

Here is your gift chapter for pleasant reading after Christmas. ~~Aaron

Seven Errors of our Catholic Bishops



Why our Bishops Lost their Bearings
after Vatican II
and
How our Church Can Get Back on Track
with
Your Help and the Help of Pope Francis

Aaron Milavec

A Kindle Ebook published by Amazon.com

Cover design by Sandra Stone. Picture of Archbishop Dolan by Seth Wenig AP.

ASIN: B0178GWFTW

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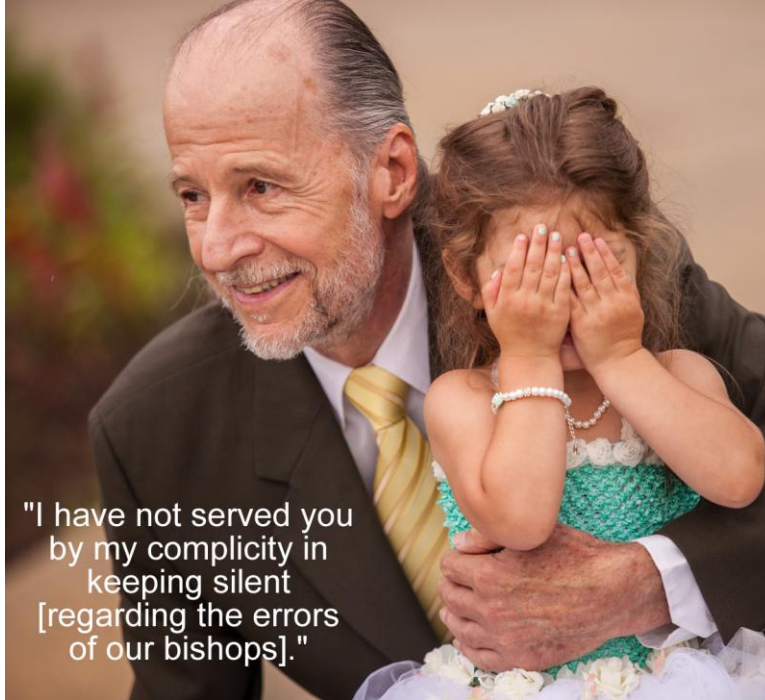
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Preface – Why this Book Was Written



For fifty years, the vast majority of Roman Catholic priests and theologians have been forced into a reluctant silence when it comes to birth control, celibacy of priests, indulgences, ordination of women, and homosexuality. I myself, while teaching in Roman Catholic seminaries for twenty-five years, was required to keep a guarded silence on all these issues. But this reluctant obedience has not served me nor has it served those whom I helped prepare for lay and ordained ministry. In turn, as I Catholic theologian, I have not served you [the present reader] by my complicity in keeping silent.

As Fr. Helmut Schüller, the charismatic founder of the Austrian Priests' Initiative, says, "Obedience has been overrated. The times require of us that we speak out." Hence, 425 priests joined together in drafting their "[Appeal to Disobedience](#)" in which they pledged to God and to his people to bring about urgently needed pastoral changes in the Church that the Austrian bishops were unwilling and unable to support because they owe their first allegiance to the Vatican.

Pope Francis, for his part, forthrightly warned our bishops against "the temptation to hostile inflexibility, that is, wanting to close oneself within the written word . . . , within the law,

within the certitude of what we know and not of what we still need to learn and to achieve” (09/23/15 [source](#)). When this happens, the pope continued, “the bread” that Jesus blesses and gives to his disciples is transformed “into a stone” that is either “cast against the sinners” or it is carried by them as an “unbearable burden” (Luke 11:46).

By way of atoning for my years of silence, I have prepared this book in order to equip my former students and all those faithful Catholics who are interested in sorting out the wheat from the chaff within current Catholic teaching. What you discover herein will supply you with clear, strong, and compelling case studies that can be used to open up informed and reliable explorations on topics that have largely been obscured by authoritative pronouncements, by shoddy biblical scholarship, and by ignorance of Catholic history. Whether you want to speak to your teenage daughter or to your bishop, these case studies will offer talking points that will enable you to make sense out of the faith that is intended to nourish us, to make us free, and to draw us into harmony with the mind of Christ.

For those who are confused by claims and counter-claims, this book will offer powerful tools for reconsidering the issues and for engaging church leaders to do the same. Blind obedience may be suitable for children; adult faith requires much more.

We need to give up the idea that religion is perfect—that the church of which we are a part is perfect or infallible. Religion, like our parents, has the capacity to bless us and to wound us and it inevitably does both at different times. . . . Only when we are aware of the capacity of religion to abuse can we guard against that abuse and take steps to curb it where it exists. [Keith Wright, [Religious Abuse: A Pastor Explores the Many Ways Religion Can Hurt as Well as Heal](#)]

Seven Destructive Errors

The forward progress of preaching the gospel of truth and justice and of promoting Church reform is impeded by a series of seven bad decisions inside the Church that have turned

the sheep into wolves and turned love into hate (Did 16:4). These decisions were arrived at without adequate consultation and without the collegial process that was the hallmark of discovering the truth at Vatican II. These decisions were based upon defective biblical studies, faulty historical studies, and the near absence of pastoral and psychological consultation. When free and informed consent was not forthcoming, the Vatican abandoned the route of persuasion and resorted to the use of raw power to impose their views on dissenting bishops, priests, and theologians. This mounting use of coercion runs against the way of Jesus and further discredits those using authoritarian measures to prop up positions inherently flawed. Fear and distrust have replaced the faith-filled discussions and mutual love that are necessary for a Church community to survive and to thrive.

Error #1 [Contraceptives are intrinsically evil and sometimes cause abortions](#)

Error #2 [Clerical celibacy originates in the life and teachings of Jesus](#) +++

Error #3 [Indulgences are rooted in the apostolic teaching](#)

Error #4 [Human life begins from the first moment of conception](#)

Error #5 [According to God's plan, women are called either to motherhood or to virginity](#)

Error #6 [Women cannot be Catholic priests because Jesus deliberately chose only men](#)

Error #7 [Homosexual sex is intrinsically disordered and contrary to natural law](#)





Chapter 2

Papal Absolutism of Paul VI Relative to Indulgences, Priestly Celibacy, and Birth Control

*I have observed the misery of my people . . . ;
I have heard their cry. . . .
Indeed, I know their sufferings,
and I have come down to deliver them (Exod 3:7f).*

Introduction

During the course of Vatican II, free and open discussions gradually took hold among the assembled bishops once the curial grip on the Council was challenged. Within this *aggiornamento* that was endorsed by John XXIII, the bishops discovered how creative collaboration with each other and with the Holy Spirit served fruitfully to create sixteen documents overwhelmingly approved by the assembled bishops. Given the diversity of

viewpoints and the diversity of cultures among the two thousand participants, this consensus building was an extraordinary mark of the charismatic gifts of the movers and shakers at the Council.

As Paul VI took over the direction of the Council after the untimely death of John XXIII, he at first endorsed the processes of collegiality that had operated during the initial two years of the Council. With the passage of time, however, Paul VI began to use his papal office on multiple levels by way of limiting the competency of the bishops and by way of pushing forward points of view that he and the curia favoured. After the Council, this trend accelerated and can best be seen by analyzing the content and the reception of *Indulgentiarum Doctrina* (01 Jan 1967), *Sacerdotalis Caelibatus* (24 June 1967), and *Humanae Vitae* (25 July 1968).

With the declaration of papal infallibility in 1870, many in the church thought that there would be no reason to ever again have an ecumenical council since, when it came to deciding what God wanted us to believe and to do, the pope alone was preserved from all errors. The truth is much more complex. In the early church, no one ever imagined that Peter was somehow exalted above all the other apostles and that he and his successors, the bishops of Rome, were the divinely ordained managers and decision makers for the universal church. Pope John XXIII himself had no delusions on this point. He knew that there were deep flaws within the Roman Catholic Church, but he also knew that he was no match for the deeply entrenched Cardinal Ottaviani, the head of the Holy Office of the Inquisition, who was hell-bent upon keeping everything the same.

Protestants, in contrast, believed that no one in the church was beyond the pale of self-deception and that even the pope was capable of committing errors of judgment and of promoting false notions of what we must do to be saved. And when Protestants want to think of how far from the way of Jesus the pope could take us, they had only to recall the papal decrees that enabled the Friar Johann Tetzel in Germany to collect huge sums of money directed toward the completion of the rebuilding of the church of St Peter's in Rome. In exchange for their efforts, the pope allowed that the local bishop and Friar Tetzel would receive a handsome collector's fee. And, to sweeten the deal for the German benefactors, donors were issued a "plenary indulgence" with a papal seal that guaranteed that, should the donor die that very day, his/her soul would bypass Purgatory and immediately be welcomed by St Peter into the courtyards of heaven.

Fr Martin Luther objected to this sale of indulgences. He did not want to believe that the rich who could afford to pay for such indulgences were somehow able to bypass doing the fasting and prolonged prayers that served to wipe away the temporal punishment due to sins whose guilt has already been forgiven in confession. Friar Johann Tetzel, being a fair-minded collector, responded by adjusting the price for a plenary indulgence in accordance with one's personal income. Nor did Martin Luther want to believe that well-disposed Catholics could purchase a plenary indulgence and then to apply it, not to themselves, but to some beloved father or aunt who neglected fasting and other penances during their lifetime and were destined to spend a prolonged period suffering in the fires of Purgatory. Friar Tetzel, of course, insisted that the pope had the right, as the Vicar of Christ on earth, to apply the treasury of merits accumulated by Jesus and the saints to anyone he deemed worthy. And who would be more worthy than those who contributed to the building of the greatest church on earth, St Peter's Basilica in Rome?

Rome, in the end, tried Luther in absentia and proclaimed his teachings as filled with heresies that endangered the eternal welfare of anyone giving heed to his voice and following his example. Support for the building of St Peter's in Rome languished and entirely dried up in some parts of Germany while, in other parts, the sale of indulgences reached new highs. In these areas, the authority of the Vicar of Jesus Christ on earth invariably becomes even more absolute. In simple laymen's terms: 'The Son of God gave Peter the keys to the kingdom of heaven. He gave no keys whatsoever to that heretic Martin Luther.'

What do I learn from this period of history?

1. That the papacy has sometimes forced its own parochial interests on the faithful and ruthlessly harassed those who would speak their pastoral concerns to papal power.
2. That the Reformation churches received the benefit of many of the Vatican II reforms four hundred years before Roman Catholics were able to do so.¹
3. That Roman Catholic historians and theologians were constrained to vilify Luther and to justify the papal indulgences for over four hundred years. No biography of Luther was permitted to be read by Catholics that had any good things to say about Luther or any bad things to say about Pope Leo X.²

Vatican II on Indulgences

Let's go back fifty years and listen in as the bishops gathered inside the Church built by the sale of indulgences began to deliberate regarding the "The Revision of the Sacred Indulgences" prepared by Cardinal Fernando Cento, Grand Penitentiary, who was directed to create a special commission for this purpose by Paul VI on 24 July 1963. On 09 November 1965, Cardinal Cento spoke before the assembled bishops and summarized the draft document that had been secretly passed out to selected bishops. There was never any intention to allow the bishops to openly discuss or to revise this document.

What happened, however, as Cardinal Cento left the podium was entirely unexpected. Here is the report drawn from *What Happened at Vatican II* by John O'Malley SJ:

The first prelate to speak, in the name of the Melkite episcopate, was the intrepid Maximos IV Saigh, and he fired off the most radical criticism. "There is no indication that in the primitive and universal tradition of the church indulgences were known and practiced as they were in the Western Middle Ages..." The interventions the next day from Alfrink speaking for the Dutch episcopate, König for the Austrian, and Döpfner for the German did not help matters. The last two, especially, made a strong impression. Döpfner did not go so far as to call for the abolition of indulgences, but he severely criticized the theology that underlay the document, the misleading way it handled the history of indulgences, and the changes in practice, all too minimal, that it advocated. He was the last to speak that day... In the written reports the episcopal conferences of Belgium, England and Wales, Scandinavia, Haiti, Brazil, Chile, Congo, Rwanda, Burundi, Dahomey, Japan, and Laos expressed dissatisfaction with the document..., and the last three called for the abolition of indulgences.³

Now let's fast forward thirteen months to the first day of January, 1967, and take note that Paul VI had taken the document on indulgences that was roundly criticized and rejected during Vatican II and, with only a modest revision, he published it under his own name as *Indulgentiarum Doctrina* ("The Doctrine of Indulgences").⁴ In so doing, Pope Paul VI opened the New Year with an Apostolic Constitution designed to teach the bishops and theologians scattered throughout the whole world what many of them had roundly rejected at Vatican II.

What? Was the Pope deaf to the applause that Archbishops Alfrink, König, and Döpfner had received for their criticisms of this very same document thirteen months earlier? Had he not read the written reports of a dozen episcopal conferences expressing their deep dissatisfaction with the document? And was he not now shoving it back into their faces with the whole force of his papal office? Indeed he was!

One might think that the Pope has no restriction on his use of power, but this is never the case. His teaching office must be used judiciously and responsibly at all times. His teaching must be rooted in the Catholic tradition of the past rightly understood and, at the same time, his teaching must prudently and pastorally address the current needs of the faithful. As far as possible, the Pope must also take into account what other bishops have been saying and doing. On all of these points, *Indulgentiarum Doctrina* was seriously deficient. What “Paul [VI] devised was only a partial reform that satisfied neither the Neo-Tridentines (such as the schismatic Lefebvrists) nor the so-called progressives [who were] more sympathetic to Luther’s position.”⁵

Archbishop Döpfner, in particular, called upon Paul VI to bring together an international theological commission that would have the theological and historical competence to revise the draft document that some select bishops had received during Vatican II. Needless to say, Paul VI had no interest in taking this route.

In the period after Vatican II, I myself was a captive of the piety of indulgences. As it happened, I was the recipient of a rosary with brown wooden beads that had been blessed by Paul VI and guaranteed the user a plenary indulgence for every Hail Mary. When I received this “precious gift,” I put my black rosary in my desk drawer and put into action these powerful brown beads for my daily rosary. Since it would have been greedy to imagine that I needed fifty plenary indulgences for myself each day, I began applying my plenary indulgences to those who had been in Purgatory for the longest time. Now my Hail Marys had the effect of liberating fifty poor souls that were relegated to the deepest pits of Purgatory — the ones furthest away from expecting a parole from their suffering.⁶ I must say, that for a period of over three years, I imagined myself and my brown wooden beads as a powerhouse of prayer. Everyone else who recited the rosary with me in church were only gaining a mere 100 days of indulgence with their prayers.⁷ They may have had silver or pearl rosaries. It didn’t matter. My little brown beads had more liberating power than all their prayers combined. So, as I recited my daily rosary, a spiritual pride grew within my soul that was more of a danger than a help to my sanctification.

But then I began to study theology. I actually read the 95 theses of Luther for the first time. It was then and only then that my spiritual pride was broken. Martin Luther said to me: “A truly contrite sinner seeks out, and loves to pay, the penalties of his sins.”⁸ This made sense to me.

Instead of avoiding God's medicine for our souls, we ought to trust the Physician to be a wise and informed practitioner of the healing arts.

It should not escape the reader that the practice of indulgences promoted and augmented the power of the papal office within the Church since all other bishops were forced to follow what the bishops of Rome had decreed in this matter and had no authorization to define any new indulgences themselves. Since Vatican II was in the process of defining the norm of collegiality and of affirming that individual bishops receive their office due to Christ (and not due to papal delegation), conservatives were keen to maintain all traditional papal prerogatives when it came to indulgences while reform minded prelates were inclined to downplay indulgences as an outmoded expression of monarchial authority ill-suited for a collegial church.⁹

The Issue of Priestly Celibacy

Paul VI, during the final meeting of Vatican II in 1965, made an extraordinary intervention to forbid any discussion of the rule of priestly celibacy since he had elected to study this issue himself. Accordingly, on 24 June 1967, Paul VI published an encyclical on priestly celibacy known as *Sacerdotalis Caelibatus*.

Explaining how he arrived at his decision, Paul VI wrote: "We have, over a considerable period of time earnestly implored the enlightenment and assistance of the Holy Spirit and have examined before God opinions and petitions which have come to us from all over the world, notably from many pastors of God's Church" (sec. 1). To his credit, Paul VI acknowledges having received and prayerfully considered opinions and petitions coming from pastors.¹⁰ To his discredit, Paul VI failed to consult the bishops by letter. He similarly refused to open this delicate pastoral issue up at the tri-annual Synod of Bishops in Rome. It appears that as in the case of indulgences, Paul VI effectively bypassed the principle of collegiality affirmed at Vatican II and, in its place, he imposed a treatise of his own choosing/making.

Every informed pastor knows that celibacy was not universally imposed upon the clergy until the Middle Ages and that the Vatican imposition of celibacy was initially resisted for many generations by both pastors and their wives. Bishops bent upon separating priests from their lawfully wedded wives were often bombarded by crowds that threw rotten fruit. The reforming popes in the Vatican, in response, resorted to raw power. Priests and their wives were initially

required to sleep in separate beds. When this failed to suffice, their wives were required to live in separate houses. Fines were imposed. In the end, many of the wives who became pregnant were publically shunned or forced into slavery. The final solution was a campaign instigated by the Vatican to disseminate preachers who denounced every priest living with his wife as “unworthy of administering the Holy Eucharist” and “as a spiritual danger to the faithful” who depended upon their divine mediation. Only when the laity began to boycott the altars of priests living with their wives and bishops began to require a solemn vow of celibacy for all those being ordained as deacons did the campaign for clerical celibacy finally take hold.

Needless to say, Paul VI, in his encyclical, tells us nothing of this dark historical underbelly of imposed celibacy. Rather, Paul VI offers us the mistaken impression that celibacy began with Jesus when he freely chose celibacy as an essential character of his own service of his Father and when he declared that “there are eunuchs [like myself] who have made themselves eunuchs for the sake of the kingdom of heaven” (Mt 19:12).¹¹ Paul VI thus leaves the impression that the link between celibacy and priesthood gradually grew within the church and that it has come to full flower as an eschatological sign of the life that everyone will one day enjoy for “in the resurrection they neither marry nor are given in marriage” (Mt 22:30). The celibacy of the priest, consequently, was heralded in *Sacerdotalis Caelibatus* as the proleptic “presence on earth of the final stages of salvation.”¹²

Even if flaws within *Sacerdotalis Caelibatus* could be forgiven in the name of piety, one can hardly overlook the clear evidence of the Gospels to the effect that Jesus never mentions celibacy when he chooses any of his disciples. Peter, who is clearly recognized as a married man, receives no admonition to separate himself from his wife. But, more importantly, we read in 1 Tim 3:2 that “a bishop must be above reproach, married only once [a one-woman man]” and, in Tit 1:7, we read that a presbyter should also be “someone who is blameless, married only once, whose children are believers.” Instead of fostering celibacy, therefore, we find in the late apostolic tradition the requirement that bishops and presbyters *must have a wife and children*. Why so? For this reason: “For if someone does not know how to manage his own household, how can he be expected to take care of God’s church” [which is an extended family]? (1 Tim 3:5). Does it mean that Paul VI failed to notice these things in the sacred Scriptures? Or, did he notice these things but deliberately omitted to mention them because they collapse his argument in

favor of priestly celibacy? In either case we may be compelled to raise questions regarding his competence and honesty as a scholar and teacher.¹³

In developed countries, the negative stigma attached to sexuality even in the case of marriage has been largely dissipated. Sex is no longer registered as a surrender to concupiscence or as an impediment to holiness but is widely seen as a sign and seal of love. Men no longer use their wives to relieve their sexual urges and to produce their children; rather, the act of sexual union is now commonly referred to as “love making.” As such, love making is a sacramental sign that communicates and celebrates the intimacy, transparency, and mutual self-surrender between two persons. Thus, among my seminary students, many of them confided to me that they experienced an acute personal struggle between their calling to priesthood and their calling to intimacy. “What kind of God,” one seminarian asked, “would call me to be a celibate priest while confounding me with an equally strong call to be a loving husband and father?” In other cultures, to be sure, this is not the case. In Africa, “virility” is invariably associated with “the number of children,” and celibacy is often forced to take a second place when it comes time for priests to gain the respect of their congregations.¹⁴

With the renewal of the Church following Vatican II, many priests had anticipated a relaxation of the rule of celibacy.¹⁵ The adamant position taken by Paul VI in his encyclical killed any hope for compassionate change. Many Spirit-filled priests, facing a crisis of conscience between their call to ministry and their call to marriage,¹⁶ decided to apply for laicization. All told, 200,000 priests worldwide left their ministry in order to marry. Those who stayed called for more collegiality and more discussion on this matter. In 1970, nine German theologians, including Joseph Ratzinger (later Pope Benedict XVI), signed a letter publically calling for a fresh discussion of the rule of celibacy.

In 1971, an open discussion on obligatory priestly celibacy erupted at the Synod of Bishops that was devoted to the growing problems confronting priests. After days of deliberation, a vote was taken on a proposal for ordaining married men “if the needs of the faithful warranted it and the pope approved.” The proposal was defeated by a vote of 107 to 87. If the curial bishops had been removed from the voting, then the vote of the bishops-pastors would have carried the day. Nonetheless, when Paul VI closed the Synod, he said, “From your discussions, it emerges that the bishops from the entire Catholic world want to keep integrally this absolute gift [of celibacy] by

which the priest consecrates himself to God.” This, of course, was not quite the truth. He should have said, “From your discussions, it emerges that more than half of the bishops from the entire Catholic world favor returning to the earlier practice of ordaining married men while the curial bishops here in the Vatican are almost unanimously opposed to this course of action.” Here again one can gauge how the Synod was manipulated to maintain the illusion that clerical celibacy was universally approved by the bishops.

When ministers within Anglican and Lutheran denominations were welcomed into the Catholic communion, it was particularly difficult for long-suffering priests to notice how easily Rome was able to relax the rule of celibacy for these former Anglican or Lutheran pastors who were escaping churches that endorsed the ordination of women. I have frequently heard bitterness expressed by older priests on this matter. In this case as well, we are forced to consider whether Paul VI arrived at a very one-sided and un-pastoral decision. This caused and continues to cause an enormous amount of personal suffering¹⁷ for priests and for those who are close to them. The bishop who said, “I doubt whether the Lord would be pleased with our loneliness,” may have been saying what so many others knew in their heart but were afraid to reveal.

The Pope and the Pill

The birth control pill was first released in 1960. Initially no one could say for sure whether Catholic couples could use the pill by way of deciding when they wanted to conceive and when they wanted to prevent conception. Catholics had already become familiar with the menstrual cycle and they were aware that there was a period of five to eight days in the middle of each cycle when the body of the woman was naturally fertile. Outside of these times, the woman was infertile and sexual coupling never resulted in fertilizing an egg.

The birth control pill was “natural” in so far as it adjusted the hormonal levels in the woman’s body to produce conditions in her body that were naturally infertile.¹⁸ For eight years, Catholics unsure about the morality of the birth control pill consulted with their priests in the confessional.¹⁹ Many priests gave them permission to use the pill. Others discouraged them from doing so. Moral theologians were divided on the issue, thus there was an eight year period when the faithful and their priests had no definite or unanimous judgment regarding the pill. Every Catholic was permitted to follow her own conscience.

This practice was abruptly halted on 25 July 1968 when Paul VI published *Humanae Vitae*. This papal encyclical also bypassed the collegiality and subsidiarity that was so clearly operating in favor of the pill. Let us skim over the facts of this case:

- Pope John XXIII received many inquiries regarding the morality of the pill. Accordingly, in 1963, he established a commission of six European non-theologians to study the question of birth control in the face of an exponential growth of the human population.

- After John's death later in 1963, Pope Paul VI added theologians to the commission and over three years expanded it to 72 members from five continents (including 16 theologians, 13 physicians, and five women without medical credentials, with an executive committee of 16 bishops, including seven cardinals.)

- The Pontifical Birth Control Commission produced its report in 1966. 90% of the voting members agreed that artificial birth control was not intrinsically evil and that Catholic couples should be allowed to decide for themselves the methods to be employed by way of exercising responsible parenthood in a world where overpopulation was a growing danger to the quality of life. According to the Commission's report, use of the contraceptive pill could be regarded as an extension of the natural infertility that was divinely ordained as a providential part of the menstrual cycle.²⁰

The members of the Commission were forced to take an oath of silence, so, even during the time of Vatican II, only very few people knew who precisely was on the Commission and what the Commission was deciding. For two years after delivering their final report, the members themselves were relying upon Pope Paul VI to communicate their findings to the world. Most of them were shocked when Paul VI entirely rejected the Commission's recommendations in his text of *Humanae Vitae* by saying that the decision of the seventy-two member commission "had not been unanimous." In its place, Paul VI mandated that the use of the pill could not be authorized under any circumstances because, following the analysis of Pius XI in *Casti Connubii* (1930), every act of sexuality had to be open to its natural procreative function. Thus abstinence and what would later be called "natural family planning" (NFP) became the only morally permissible means whereby Catholic couples were permitted to regulate their reproductive capacity.

The absoluteness of the Pope's moral judgment was confusing, at least to many of the faithful:

- Was it appropriate to set aside the principles of consultation and collaboration when the near-unanimous decision of the mixed Pontifical Birth Control Commission that had been studying the issue for over three years was overturned?

- Isn't it confusing on the one hand to affirm Vatican II when it declared that "it is the married couples themselves who must in the last analysis arrive at these judgments" (*Gaudium et Spes* § 50) and then to say that "the married are not free to act as they choose in the service of transmitting life" (*Humanae Vitae* § 10).²¹

- The deposit of revelation says nothing about "the pill"; hence, moral guidance in this realm had to rely upon general moral principles and the immediate and direct experience of Catholic couples. Since the celibates had no experience with sexual love and no experience with the role that love-making plays in binding a couple together in good times and in hard times, wasn't it more prudent to learn about these things indirectly by sympathetically entering into the experience of others?

- Patricia Crowley, a lay member of the Birth Control Commission, had given him a selection of letters from members of the Catholic Family Movement around the world tied together by a blue ribbon. Many of these letters detailed the hardships and frustrations associated with irregular menstrual cycles and with the unplanned and unintended pregnancies that resulted from NFP.²² Was it appropriate to ignore these letters and impose, using the weight of the office, a universally binding judgment that turned a blind eye to the pain and frustration of so many faithful Catholic couples who had embraced NFP?

- If Paul VI had been transparent and collegial, he could have said that NFP was the better way, even the best way. But, as many theologians have pointed out, was it right to declare it as the ONLY WAY?

From the very start, the absolute rejection of modern methods of birth control was met with stiff opposition among Catholics — both on the practical grounds of their own experience and also on the theoretical grounds that it enforced outmoded norms of human sexuality.²³ The Winnipeg Statement represents the strongest episcopal opposition. "The purge" unleashed against dissenting priests and theologians in the USA was without precedent.

The noted American moral theologian, Richard McCormick, SJ, observes that the coercive atmosphere in the Church on the issue of birth control does irreversible harm to the credibility of the magisterium as a whole:

By “coercive ecclesial atmosphere” I refer to a gathering of symptoms familiar to all. Bishops are appointed by ideological conformity. Theologians and bishops are disciplined [for nonconformity]. Obedience is demanded to all teachings. Judicial processes fail the criteria of due process. Consultation is secret and highly selective, [and includes] only those qualifying who agree with a pretaken position. . . .

It was contended that the Church could not modify its teaching on birth regulation because that teaching had been proposed unanimously as certain by the bishops around the world with the pope over a long period of time. To this point Cardinal Suenens replied: “We have heard arguments based on ‘what the bishops all taught for decades.’ Well, the bishops did defend the classical position. But it was one imposed on them by authority. The bishops didn’t study the pros and cons. They received directives, they bowed to them, and they tried to explain them to their congregations.”

Coercive insistence on official formulations tells the laity in no uncertain terms that their experience and reflection make little difference. This in spite of Vatican II’s contrary assertion: “Let it be recognized that all of the faithful — clerical and lay — possess a lawful freedom of enquiry and of thought, and the freedom to express their minds humbly and courageously about those matters in which they enjoy competence” [Gaudium et Spes § 62]. If such humble and courageous expression counts for nothing, we experience yet another wound to the authority of the ordinary magisterium. The search for truth falls victim to ideology.²⁴

Conclusion

In the end, what must we say regarding the conduct of Pope Paul VI after Vatican II? We must acknowledge that his positions respecting indulgences, priestly celibacy, and birth control were taken without solid biblical exegesis, without informed historical studies, without wide consultation among cross-cultural experts, and without deeply listening to those suffering due to the papal intransigence surrounding the issues at hand. We must also acknowledge the failure in implementing the principles of collegiality²⁵ and subsidiarity hammered out during Vatican II in arriving at these decisions. A different way of acting might have greatly enhanced the respect given to papal encyclicals and removed the needless factionalism that has sorely divided the Church ever since.²⁶

Unfortunately, however, we are still living at a time when bishops are appointed by the Vatican and every bishop, prior to his consecration, takes an oath of allegiance to the pope. The Catholic bishops throughout the world are thus predisposed to govern their public statements based on the three papal encyclicals studied in this essay. While there is no rule in canon law or any document originating from Vatican II that declares that, once a pope publishes an encyclical letter on a specific issue, this serves to permanently settle the issue and to close down open discussion; many Catholics and most bishops tacitly operate according to this understanding.

If we, as a Church, have learned how to respectfully listen to the pain of the victims of child abuse and how to put into place safeguards against repeated victimization, then, in the name of our Savior Jesus Christ, we must do the same for all those who have been menaced by coercive, prejudicial, and secret proceedings directed against those whose only crime was to take seriously and to entrust their lives to the God-given freedoms affirmed by the Holy Spirit at Vatican II:

All the faithful, both clerical and lay, should be accorded a lawful freedom of inquiry, freedom of thought and freedom of expression, tempered by humility and courage, in whatever branch of studies [or ministerial practice] they have specialized (Gaudium et Spes, § 62).

Endnotes for Chapter Two

¹The papacy prior to John XXIII has been quick to silence innovative pastors and to hinder any reforms that did not advance the papal agenda. Without a reforming pope like John XXIII, we Catholics would still be reciting our rosaries and reading our private missals during a Mass that had a mystery and holiness that was largely unintelligible to us and removed from our direct participation. Thus, the directives of Vatican II offer a remarkable summary of the pastoral changes that Martin Luther fostered among the Catholics who favored the reforms of the sixteenth century: “The rite of the Mass is to be revised in such a way that . . . devout and active participation by the faithful may be more easily achieved. For this purpose the rites are to be simplified . . . The treasures of the Bible are to be opened up more lavishly so that a richer fare may be provided for the faithful at the table of God’s word . . . The homily is to be highly esteemed as part of the liturgy itself. . . . It should not be omitted except for a serious reason” [*Constitution on the Sacred Liturgy* § 50-52].

The counter-Reformation, on the other hand, made sure that no one moved ahead or stayed behind the authoritarian Vicar of Christ on earth. Without Rome’s approval, nothing went forward.

²James Atkinson, “Catholic Devaluation of Luther, 1517-1939: The Period of Hostility and Destructive Criticism,” *Martin Luther: Prophet to the Catholic Church*, Grand Rapids: Eerdmans, 1983, 3-47.

³John O’Malley S.J., *What Happened at Vatican II*, Cambridge: Harvard University Press, 2008, 280-282.

⁴This document retains the historically inaccurate claim that indulgences have a solid foundation in the apostolic period: “The doctrine of indulgences and their practice have been in force for many centuries in the Catholic Church. They would appear to be solidly founded on divine revelation handed down ‘from the apostles.’” (*Indulgentiarum Doctrina* § 1). In fairness, I want to point out that it does contain a criticism of the misapplication of indulgences without naming any names: “Unfortunately, the practice of indulgences has on occasions been improperly applied. This has been either through ‘untimely and superfluous indulgences’ [an oblique reference to recent popes] which humiliated the power of the keys and weakened penitential satisfaction or it has been through the collection of ‘unlawful profits’ [an oblique reference of Pope Leo X] which blasphemously took away the good name of indulgences” (*Indulgentiarum Doctrina* § 8).

⁵Robert Mickens, “On the revival of indulgences under Benedict XVI,” *The Tablet* (http://ca.renewedpriesthood.org/hpage.cfm?Web_ID=736). While the liturgical renewal was guided by Catholics who politely ignored indulgences, some conservative Catholics want to maintain the centrality of papal indulgences as a permanent and necessary ingredient of Catholic identity and lament the sharp decline following Vatican II. See, for example, “Primer on Indulgences” by James Akin (<http://www.catholic.com/tracts/primer-on-indulgences>) and “Indulgences in the Life of the Church” by Marie-Dominique, O.P. (http://www.angelusonline.org/index.php?section=articles&subsection=show_article&article_id=2354).
section=articles&subsection=show_article&article_id=2354

⁶From the time before Martin Luther, it had always been the understanding among Catholics that any one of the faithful could apply a plenary indulgence earned to someone else in Purgatory. “Since the faithful departed now being purified are also members of the same communion of saints, one way we can help them is to obtain indulgences for them, so that the temporal punishments due for their sins may be remitted” (*Catechism of the Catholic Church* § 1479).

⁷In my youth, my Baltimore Catechism and popular prayer books used by the faithful assigned 100 days indulgence to the recitation of a single Hail Mary. The “100 days” does not refer to a reduction of time in Purgatory but to 100 days of penitential fasting on bread and water. Even so, one can gauge the huge disproportion between the two acts — a prayer recited in twenty seconds receives the same benefit as 100 days of penitential fasting.

⁸Martin Luther, *The 95 Theses*, #40.

⁹In the reforms of indulgences pressed forward by Paul VI, one discovers that to gain a plenary indulgence, a person must exclude all attachment to sin of any kind, even venial sin, must perform the work or say the prayer for which the indulgence is granted, and must also fulfil the three conditions of sacramental confession, Eucharistic communion and praying for the intentions of the Pope. The first-named requirement enforces attention to the interior penitential disposition that must motivate the deed. Confession and communion focus on the ordinary means of grace enforced by Vatican II. The final addition, praying for the intentions of the Pope, appears to be a add-on calculated

to emphasize papal centrality and to hand over to him the uncontested right to discern what Catholics everywhere are required to pray for in order to gain a plenary indulgence. Since then, the Apostolic Penitentiary has been asked to formally publish the prayer intentions of the Pope each month.

¹⁰One would expect that Paul VI received a substantial number of letters from pastors who favoured a change in the rule of celibacy. See n. 48.

¹¹Fr Christian Cochini, SJ, examines the question of when the tradition of priestly celibacy began in the Latin Church, and he is able to trace it back to its apostolic origins. Hence, his book is aptly titled *Apostolic Origins of Priestly Celibacy*, San Francisco: Ignatius, 1990. Some Catholics believe that Fr Cochini provides the meticulous research into the origins of priestly celibacy that were lacking at the time that Pius VI wrote *Sacerdotalis Caelibatus*. George T. Dennis, SJ, on the other hand, examines the data offered by Cochini and concludes that his book provides no evidence that celibacy had apostolic origins: “There is simply no clear evidence of a general tradition or practice, much less of an obligation, of priestly celibacy-continence before the beginning of the fourth century.” Peter Fink, SJ, agrees, saying that underlying premises used in the book “would not stand up so comfortably to historical scrutiny.” See also Roger Balducelli, “The Apostolic Origins of Clerical Continence: A Critical Appraisal of a New Book,” *Theological Studies* 43 (1982) 693-705. While Cochini’s book may have been enthusiastically received in some circles in his native India, the website of the Catholic Bishops’ Conference of India presents a story that roundly rejects his thesis (<http://www.cbci.in/Celibacy-In-The-Catholic-Church.aspx>).

¹²What functions will and will not prevail in the world to come remains open to study. The theme of the heavenly banquet where eating and drinking at the abundant love feast would require an earth that has harvests and skilled ranks of harvesters, bakers, wine brewers, cooks, etc. It would also require that the resurrected bodies are functioning bodies capable of practicing and perfecting the agricultural and culinary arts. When sexuality is considered as procreation and marriage is considered as bonding a woman to the use of one man who is not free to divorce her, then one can see how, in the first century, Jesus might have been inclined to imagine that the institution of marriage would be set aside in the world to come. This says nothing, however, about the loss of the human sexual appetite and the hunger for intimacy. In an earlier age when sex was considered as a hindrance to true holiness, Christians were naturally inclined to imagine Jesus was a virgin. It was in harmony with this earlier age that Paul VI wrote his encyclical. The new wine, however, will have to be transported in new wine skins and not in the old skins of *Sacerdotalis Caelibatus*.

¹³For more details, see Edward Schillbeeckx, *Clerical Celibacy Under Fire*, Kansas City: Sheed & Ward, 1968, and Garry Wills, *Papal Sin: Structures of Deceit*, New York: Doubleday, 2000, 104-150.

¹⁴For an excellent discussion of celibacy in cross-cultural contexts, see Elizabeth Abbott, *A History of Celibacy*, New York: Scribner, 2000, esp. 379-381. For an African study, see Oyeronke Olajubu, “Celibacy and the Bible in Africa,” ed. D.T. Adamo, *Reading in African Biblical Studies*, Maryland: University Press of America, 210-221.

¹⁵The National Association of Pastoral Renewal conducted a survey of active priests in the U.S.A. in 1967. 62% of the respondents favoured optional celibacy. 92% favoured allowing married priests and their wives to receive communion. At the 1971 convention of the National Federation of Priests’ Councils, the delegates voted nine-to-one in favour of changing the law requiring celibacy. Terence Sweeney, SJ, polled the 312 American Catholic bishops on

this question and 24% of the respondents favoured optional celibacy. The 1985 Gallup Poll of Catholic laity found that 63% favoured married priests. This and other data can be found in Joseph H. Fichter, SJ, *Wives of Catholic Clergy*, New York: Sheed & Ward, 1992, 172-180.

¹⁶I myself, as a seminary professor for twenty-five years, have witnessed many seminarians who honestly and painfully spoke of their crisis of conscience forced upon them by a hierarchy that refused to distinguish between the gift of celibacy and the calling to ordained ministry. Even for those going ahead toward ordination admitted that they were often ‘confused that God should seemingly confound them by giving them such a powerful hunger for intimacy and for family.’

¹⁷More recent studies demonstrate that the rule of celibacy has continued to be a heavy burden for many priests. Research conducted by Professor Jozef Baniak at Poznan University in Poland found that 54 percent of Polish priests support an end to mandatory celibacy (*The Tablet* 2/14/09). Nearly one-third of these Polish priests described themselves as being in intimate relationships with women while 12 percent admitted that they were living with a woman. In 2011, hundreds of German, Austrian and Swiss theologians (249 as of February 15, 2011) signed a letter calling for the ordination of married priests (http://www.memorandum-freiheit.de/?page_id=518). Other appeals can be found here: http://www.ca.renewedpriesthood.org/page.cfm?Web_ID=1609. One can find priests struggling with intimacy telling their personal stories at “Priests at the Crossroads” (http://www.leavingthepriesthood.com/PriestsatCrossroads.html#anchor_10).

¹⁸Hormonal contraceptives (the pill, the patch, and the vaginal ring) all contain a small amount of estrogen and progestin hormones. These hormones work to inhibit the body’s natural cyclical hormones to prevent pregnancy. Pregnancy is prevented by a combination of factors. The hormonal contraceptive usually stops the body from ovulating. Hormonal contraceptives also change the cervical mucus to make it difficult for the sperm to find an egg. Hormonal contraceptives can also prevent pregnancy by making the lining of the womb inhospitable for implantation. For more details, see <http://www.webmd.com/sex/birth-control/birth-control-pills>.

¹⁹When asked about birth control, a priest in the Archdiocese of Cincinnati explained to me that he would ask the penitent how many children have been given to them by the Lord. “If they said two or more, then I explained to them that they had fulfilled their obligation to be fruitful and that the Lord now granted them complete freedom to decide if and when they would conceive any future children. This being the case, the use of birth control was permitted.”

²⁰For the most detailed description of the inside story of the Papal Birth Control Commission, see Robert McClory, *Turning Point*, New York: Crossroad, 1995. Other helpful accounts are given by a Vatican II reporter, Robert Blair Kaiser, *The Politics of Sex and Religion: A Case History in the Development of Doctrine*, Kansas City: Leaven Press, 1985, and by a Benedictine monk, Philip S. Kaufman, *Why You Can Disagree [with the Pope on Birth Control] and Remain a Faithful Catholic*, New York: Crossroad, 1992.

²¹Shaji George Kochuthara, CMI, in his excellent study, *The Concept of Sexual Pleasure in the Catholic Moral Tradition*, Rome: Editrice Pontificia Universita Gregoriana, 2007, 310 n. 214.

²²McClory, *Turning Point*, 88-94, 102-106. The Crowleys had gathered replies from three thousand members of the Christian Family Movement living in eighteen countries. 43% of the couples using NFP said they found it helpful

in spacing their children. On the other hand, 78% “claimed that it had also harmed their relationship due to tension, loss of spontaneity, fear of pregnancy, etc.” (90). As an example, a wife who gave birth to seven children during her fourteen years of marriage writes:

“The slightest upset, mental or physical, appears to change the cycle and thereby renders this method of family planning useless. Our marriage problem is not financial... But my husband has a terrible weakness when it comes to self-control in sex and unless his demands are met in every way when he feels this way, he is a very dangerous man to me and my daughters. Apart from these times he is completely normal and tries in every way he knows, such as morning Mass, sacraments, prayers, etc., to accumulate grace” (91).

²³Kochuthara, *Sexual Pleasure*, offers this summary of the paradigm shift:

When we consider the theological developments from the second half of the 20th century, we can identify a notable change in the emphasis on procreation. The emphasis is no more on procreation, but on love. Mutual love and union of the couple is the most important purpose of marriage as well as that of the marital union. We may understand the difference only when we consider that tradition up to modern times, which practically assigned no place to the discussion on love as pertaining to conjugal life. Besides considering love as a necessary condition for conjugal intimacy, all other aspects of conjugal life, including the procreative dimension, are given their significance based on the criterion of love (463).

²⁴Richard McCormick, SJ, “Theologians and the Magisterium,” *Corrective Vision, Explorations in Moral Theology*, Sheed & Ward (now a subsidiary of Rowman & Littlefield Publishers, Inc., Landham, Maryland) 1994, 95. See also John M. Swomley, “The Pope and the Pill” (<http://www.population-security.org/swom-98-02.htm>).

²⁵At this point, it must be remembered that collegiality was not just an invention created by Vatican II. Collegiality was the hallmark of Peter’s authority in the early church (http://www.churchonfire.net/?page_id=478). Collegiality was the defining character of the Patristic churches as well. Papal absolutism was invented in the middle ages when authoritarian monarchs populated the European landscape. In that era, the Vatican States had to have their own absolute monarch so as to be able to function effectively within the assembly of European monarchs. See my study, “Papal Infallibility at Vatican I” (http://www.churchonfire.net/?page_id=507).

²⁶Pope Francis has made it abundantly clear that he favors “synodolism,” the term he prefers to use interchangeably with “collegiality.” During the first ceremony of the blessing and imposition of the pallium on 34 metropolitan archbishops on 29 June 2013, Pope Francis spoke about “the path of collegiality” as the road that can lead the Church to “grow in harmony with the service of primacy.” He has publicly chosen an international group of eight cardinals to work with him in reforming the Curia. He has convoked an Extraordinary Synod on the Family, and, at the same time, he has promoted an international survey intended to allow the bishops to reflect upon the joys and sorrows, the trials and tribulations that surround family issues. In his opening and closing statements at the Synod, Pope Francis emphasized the need for free and open discussion among the participants, and he cautioned against “the temptation to hostile inflexibility.” In brief, Pope Francis has paved the way to reinstating the principles of Vatican II and has taken the first steps toward healing the Roman Catholic Church of its destructive factionalism, its crippling authoritarianism, and its pastoral inflexibility. His closing words at the Synod powerfully demonstrate this vision of the future Church and deserve close examination (<http://www.churchonfire.net/?p=842>). The times are changing.

Dear Reader,

I hope you enjoyed reading my reflections on abortion and the bishops.

If you wish to see how others have responded to this chapter and to leave your own comments, go to the end of http://www.churchonfire.net/?page_id=24

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Peace and joy in the adventure of learning as we join with Pope Francis is the reform of our Church,

Aaron

Meet the Author!



Aaron Milavec began his career as an innovative teacher and software developer for twenty-five years. He then turned his attention to gender studies and the empowerment of women. For seven years (2007-2014) he collaborated with others in designing and expanding Catherine of Siena Virtual College--a center promoting international, interactive empowerment for women in online learning circles. In his free time, he gravitates towards the arts: painting with water colors, glass blowing, creating ceramic pottery in the Maya tradition.

In his youth, Milavec was fascinated with science. After beginning graduate studies in physics, however, Milavec suffered an unexpected loss of faith in science. At that point, he gravitated toward the philosophy of science and ended up with an abiding passion for religious inquiry and spiritual development. While a Research Fellow at the University of Victoria, he completed an essay, "How Acts of Discovery Transform our Tacit Knowing Powers in both Scientific and Religious Inquiry," *Zygon* 42/2 (2006) 465-486.

Milavec earned his S.T.B. from the University of Fribourg in 1968 and a Th.D. from the Graduate Theological Union (Berkeley) in 1973.

Milavec has published twelve books, six chapters in collected works, and sixty journal articles. His most recent book, *Salvation Is from the Jews*, is a soul-searching exploration of how Christians need to rethink their theology in order to be faithful to the Jewish heritage.



Prior to this, Milavec devoted sixteen years to unlocking the hidden life of those mid-first-century Christians who lived the Way of Life as described in the Didache. Gaining an international reputation for his innovative research in this area, he affectionately nicknamed his thousand-page volume as "the elephant" and his hundred-page volume as "the mouse." The elephant is entitled *The Didache--Faith, Hope, and Life of the Earliest Christian Communities, 50-70 CE* (Paulist Press); the mouse is entitled *The Didache-- Text, Translation, Analysis, and Commentary* (Liturgical Press). For further details, go to <http://didache.info/AaMainDownloadsFree.htm>