BERNARD HÄRING AND THE SECOND VATICAN COUNCIL

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ABSTRACT

This article examines the life and work of Bernard Häring, C.SS.R., especially his valuable contributions to the Second Vatican Council and his dedication to the council's vision of renewal. It begins with an overview of Häring's preconciliar religious and theological formation in his family, seminary and university, during World War II, and during his teaching in Rome. The next section deals with Häring's work at the council, especially his efforts on the original Theological Commission to resist the rigidity of the first drafts, and his contributions to *Lumen Gentium* ("The Constitution on the Church"), *Unitatis Redintegratio* ("The Decree on Ecumenism"), *Dignitatis Humana* ("The Declaration on Religious Freedom"), *Gaudium et Spes* ("The Constitution on the Church and the Modern World"), *and Optatam Totius* ("Decree on Priestly Formation"). The final section considers Häring's mission to spread the council's message of renewal to the world, his conflicts with the forces attempting to repress the progressive agenda, and his courageous visioning of what a renewed church might look like in the future.

Charles Curran has called Bernard Häring "the foremost Catholic moral theologian of the twentieth century and leading advocate of the Church."[1] Häring also has been recognized as a leading figure at the Second Vatican Council. This article will show how this extraordinary theologian came to be a significant force at the council. It begins with an overview of Häring's preconciliar formation, which resulted in the experience and expertise which he brought to the table during the council. Then Häring's contribution to specific documents of the council will be discussed. The final section deals with his heroic efforts to resist the restorative movement in the church and his dedication to

[1]Charles Curran, "Introduction," in Bernard Häring, *My Hope for the Church* (Liguori, MO: Liguori/Triumph, 1999), ix.

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promote the progressive positions of the council until his death in 1998.

I. Häring's Preconciliar Formation

The personal and theological principles that Häring brought to the Vatican Council were years in the making. He was born in 1912 into a large German family, the eleventh of twelve children, and was deeply influenced by his home environment. Love was always central in Häring's life as well as in his theology, and he says that he grew up a country boy "in the sun of my family's love." His mother was an extraordinary woman who invited beggars, the infirm and elderly into the home for food and care. His father was a successful farmer who spent his free time writing letters for neighbors who were not able to write. Häring's extraordinary faith was shaped by his parents, for he says that their faith was "the air we breathed." Early on, he was introduced to a spirituality which was centered on prayer and Scripture rather than pious sentimentality.[2]

Häring also learned how to resist oppressive authority and exercise freedom of conscience from his parents, who were courageous in their opposition to Nazism. When Bernard was twenty-one (1933), Hitler came to power and gave out free radios so that Germans could hear his speeches. Häring's father refused to accept such a radio "as long as this criminal screams on it."[3] The father was later sent to a work camp for organizing local farmers to resist turning over parcels of land to the SS (*Schutzstaffel*, "defense echelons") for training camps. Häring's mother was also rebellious. She refused to accept the Golden Mother's cross for having a large family for the Reich, defiantly stating that she had "not borne and raised my children for National Socialism."[4] Häring himself displayed an early confrontational nature when he distressed his teachers by speaking against Nazism in his valedictorian speech at graduation. Later, during the Depression after World War I, he spoke against Communism at party rallies and wrote a play on the dangers of Communism.

Ironic Twists in a Vocation

There is much irony in the story of Häring's vocation to religious life. Inspired by the missionary efforts of Jesuits like Francis Xavier and Matteo Ricci, Häring first looked into joining the Society. When he discovered that the Jesuits generally trained their gifted students to be

[2]Bernard Häring, *My Witness for the Church* (New York: Paulist, 1992), 11-12.
[3]Ibid., 15.
[4]Ibid.

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professors rather than missionaries, he applied to the Redemptorists, who assured him that he would be sent to the missions. He entered the Redemptorist seminary, which was strongly opposed to Hitler, and began preparing himself for mission work in Brazil. But just after ordination, Häring's mission goal took an ironic turn when he was told that his college needed a professor of moral theology. Moral theology was the one subject which Häring tried to avoid in the seminary, finding it a boring "science of sin," closely linked with the legalism of canon law. Although he did have some exposure to the newer biblical and psychological approaches to moral theology, Häring had no taste for a career in this discipline. He was only able to be persuaded to give up his missionary ambitions by being promised that he would be sent to Tübingen and be trained to help change the direction of moral theology. But just as he began his studies, Häring was drafted into the German medical corps and was sent to the front in France. It was this dangerous and challenging war experience that would have further profound influences on Häring's formation.

The War Years

Häring's service as a medic, by that time a priest, at the front during World War II steeled his will and taught him many lessons that he would carry into his future and into the Second Vatican Council. First and foremost, the horrors brought on by submission to ruthless dictators like Hitler and Stalin brought him to a firm resolution never to be blindly obedient to any authority.[5] He learned how authority can become an ultimate reality replacing the Holy and leading people to an idolatry that was oppressive and destructive. He realized that a morality focused on law becomes impoverished and does not move people to heroism and sacrifice. Conversely, he learned the great things that can be accomplished by following conscience and by dissenting responsibly.

Häring regularly acted against military law that forbade his participating in ministry, and was thus able to offer crucial pastoral care to wounded and dying soldiers in his own army as well as those of the enemy. His ignoring of military law also enabled him to provide valuable ministry to people who had been conquered in France, Poland and Russia. He witnessed many examples of how freedom of conscience brought about heroic action. He found that some of his own officers were willing to undergo severe punishment to allow Häring to serve as a priest. At one point he actually had to disobey orders in order to save his own men from certain death at Stalingrad. He witnessed Russian

[5]Bernard Häring, *Embattled Witness* (New York: Seabury, 1976), 72.

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peasants, at the risk of being shot, saving German soldiers from execution. He saw the heroism of German soldiers risking execution to save Russians and Jews from being put to death. Later he wrote: "Looking back, I see the difficult experiences of war as a hard school for discovering the unique value of freedom of conscience as well as a more mature approach to law, including church law."[6] He would carry this conviction into the Second Vatican Council.

Most importantly, the war years strengthened Häring's conviction of the power of love. He writes of people who have lost everything and seen their loved ones sent off to gulags and extermination camps who yet continued lovingly to save others. He saw Russian peasants risk being shot on the spot to give their own sleighs and horses to German soldiers to help them escape from being burned alive by Russian troops. Caring Russian citizens provided him with food and shelter as he rescued his men from the hell of Stalingrad. He was himself saved from a Russian prison camp by heroic Polish citizens. The many moving underground liturgies, as well as the heroism of so many Christians, taught Häring that indeed the people are the church. This would become a central realization at Vatican II.

The war experiences also taught Häring the deep goodness within all people. He writes: "I often experienced the faith and Christian love that transcends all the ethnic division and the hatreds sown by nationalism, materialism and the lust for power."[7] He learned that a common ground exists for people, whether they be Russian, Polish, French, or German; whether they be Protestant, Catholic, Orthodox, or Jew. This gave Häring a global and ecumenical perspective that would be useful at Vatican II. He also learned during the war that there is often a price to pay for those who act freely and lovingly. For his heroism, he was several times put on trial, was wounded, contracted typhoid and was imprisoned in a Russian camp. All this would toughen him for the turbulent debates at the council, for the attacks from the traditionalists, and for the many trials he would have to endure for his views after the council.

Returning Home

On returning home after the war Häring took up more pastoral work, serving his own German people who were suffering from the devastation of war and defeat. He lived with the poor and preached everywhere, including dance halls and Protestant churches. Eventually Häring was asked by his superiors to return to Tübingen, where he

[6]Ibid., 67.
[7]Ibid., 101.

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received a thorough training in the new Tübingen school of moral theology. He studied under Guardini, Steinbüchl, Körbele, Thielicke, and Rückert. He finished his degree in 1947, writing his dissertation on "The Sacred and the Good," an ecumenical study of the relationship between religion and morality.

After teaching for six years in the Redemptorist seminary in Germany, Häring was assigned to an exciting new Redemptorist Academy in Rome, the Alphonsiana. Here moral theologians were taking a new direction from the other seminaries, where the professors plodded through the traditional manuals, dealt with minute legal questions and stabbed like "matadors" at any progressive thinkers.[8] At the new academy the accent was on the good news of Christ, the contemporary context, and the pastoral dimension of morality. Häring taught two popular courses, one on conversion as a basis of morality and the other on what Protestants and Orthodox Christians can teach Catholic morality. The courses were ecumenical and existential, and Häring's students, many of them veterans of the horrors of war, were ready to link morality with real life problems.

During these early years in Rome, Häring continued his writing on his monumental work, *The Law of Christ*, which was published in 1954 as *Das Gesetz Christi* and which was instrumental in setting aside forever the traditional moral manuals. Charles Curran called this work "the most significant contribution to moral theology in the current century."[9] Häring's eventual three volumes of *The Law of Christ* would move moral theology from being a "science of sin," which focused on preparing confessors to sort out sins and give appropriate "penances," to a theology centered on Jesus Christ and Christ's call to all Christians to conversion and to the highest law of love. This represented a shift from a morality that was legalist in tone and often characterized by scrupulosity and fear of hell, to one centered on freedom and love.[10]

This sea-change in morality went beyond obeying laws and performing rituals casually to a free and vital response to a relationship with God through Jesus Christ. The focus moved from the mere minimum of following rules to a gospel way of life: a call to goodness, heroism and holiness. This new morality would not only return to Jesus and the scriptures, it would also go back to the ancient Christian sources and recover the many riches of the Christian tradition. It would be a morality for all followers of Christ, and would call them beyond

[8]Häring, *My Witness for the Church*, 32.

[9]Charles E. Curran, "Horizons on Fundamental Moral Theology," *Horizons* 10/1 (Spring 1983), 101.

[10]Bernard Häring, *The Law of Christ* (Westminster, MD: Newman Press, 1961), I: 23 ff. (translation from 5th ed. of *Das Gesetz Christi* (Freiburg-im-Breisgau: Erich Wewel Verlag, 1959).

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personal commitment to a communal commitment, concerned with justice and peace issues in the world. Häring writes prophetically about what would become John XXIII's concern about the "signs of the times": "Moral theology proclaims the eternal truth, but in each age the manner varies to meet the needs of the time."[11] This would be an approach to morality that would seek to recover the true freedom that was promised by Jesus, the freedom that exists as a treasure within each person and which should not be controlled by absolute authority. It is the freedom which liberates people from oppressive structures, whether they be political or religious, and gives them the courage to dissent from abusive authority. Contributing to this major renewal in moral theology prepared Häring for his later contributions at the council with regard to the great themes of the church as people, the universal call to holiness, a return to the Scriptures and ancient Christian sources, the church in the modern world, the primacy of conscience and the importance of religious freedom, ecumenism, and concern for the signs of the times.

II. Häring's Work at the Council

Pope John XXIII created a great deal of anticipation and enthusiasm when he called for the Second Vatican Council to be convened. All this reaction became somewhat muted for many when it was discovered that Cardinal Alfredo Ottaviani of the curia and many conservatives were appointed to the Commission to plan the council. Monsignor Joseph Fenton, the American representative member on the Preparatory Commission, was a staunch traditionalist, and described Häring in his diary as "a bad man."[12] For Fenton, the appointments of progressives like Häring, Henri de Lubac and Yves Congar to the commission could only lead to disaster. For others, these appointments were the signs of hope that renewal might be accomplished by the council.

Häring became engaged in some serious conflicts over most of the first drafts submitted to the Commission. He has pointed out that the first battle was over the exclusion of unbaptized children from salvation. Häring's protests were so vehement that he was forbidden to speak further on the issue, and his provincial was told: "I doubt whether Fr. Häring will survive on the Council."[13] Ultimately the schema on original sin which Häring opposed was remanded to the archives, but Häring soon found himself engaged in many more debates over the

[11]Ibid., ix.
[12]Giuseppe Alberigo, ed., *History of Vatican II* (Maryknoll, NY: Orbis, 1995), II: 93.
[13]Häring, *My Witness for the Church*, 43.

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outdated views in the early drafts. He notes that one of the most vigorous battles was over what Congar described as "the great theme of the Council," collegiality.[14]

At the outset, two submissions of the Preparatory Commission were formed: one to deal with the moral order and the other with matters of sexuality, marriage and the family. Häring was excluded from both subcommissions because of his liberal views, and when pressure "from above" finally got him appointed, the work was already finished. Häring was appalled by the drafts, which substituted "duty" for "love" and which held up Augustine as the crown witness for the Christian tradition on marriage. The early draft on marriage said, "it is forbidden to say that love is essential for marriage."[15] Häring countered with the views of Alphonsus, who focused his work on love, and pointed out the Augustinian emphasis on "true love." The work of Pierre Teilhard de Chardin was explicitly condemned in these early drafts, so Häring strongly supported de Lubac's ardent defense of Teilhard's vision, which ultimately would be influential at the council. Teilhard's vision for integrating the Christian tradition with the world would prove useful to many of the progressive thinkers at Vatican II.

When the prepared documents were finished on the eve of the council, Häring was appalled by how rigid and antiquated they were. Of the seventy drafts, he predicted that only the one on the liturgy had any chance of gaining the two-thirds vote for approval. He immediately prepared counter-arguments to these documents and circulated his assessment to a number of progressive cardinals who would become part of a movement to construct new documents more in line with the renewal intended by Pope John.

Early on, the German bishops along with such theologians as Karl Rahner and Joseph Ratzinger proposed new schemas and appointed Häring and other moralists to work on the section on morality. While this original "plot" did not work out as planned, ultimately the progressive ideas of this group would shape the future documents. Fenton wrote prophetically in his diary: "I always thought this council was dangerous. It was started for no sufficient reason. There was too much talk about what it was supposed to accomplish. Now I am afraid that real trouble is on the way." Fenton feared that liberal bishops and "bad men" like Rahner and Häring would "propose that the council pass up all the doctrinal schemas and settle for some 'pastoral stuff'."[16]

[14]See Charles Reymondon and Luc A. Richard, *Vatican II au Travail* (Paris: Maison Mame, 1965), 100-04; René Laurentin, *L'enjeu du Concile: Bilan de la Deuxième Session* (Paris: Editions du Seuil 1964), 51-61.

[15]Ibid., 46.

[16]Alberigo, *History of Vatican II*, II: 92-93.

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Once the council opened, Häring was in a position to be very influential. He had been a member of the Theological Commission that had prepared the original schemas, and he was well-aware of the weaknesses in these original drafts. He was delighted when this commission was later expanded to include Rahner and other progressives who would bring new vision to the council and help guide it in the renewal that Pope John originally wanted. Teaching in Rome for many years had established Häring as an outstanding progressive theologian and a person who knew the workings of the political system in the Vatican. The war had toughened him to deal with conflict calmly and with courage. His fluency in Latin and five other languages enabled him to function as a key theological "expert" throughout the council, a frequent lecturer for groups of bishops, and an effective spokesperson with the press. The following will highlight some of the areas of the council documents where Häring seems to have made significant contributions.

Lumen Gentium

Häring was part of the progressive group that struggled to drastically revise the original schema on the church prepared by the Theological Commission before the opening of the council. The original draft was written in the fortress mentality of Trent and Vatican I and was extremely hierarchical, juridical and triumphant in its perspective. Häring vehemently opposed those who saw the church as an institution possessing all truth and exercising a centralized authority to defend this truth. During the council he wrote: "The Church is an organism whose authority excludes a lust for power. Ecclesiastical authority is a service of love, a guarantee of sisterhood and brotherhood in humility."[17] He strongly opposed the use of church authority for inquisitional punishments, gaining temporal power, or privileges. Moreover, Häring advocated that the church put aside all juridical practices that were not animated by love.[18] Häring had a much more pastoral vision of the church as a community of faith, as a people. He was able to express these views during his work on the subcommittee that worked on the key description of the church as the "people of God." His view was: "It appears to me that even today there are still some people who come to grief with 'the Church,' even leave the Church, because by Church they still understand mainly the Curia and the Vatican."[19]

[17]Florence Anderson, ed., *Council Daybook:Vatican II, Sessions 1 and 2* (Washington, DC: NCWC, 1965), 295.

[18]Bernard Häring, *The Johannine Council* (New York: Herder and Herder, 1963), 57.

[19]Häring, *My Witness for the Church*, 53. See Herbert Vorgrimler, ed., *Commentary*

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Alberigo points out that Häring was among theologians such as Congar and others, who fought for an active role for the laity in the church. Häring was in fact given the personal responsibility to revise the Constitution on the Church to link the laity with Christ's priestly, prophetic and liberating mission.[20] He also helped draft the section of the universal call to holiness, a major breakthrough, which invited all the people of the church to participate in the spiritual life.[21]

Häring also actively supported the notion of collegiality. Throughout the council he gave lectures to the bishops, assisted them in their understanding of the documents, and encouraged them to make their voices heard for renewal. He often urged them to find their own voices and authority and to work collaboratively. In an article in the *Council Daybook* he wrote that the majority of Fathers wanted the collegiality of the bishops to be written into the dogmatic constitution of the church, but they received vehement opposition from reactionary cardinals like Carli, Ruffini and Ottaviani. Carli's presentation declaring the vote in favor of collegiality null and void fortunately caused a reaction more in favor of collegiality.[22] Häring was quick to point out that collegiality would not take power away from the pope, but would instead rally bishops more closely around the pope. He opposed the excess of power that had been exercised by the curia and pointed out that the curia had become a barrier between the pope and the bishops. He was strongly critical of how the curia often acted negatively in the name of the pope by punishing deviations and offenses and banning books, rather than offering "selfless service in the cause of unity in love."[23] Häring was convinced that such actions gave a negative impression of papal power. He was encouraged to see that the notion of a supreme council of bishops at the pope's side was gaining acceptance over the current practice of the Roman Congregations and Holy Office. He saw this as move closer to subsidiarity, with more power given to bishops, regional conferences and synods. He wrote that such subsidiarity: "would reveal that the Church is not a mere organization of the collectivist or dictatorial model. The Church is an organization whose concept of authority excludes lust for power. Ecclesiastical authority is way of love, a service of love, a guarantee of brotherhood and sisterhood in humility."[24] He opposed those who insisted on monarchist authority by the pope and the bishops, and supported those at the council who

on the Documents of Vatican II (New York: Herder and Herder, 1967), 235; Alberigo, *History of Vatican II*, III: 46.

[20]Alberigo, *History of Vatican II*, III: 115.

[21]*Ibid*., II: 410.

[22]Anderson, *Council Daybook: Vatican II, Sessions 1 and 2*, 294.

[23]Ibid., 288, 295.

[24]Ibid., 295.

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rejected the royal, monarchist and feudal models of authority. Häring asked that the exercise of pastoral and humble service replace the exercise of authority. He insisted the council give "a decisive 'yes' to the challenge of self-denial and the abandonment of a power mentality. In short it is a 'yes' to selfless service."[25]

Ecumenism

Häring was also a strong proponent of ecumenism. For him, the ultimate goal was the union of all in Christ, and in one of his press conferences he stressed the importance of educating Catholics in their attitudes toward non-Catholic people. He said: "If Catholics have the right attitudes with non-Catholic people, God in His own time will work the miracle of realizing the fruits of ecumenism."[26] While Häring realized that the church has been chosen in a special way to promote the kingdom of God, he saw no reason for it to be self-righteous or certain that its loyalty to its mission is perfect. The church should: "lament its shortcomings, her partial failure to measure up to her own ideals, and must constantly struggle to perfect her loyalty."[27] Häring warned the church against self-satisfaction. He pointed out that a lack of the spirit of penance, humility and love led to the Great Schism of the eleventh century. The Western Church's haughtiness in seeking to impose its theology and cult on the East did its part in leading to the tragic split. He also pointed out that Catholics share the blame for the exodus of many who wanted renewal during the time of the Reformation. The church's presumption of right and justice according to law served to drive many away. He saw the council as an opportunity for both sides to do penance and consider reconcilation. Häring is clear that the council is giving the following admonition: "We Catholics must correct many errors affecting our attitudes in order that Catholic truth in its entirety may be made more acceptable to our separated brethren."[28]

Religious Freedom

Häring was a dedicated advocate of religious freedom. He personally confronted Cardinal Ottaviani who opposed even discussing a document on the question and insisted that John Courtney Murray, a long-time expert in this area, be allowed to speak to the Theological

[25]Ibid., 296.
[26]Ibid., 273.
[27]Häring, *The Johannine Council*, 116.
[28]Ibid., 116-17. See Bernard Häring, "Christian Ethics in the Ecumenical Dialogue," *Ecumenical Trends* 20 (December 1991): 161-71.

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Commission on the matter. Ottaviani had silenced Murray for many years on this topic at the bequest of Joseph Fenton and Francis Connell, professors of theology at the Catholic University of America, and only reluctantly gave in to Häring's request. Murray was able to make a persuasive presentation and enlightened many members of the commission on the need for the church to renew itself in the matter of religious freedom.[29] In spite of this, there were stubborn foot-dragging delays on the publication of a document, instigated by opponents of religious freedom. Ultimately, Pope Paul VI insisted that things be moved along. Häring was appointed to a special subcommittee to deal with this issue and remained in the thick of the debate until the very end. Then, along with Murray and others, he became one of the framers of the document. At first the text appeared in the decree on ecumenism, then as an appendix to that text, and finally as an independent declaration. Full and emotional debate was carried out throughout two years over this the most controversial document in the council, as five corrected versions appeared. Finally a ground-breaking document was voted in, and promulgated in December 1965 by Paul VI, who referred to it as "one of the major texts" of the council.[30]

Gaudium et Spes

At the end of the first session of the council, Häring addressed a group of progressive cardinals and theologians and told them that the council had to go beyond the inner workings of the Church and address a broader vision, where the Church deals with issues of the world. Häring supported the position of Cardinal Léon Suenens, who had redesigned the direction of the council for Pope John to include not only *ad intra* matters but also *ad extra* issues. Häring wrote: "Why this gigantic outpouring of energy on theories and speculations? What is at stake here is nothing less than our helping to shape history and world, and hence we should above all focus on understanding this world and the 'signs of the times.'"[31] Once it was decided to produce such a document on the church's role in the modern world, Häring was chosen to be a theological expert on the subcommittee commissioned to produce the text, and was then chosen to be the coordinating secretary of the committee.

[29]Häring, *My Witness for the Church*, 57.

[30]Walter Abbott, ed., *The Documents of Vatican II (*New York: Guild Press, 1966), 674. See René Laurentin, *L'enjeu du Concile; Bilan de la 3e Session* (Paris: Editions Du Seuil, 1965) 51-77; Yves Congar, *Le Concile au Jour le Jour: Troisième Session* (Paris: Les Editions du Cerf, 1965), 51-55; Gregory Baum, *The Teachings of the Second Vatican Council* (Westminster, MD: Newman Press, 1966), 366-83.

[31]Häring, *My Witness for the Church,* 61.

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Häring's writings during the council give us insight into the views he presented to the subcommittee which worked on the document on the Church in the modern world. He pointed out that the document should not be limited to the European view of the world but should include the perspectives of other continents. Furthermore, he advocated that the church should move beyond its condemnations and avoidance of secular reality and have an "optimism toward the world. The church at the same time should take on the spirit of poverty and self-denial as it sets out to bring freedom to the world."[32] In the book that Häring wrote during the sessions, *The Johannine Council*, he expressed many views that would ultimately appear in the document. He critiqued the limitations of the Western view of the world, and insisted that the church must listen to the world and avoid declaring absolutes. He advocated that it repent the haughtiness that drove the Eastern Church apart as well as its refusal to reform which lost so many followers during the Reformation. He further insisted that the church be a church of the poor, concerned about hunger and strongly opposed to war and nuclear arms.[33]

Alberigo points out that Häring worked tirelessly, listening to concerns from all parts of the world, especially the Third World. He also attended key meetings in Zürich and Rome. When the 1963 draft was set aside for lack of concreteness, the way was laid open for Häring to introduce his more personal and pastoral approach to ecclesiology. Häring served as one of the main drafters of the document, saw it through many revisions, and "insisted on stressing the close connection with the lives of human beings and the 'signs of the times.' Every section ought to begin with a description of the signs of the times, move on to a description of the signs of God's presence . . . always in the spirit of availability to people and of the optimism of John XXIII."[34] Häring would make important contributions in the areas of conscience, marriage and peace. Ultimately, the document turned out to be one of the masterpieces of the council. It opens with the classic statement, which seems to echo the work of both Häring and Chenu: "The joys and the hopes, the griefs and the anxieties of the men [and women] of this age, especially those who are poor or in any way afflicted, these too are the joys and hopes, the griefs and anxieties of the followers of Christ."[35] One of the major breakthroughs in the document was its stress on the

[32]Alberigo, *History of Vatican II*, III: 410 (Häring archive, 1857-2446: Haubtmann archive, 913).

[33]Häring, *The Johannine Council*, 111-16.

[34]Alberigo, *History of Vatican II,* III: 406, Häring, 'Testimonianze,' 170.

[35]Abbott, ed., *The Documents of Vatican II,* The Church in the Modern World, 199. As early as 1960 Häring had written on "the joys and sorrows" and "signs of the time." See Bernard Häring, *Ehe in dieser Zeit* (Salzburg: Otto Muller Verlag, 1960), 561-62;

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importance of conscience, which, as Alberigo points out, was strongly influenced by Häring.[36] This represented a shift from the legalistic notion of conscience to the understanding of conscience as the human orientation toward good, the human drive toward love. Conscience here is dynamic and searching, individually and communally, for the meaning and application of moral law.

Marriage

The section on marriage in *Gaudium et Spes* is of extreme importance, and Häring played a key role in shaping this portion. Early on, he was appalled by the treatment of marriage in the preliminary documents, where it was "forbidden to say that love is essential for marriage."[37] Häring believed that these early drafts were limited to Augustine's goods of marriage, and were based on a static notion of natural law. These drafts forbade artificial birth control, requiring that the number of births in a family be solely decided on moral and religious grounds, excluding health, economic or social issues. Häring opposed these early views as being too juridical and negative, too focused on procreation while ignoring married love, and overly preoccupied with the condemnation of progressive views. In the early days, Häring found himself in a public dispute with Tromp and Hurth, who insisted on the primacy of procreation in marriage, while Häring defended the personalist views of Dietrich von Hildebrand and Herbert Doms and insisted that the experiential dimension of marriage as well as the sociological and psychological aspects be considered.[38]

Häring insisted that marital love and communion should be given primacy in marriage and that the church should deal with birth control with more compassion and sympathy.[39] He urged that religious freedom and ecumenism be honored in questions regarding mixed marriages, and urged that only the Catholic partner be made to make promises about the religious education of the children. Here he enunciated

Philippe Delhaye, "Dignité du marriage et de la famille," in *L'Église dans le monde de ce temps, Tome II Commentaires* (Paris: Les Éditions du Cerf, 1967), 396.

[36]Alberigo, *History of Vatican II*, III: 396. See Bernard Häring, *New Horizons for the Church in the Modern World* (Notre Dame, IN: Ave Maria Press, 1968).

[37]Häring, *My Witness for the Church*, 46. See Bernard Häring, *Love is the Answer* (Denville, NJ: Dimension Books, 1970).

[38]For treatment of the evolution of Häring's own views on whether procreation or love should be central, see William McDonough, "'New Terrain' and a 'Stumbling Stone' in Redemptorist Contributions to *Gaudium et Spes*; On Relating and Juxtaposing Truths, Formulation and Its Experience," *Studia Moralia* 35 (1997): 18-19.

[39]Häring, *The Johannine Council*, 101.

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his conviction that church laws should not be put on a parallel level with divine law, but should always be at the service of divine law.[40]

In the early debates the conservative positions continued to prevail, and Häring was able to make little headway with the position taken from his perspective.[41] Fortunately, the first session of the council set aside the early "timeless and unproblematic" texts on marriage and moved the topic into the document on the church in the modern world. Since Häring was one of the drafters of this schema, several members of the doctrinal commission with ties to the Holy Office made what Congar describes as a "great concerted attack" on Häring. They openly attacked Häring's views on marriage and subjected him to a "public trial" before the commission, armed with Denzinger and a decree from the Holy Office itself. Eventually the progressives on the commission prevailed and the schema was passed, but Häring had been "sacrificed."[42]

Häring and his subcommission worked tirelessly on drafts of the schema on *Gaudium et Spes*. The schema's positions on marriage were vigorously opposed by Cardinal Ottaviani, who warned that "the principle of responsible parenthood is incompatible with the faith."[43] At one point, Archbishop John Carmel Heenan of England, who was upset with Häring's opposition to a pastoral letter of English and Welsh bishops on birth control, openly made biting remarks in the aula about the newer additions on birth control made by the "*periti*." Many knew that the attack was aimed at Häring, and when later asked if he was upset by the attack, he said: "No, I expected something like that . . . It is not we who are important, but the work which each should do humbly in his place."[44] Häring remained undaunted by the severe criticism he received from the conservative members of the commission and from the Holy Office, and he countered by inviting Bishops Karol Wojtyla from Poland and Helder Camara from Brazil, along with several women, to join the commission in order to give more diversity to the debates. Ultimately, Pope Paul VI removed discussion of contraception from the

[40]Anderson, *Council Daybook: Vatican II, Session* 3, p.174: Häring, *The Johannine Council*, 102-03.

[41]Alberigo, *History of Vatican II,* I: 256.

[42]Ibid., III: 410.

[43]Bernard Häring, "Fostering the Nobility of Marriage and Family," in Vorgrimler, ed., *Commentary on the Documents of Vatican II,* 227.

[44]Xavier Rynne, *The Third Session* (New York: Farrar, Strauss and Giroux, 1965), 125. See Laurentin, *L'enjeu du Concile: Bilan de la 3e session*, 177-79; Henri Fesquet, *The Drama of Vatican II* (New York: Random House, 1967), 444-45. There was a humorous comment going around after Heenan's attack that he had swallowed a "Häring" and had come down with "peritonitis." See Douglas Horton, *Vatican Diary 1964* (Boston: United Church Press, 1965), 101-08.

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document and set up a papal commission to discuss the issue.[45] The section on marriage, after many revisions and even a final attempt by the conservatives to scuttle it with an order that was bogusly said to be from the pope himself, finally made it into the Fourth Session for a favorable vote.

Häring's own commentary on the marriage section reveals the positions he promoted. He wanted human experience and the dignity of the human person to be joined with Gospel considerations. He hoped that the natural law would no longer be interpreted rigidly and philosophically with metaphysical certainty. Instead, Häring proposed that the natural law should be "more realistically and historically incorporated in the actual history of salvation."[46] The family should be described as a "community of love" and a common love of family should be a bond linking Christians and indeed all peoples. Häring was also glad to see that the legal contractual language of the earlier drafts was replaced by notions of covenant and a mutual self-giving of rights and duties. He supported the replacement of Augustine's view that the marital act is sinful and can only be allowed for procreation with Alphonsus' position that the marital act is in itself good. Häring considered it a "momentous" improvement that "mutual self-giving" was added to procreation as a purpose of the marital act. He applauded the personalist approach to the sacrament, which stressed the couple's relationship with Christ. He was also supportive of the idea that family planning views parents as interpreters of God's creative love instead of mere reliers on divine providence "with a blind trust or at least abandonment to chance."[47] The charge that Häring was not able to reconcile unchangeable moral truth with the changing experience of marriage seems to be unfounded, since Häring placed the free and loving act at the center of conscientious decisions.[48] Häring's hand is most especially seen in the document's placing conjugal love at the center of marriage, serving as the ground for procreation, fidelity and indissolubility.[49]

The Renewal of Moral Theology

One final contribution that Häring made to the Second Vatican Council was the statement on the renewal of moral theology. The secretary of the commission preparing the document on priestly formation

[45]Anderson, *Council Daybook: Vatican II, Session 4,* p. 268.
[46]Häring, "Fostering the Nobility of Marriage and Family," 229.
[47]Ibid., 240.
[48]For a critique of Häring's efforts to link unchangeable truths with existential situations, see McDonough, 37-45.
[49]Anderson, ed., *Council Daybook: Vatican II, Session 3*, 174.

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asked Häring to assist in the writing of the section on seminary studies, especially in the area where Häring had pioneered, the renewal of moral theology. Häring prepared a text that reflects his central convictions and it received unanimous approval. It reads: "Students should receive careful training in holy Scripture, which should be the soul, as it were, of theology . . . In like manner the other theological subjects should be renewed through a vivid contact with the Mystery of Christ and the history of salvation. Special care should be given to the perfecting of moral theology. Its scientific presentation should draw more fully on the teaching of holy scripture and should throw light on the exalted vocation of the faithful in Christ and their obligation to bring forth fruit in charity for the life of the world. In the same way, the teaching of Canon Law and Church History should take into account the mystery of the Church, as set forth in the dogmatic constitution *De Ecclesia*."[50]

Here Häring was able to bring into the official documents his vision for the future of moral theology. As mentioned earlier, the seminary training previous to the council had relied largely on manuals that were centered on sin and legalism. Moral theology had been most closely allied with canon law. Scripture was used mainly as providing proof texts with little reference to context or modern biblical criticism. The purpose of moral theology was to train seminarians to deal with sin in the confessional. As sacred science it was generally cut off from spirituality and pastoral concerns. This approach to moral theology was more concerned with an ethic of obedience to timeless truths than to the development of conscientious responsibility toward the Christian way of life. The laity had slight access to this esoteric science save through the instruction they received in the confessional. Häring's mission was to center moral theology on Jesus Christ, make the Holy Scripture the primary resource, and focus on the search for holiness to which all Christians are called. In this statement Häring was able to express his moral vision in the context of Vatican II's perspective on the church as its people and the universal call to holiness, as well as in line with the council's return to the church's biblical foundations.

III. A Missionary for Vatican II

Häring returned from the council filled with enthusiasm for the new self-consciousness of the church as "the people of God," excited about the reform of church structures through consultation and collaboration, and encouraged by the new ecumenical outreach to other

[50]Abbott, ed., *The Documents of Vatican II,* Optatam totius, no. 16. Häring, *My Witness for the Church,* 60.

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churches. He wrote: "This is no longer a Church defending its claim to full possession of all truths of salvation and all moral directives in opposition to other branches of Christianity."[51] He was especially pleased with the council's new focus on love and freedom over conformity and obedience.

Häring set out to update his eighth edition of *The Law of Christ* in light of the council. He soon realized that there were so many new developments in theology, biblical criticism and the physical sciences, and so many new "signs of the times" to be answered, that a new set of volumes was called for. He began a second work, which he would call *Free and Faithful in Christ*. At the same time, Häring decided to spend his breaks and vacations spreading the council's good news of renewal throughout Africa, Asia, Latin America, the United States and other parts of the world. Thousands flocked to hear the lectures of one the great moralists, who was able to speak to people from all walks of life in tones both personal and pastoral. Häring had always wished to be a missionary but his dreams had been thwarted by appointments to academic life. Now was his chance. Knowing full well that this would mean less attention to his scholarly work, he set out to spread the council's message of renewal throughout the world.[52]

Stormy Waters

It did not take long after the council for Häring to realize that Pope John's plea for "the medicine of mercy rather than that of severity, the demonstration of the truth rather than condemnations" was not heeded, and that rigid absolutism and legalism were still operative in the Vatican. Häring was on the commission appointed to discuss birth control and once again found himself locked in controversy with the traditionalists. At the heart of the debate was the Augustinian view that every marital act must be open to procreation *versus* Alphonsus' view that every marital act must express and promote marital love and loyalty, and not necessarily be open to procreation. Häring strongly supported the latter and was pleased when the commission recommended in favor of conscience with regard to the use of artificial birth control. Pope Paul VI set up another commission, which supported the same

[51]Häring, *My Hope for the Church*, 16.

[52]In his earlier work, Häring had compared the renewal of the church to the process of the incarnation. See Bernard Häring, "Tradition und Anpassung im Licht des Geheimnisses der Incarnation," in *Kirche und Überlieferung,* ed. Johannes Betz and Heinrich Fries (Freiburg: Herder, 1960), 276-87. See Kevin McNamara, ed., *Vatican II: The Constitution of the Church* (Chicago: Franciscan Herald Press, 1968), 26-27; Charles Curran, *Ongoing Revision in Moral Theology* (Notre Dame, IN: Fides, 1968), 265-66; and Kathleen A. Cahalan, *Formed in the Image of Christ: The Sacramental-Moral Theology of Bernard Häring* (Collegeville, MN: Liturgical Press, 2004), 9.

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position in favor of conscience. Although the pope seems to have been impressed with the findings, conservative theologians got access to him through Cardinal Ottaviani and persuaded him to hold to the traditional line. Häring's attempts to see the pope were persistently thwarted.[53]

When the encyclical *Humanae Vitae* was published, Häring found himself in a firestorm of controversy. At first he retired to a house of prayer and tried to stay out of the fray. But when Cardinal Pericle Felici issued his statement in Rome that anyone who did not accept the pope's view on birth control in obedience and faith should leave the church, Häring had to take a stand. He issued the following statement: "Whoever can be convinced that the absolute forbidding of birth control as stated in *Humanae Vitae* is the correct interpretation of divine law must earnestly endeavor to live according to this conviction. Whoever, however, after serious reflection and prayer is convinced that in his or her case a prohibition could not be the will of God should in inner peace follow his/her conscience and not thereby feel her/himself to be a second-class Catholic."[54] The statement was published in *The New York Times* and in newspapers throughout the world, and Häring found himself to be in much demand to speak at bishops' conferences and other gatherings throughout the world. The Vatican, of course, was disturbed with Häring and he was summoned to Rome. Nothing was done at the time but Vatican officials have long memories. In the early 1970s Häring was again summoned to the Holy Office and chastised for his views. In 1975 a formal and doctrinal trial was initiated against Häring for his views on medical ethics and birth control. This trial went on for four years, led by Cardinal Šeper, Prefect of the Congregation for Doctrine of the Faith. Häring was constantly hounded, even while he battled in a life and death struggle with cancer. The man who during the war had been brought before Nazi military courts four times maintained that he preferred those experiences to those he had with the Holy Office.[55] When the trial ended, Häring was again attacked by a Roman congregation for his views on sexuality.

Throughout the ordeal Häring bravely took on his attackers and fired back vigorous defenses of his work. While the whole ordeal took its toll on him, he remarked that in fact it had a liberating effect. Facing

[53]Häring, *My Witness for the Church*, 78-80.

[54]Ibid., 82. See Bernard Häring, "New Dimensions of Responsible Parenthood," *Theological Studies* 37/1(March 1976), 120-32. For a through discussion of this debate, see Robert Blair Kaiser, *The Politics of Sex and Religion* (Kansas City, MO: Leaven Press, 1985).

[55]Häring, *My Witness for the Church*, 133. For commentary on Häring's position, see Paulinus Ikechukwu Odozor, *Moral Theology in an Age of Renewal* (Notre Dame, IN: University of Notre Dame Press, 2003), 60-64.

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death at any moment he was freed from any fears of "being cowardly or untruthful in order to save his career."[56] In addition, the period turned out to be extremely productive, enabling him to finish his three-volume work, aptly called *Free and Faithful in Christ.* In this work Häring continued to use his biblical approach, developing the themes of freedom and fidelity. He further linked moral theology with spirituality but now went to secular resources such as sociology, psychology and other sciences. The council's message that the church should listen to the modern world was taken seriously by Häring. This work, while not the groundbreaking achievement of *The Law of Christ*, is still a valuable resource for moral theology.[57]

The Curran Affair

As Häring's doctrinal trial ended, another began for one of his students, Charles Curran, a professor of moral theology at The Catholic University of America. Curran had studied with Häring at the Alphonsiana and did his dissertation there on conscience. Häring praises Curran as an extraordinary student and a dedicated, simple-living priest. When Häring was offered the chair of moral theology at The Catholic University of America, he declined but recommended Curran, who was hired by the university. Attempts were made in 1968 to fire Curran for signing the declaration of conscience in the birth control issue. A strike by the professors and students saved him for the time being, but ten years later he was informed that a doctrinal trial was being opened for him in Rome. He was charged with dissent in areas of sexual morality and birth control, and in virtue of the revised Code of Canon Law could be punished even though these were non-infallible teachings.

The trial dragged on for seven years until Curran was called before Cardinal Josef Ratzinger, the head of the Doctrinal Congregation. Häring accompanied his former student, made a plea for him and suggested some compromises, but apparently the decision had already been made. Curran could no longer officially carry the title of "Catholic" theologian.[58] He was told he could continue in any other school or department of the university but when he refused his position was terminated. Thus, he was forced out of the university by not being allowed to teach in his own department of theology. (Curran is presently a professor at Southern Methodist University and continues to be a major contributor in the field of Catholic moral theology.)

[56]Ibid., 93.

[57]For a critique of this work, see Charles E. Curran, "Free and Faithful in Christ: A Critical Evaluation," *Studia Moralia* 20(1982): 145-75.

[58]Ibid., 109.

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Conflict with John Paul II

Häring's experience with Archbishop Wojtyla at Vatican II was quite congenial. As mentioned earlier, he had brought Wojtyla on board to work on the marriage schema, and worked with him on the second papal commission dealing with birth control. Häring rejoiced when Wojtyla was elected pope and became impressed with his outreach to the poor and oppressed, as well as his dedication to ecumenism.

The Curran affair and many other instances of repression began to give Häring a very different impression of John Paul II. In 1988 the pope gave an address in Rome in which he took some extremely rigid positions in Häring's own area, moral theology. Häring was stunned by the pope's absolute position on birth control, which was proposed as coming from the hand of God and from divine revelation and declared that anyone who called this into question was rejecting the *magisterium*. Häring wrote an impassioned letter to the pope, pleading with him to extend compassion and mercy to the many good Catholics who would be hurt and alienated by such rigorism, and warned him that such views would cause crisis and polarization in the church. Häring received no answer, so he went public and began writing articles on this matter.

In 1993 John Paul II published a full encyclical on morality, "The Splendor of Truth," which distressed Häring even further. He began openly to oppose the total assent demanded by the pope on all moral issues, especially artificial birth control. He expressed his alarm at the pope's self-assurance in his views and his distrust in theologians, and strongly opposed the pope's making dissent a punishable church crime, his control over theologians and the appointment of bishops, and his requiring a confession of faith in matters of non-infallible teaching.[59] Häring challenged the pope: "Let us ask the Pope: are you sure your confidence in your supreme human, professional, and religious competence in matters of moral theology and particularly sexual ethics is truly justified?"[60]

[59]Bernard Häring, "A Distrust that Wounds," in John Wilkins, ed., *Considering "Veritatis Splendor"* (Cleveland, OH: Pilgrim Press, 1994), 11 ff. See Odozor, *Moral Theology in an Age of Renewal*, 320-21.

For a valuable commentary on how *Veritatis Splendor* reinterprets *Gaudium et Spes* and shifts morality back to law, magisterial teaching and a moral theology of the late eighteenth and nineteenth centuries, see Mary Elsbernd, "The Reinterpretation of *Gaudium et Spes* in *Veritatis Splendor*," *Horizons* 29/2 (2002): 225-39. This approach in effect attempts to undo the efforts of Häring to place Scripture, personalism, conscience, and the community as foundational for moral theology.

[60]Ibid., 13.

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Häring's Final Testimony

The year before he died, Häring published the last of his ninety books. This has been called "his last will and testament of the Church he loved and served so whole-heartedly."[61] Here he dealt with the key issues that he believed involved freedom today. He first of all expressed his alarm that the pope and the Vatican were returning to the old morality of fear and blind obedience, against which he had struggled all his life. He urged that Christian morality instead emphasize the liberating and healing power of Jesus Christ, and stress love, mercy, peace and justice. Häring expressed his distress over the return of centralized authority in the church and its inquisitional imposition of authority. He called for more autonomy and subsidiarity with local churches throughout the world and insisted that there be an end to forced conformity and the brutal measures used to deal with dissent. He asked for a downsizing of papal authority, the election of the pope through a global process, term limits on the papacy, and a provision for papal retirement.

Häring pointed out that at Vatican II two versions of the church and the world had clashed and that a new synthesis was brought forth by the council. He deeply regretted that John Paul II and others tried to destroy this synthesis and restore the church to the way it was before the council. It was his hope that this restorative movement "has largely run itself into ground," and that an exciting new era lay ahead.[62]

Häring was encouraged by the advancement of women in the church as theologians, religion teachers, catechists and pastoral leaders. In his view, John Paul II's "definitive" and "infallible" decision on the ordination of women is "untimely, unnecessary and unhelpful."[63] Not only does Häring view this position as not infallible since it was never declared by a council and has not been received by the people of God, he also called when the pope to "humbly acknowledge his error before he leaves us."[64] For Häring, the traditional arguments against the ordination of women are faulty, even shameful. He recalled his "sacramental moments" of the past, when he watched sisters bringing forgiveness to dying soldiers in the war, and saw no problems with either

[61]Häring, *My Hope for the Church*, ix. See n. 51 above.

[62]Ibid., 93. See Hermann J. Pottmeyer, "Una nuova fase della ricezione del Vaticano II. Vent'anni di ermeneutica del concilio," in Giuseppe Alberigo e Jean-Pierre Jossua, eds. *Vaticano II e la Chiesa* (Brescia: Paideia Editrice, 1985), 41-60.

[63]Häring, *My Hope for the Church,* 112.

[64]Ibid., 118.

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women or men leading in the Eucharist, since "it is the Spirit who transforms the bread and wine."[65]

Häring valued his own celibacy but says that seeing the harsh way those who asked to be excused from celibacy were treated by the church gave him more suffering that his own severe illnesses. He objected to the "barbed wire fence" put around celibacy and reveals how he had counseled Pope Paul VI to give dispensations. He deeply regretted that John Paul II stopped these dispensations and declared that any priest who left and married was excommunicated. (Only after years of requests for dispensations piling up and interventions by religious superiors, did this pope resume issuing them. Still, those receiving them were "defrocked" and excluded from all ministry and teaching.) Häring grieved over how such sanctions had resulted in the loss of so many good disciples and their wives to the service of the church. He urged the church to make celibacy optional and to allow priests who have married to be allowed to return to ministry.[66]

The Eastern churches, according to Häring, have a lot to teach the Roman church about marriage. He pointed out that they did not have such a rigid contractual approach to marriage and offer couples a much more pastoral and flexible approach to divorce and remarriage. It was his belief that the "signs of the times" and new insights into the Bible and tradition should move the Church to stop holding couples in bonds of matrimony that clearly do not serve their human or spiritual welfare. Nor did he think that the church should ban couples who have divorced and remarried from the Eucharist.[67]

Häring included in his last will and testament a call to the church to a future mission of "saving the world as a whole from the disastrous chain of violence and counter-violence."[68] He pointed out how world peace is integrally connected with the recognition of human rights and with saving the earth from degradation. He called the church to a stronger position and a more active role in promoting non-violence, justice for the poor, and conservation of the earth.

Conclusion

Häring seems to have been correct in his observation that many of the progressive elements of Vatican II have been suppressed through-

[65]Bernard Häring, *The Priesthood Imperiled* (Liguori, MO: Triumph Books, 1996), 129-30.

[66]Häring, *My Hope for the Church*, p. 129.

[67]Ibid., 134. See Bernard Häring, *No Way Out?: Pastoral Care of the Divorced and Remarried* (Slough, England: St. Paul Publications, 1990).

[68]Ibid., 63.

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out the papacy of John Paul II.[69] Apparently, his hope that the restorative movement would run itself into the ground will apparently not be fulfilled in the near future. The election of Cardinal Ratzinger to the papacy as Benedict XVI seems to indicate that the restorative movement will continue in the near future and even perhaps be accelerated. Only time will tell what will become of the progressive vision of Vatican II, a vision to which Häring dedicated his life, and a vision which many in the church still cherish and give of themselves to keep alive.

[69]For a view that supports such a restoration, see Paul Johnson, *Pope John Paul II and the Catholic Restoration* (New York: St Martin's Press, 1981).

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