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Untangling the contraception stalemate

Robert McClory | Feb. 26, 2014 NCR Today

In a recent blog I wondered what church leadership can do regarding the ban on contraception. The question was highlighted by the Univision poll of Catholic belief, which revealed that 79 percent of Catholics on a worldwide scale reject the church?s position. Many of those commenting on the blog provided thoughtful, carefully worded responses indicating their own search for a way out of the muddle we?re in.

Jack Fisher, for example, wonders what happened to the common sense principle of ?probable opinion.? For centuries, he notes, ?it permitted the faithful to follow with good conscience dissenting opinions that were based on solid argumentation by reputable theologians even though they differed from the official position of the church. Theology classes in the seminaries taught probable opinions as part of the preparation for priests.? Fisher cites the position of Canon Louis Janssens of Belgium, who taught at Louvain and was famous for his permissive position on the pill, and Bernard Haring who reportedly told students at Louvain they were not only permitted to advise people on the use of the pill but were obliged to inform penitents of their liberty to follow their conscience because acceptance of morality of the pill was a probable opinion.

Like Fisher, I have long been perplexed by the amazing disappearance of probable opinion from church teaching. In the old days there was a veritable hierarchy of truths, ranging from infallibly defined doctrines at the top down to common opinion toward the bottom. The late U.S. Bishop Raymond Lucker spoke much about this some 30 years ago, and so did many reputable moral theologians. But now it?s all different, and I don?t know when the turnaround happened -- maybe in a "*motu proprio"* or papal bull I missed. The bishops along with the conservative branch of the church insist that the whole hierarchy of truths must be fully embraced by all the faithful. Even the ?reputable theologians? Fisher speaks of have gone silent regarding probable opinion. In any event, the return of probable opinion in some form could be one way to begin mitigating the contraception stalemate

Commentary responder Jim McCrea moves in an another possible direction, quoting the words of highly regarded theologian Joseph Ratzinger: ?Criticism of papal pronouncements will be possible and even necessary, to the extent they lack support in Scripture and the creed, that is, in the faith of the whole church. When neither the consensus of the whole church is had, nor clear evidence from the sources is available, an ultimately binding position is impossible. Were one formally to take place, the conditions for such an act would be lacking, and hence the question have to be raised concerning its legitimacy.? This was Ratzinger?s position in 1969, many years before he became Pope Benedict XVI. But it indicates what he regarded as clear Catholic teaching at the time. How time (and doctrine) have changed!

McCrea adds a Catholic teaching still applicable in the present day, Canon 749.3: ?No doctrine is understood as defined infallibly unless this is manifestly evident.?

Then comes commenter paul a slave, who is puzzled ?why the teaching of the church can?t prayerfully and respectfully change as more information becomes available, and the whole body of Christ to whom the issue is currently relevant cannot receive and provide discerned truth and inspiration. The issue here is not one of authority; it is one of the body not currently acting as a whole because of a disconnect. That disconnect is not based on whims or hippy culture. You have to give people and the Body of Christ more value than that.? Paul a slave adds an intriguing suggestion that might calm pro-life advocates who see abortion tightly wrapped up with contraceptive use: ?I think like [many in the] the church did before *Humanae* Vitae that those hormone-based drugs that prevent ovulation can be an important non-abortive tool to help families plan and space children.? This wouldn?t solve the problem entirely, but it would untie at least one knot in the contraceptive discussion.

My thanks to these and many other *NCR*commenters who believe the institutional church has drifted into un-navigable waters on this (and other matters), yet readily use their faith, conscience and common sense to help find a way out.

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