountain – The End of the Journey*, ed., Patrick Hart (New York, HarperCollins, 1998), pp. 149-50.

83. Merton, *The Other Side of the Mountain*, p. 150. John Cogley, a prominent Catholic, an editor at *Commonweal* and religion editor at the *New York Times*, left the church in protest against the encyclical.

84. See note 73 above.

85. Kung, *The Council, Reform and Reunion*, p. 39.

86. David Tracy, "On Hope as a Theological Virtue in American Catholic Theology," in Hans Kung and Gerald Swidler, editors, *The Church in Anguish: Has the Vatican Betrayed the Council?* (New York: Harper and Row, 1987), p. 272.

87. Curran, *Faithful Dissent*, pp. 275-276.

88. Curran, *Faithful Dissent*, p. 271. The word 'nor' is in the original; it is not a typographical error.

89. Hans Kung et al (contributors to an issue of the *Journal of Ecumenical Studies*), *Consensus in Theology? A Dialogue with Hans Kung and Edward Schillebeeckx* (Philadelphia: Westminster Press, 1980), pp. 159-165.

90. The Vatican had objected over the years to a number of Kung's books, including *Infallible? An Inquiry* (1970). In its 1979 statement, the Vatican objected to Kung's book *The Church Maintained in Truth – A Theological Meditation* (1979) and to an introduction Kung wrote in 1979 for another person's book on the topic of infallibility. Kung, *Kung in Conflict*, pp. 384-388.

91. Teilhard de Chardin, *Letters to Two Friends 1926-1952* (New York: New American Library, 1968), pp. 30-31.

92. The prologue to Teilhard's *Letters to Two Friends*, was written by Rene d'Ounice, S. J., a former religious superior of Teilhard. He cites a letter the friends wrote to him: "By eliminating all personal reference, each of us has tried, insofar as possible, to efface the personalities of the recipients. For if the publication of these letters is useful, it will be so

solely for what they reveal of the mind and thought of their author. It is for this reason that we have wished to remain anonymous." Teilhard de Chardin, *Letters to Two Friends*, p.4.

93. Thomas Merton, *Contemplation in a World of Action*, (Notre Dame, IN: University of Notre Dame Press, 1998), p. 26.

94. Merton, *Contemplation in a World of Action*, p. vii.

95. Merton, *Turning Toward the World*, p. 70 [November 28, 1960].

96. Merton, *A Search for Solitude* p. 139.

97. Merton, *Contemplation in a World of Action*, p. 52.