

1. Love: The Foundation of Marriage and the Family

Today it is evident that **marriage and the family are going through a severe crisis**: religious marriages are decreasing, the increase in civil marriages is sharp and that of cohabitation even more so, the divorce rate is high, the falling birth rate is troubling, and there is an educational emergency.

Marriage is not being supported in a society marked by the culture of individualism and impermanence, an insensitive and punitive legal system, harsh economic influences such as youth unemployment, job insecurity, poor access to housing, and a work organization that is deaf to the needs of the family.

In this context, *Amoris Laetitia* sees authentic human and Christian love as the only force capable of saving marriage and the family. It must be placed at the center of the family (cf. AL 67), as the Second Vatican Council already suggested (cf. GS 48-49) and Pope Francis himself, in fact, reiterates insistently throughout the apostolic exhortation and especially in chapters IV and V.

Following St. Paul's hymn to charity (cf. 1 Cor 13:4-7), the Pope reviews some of the characteristics of true love, explaining and applying them to family life (cf. AL 90-119). He says that conjugal love is authentic if the spouse appreciates the partner for himself and wants his good (cf. AL 127). It is, therefore, oblation and spiritual; but it also includes affection, tenderness, intimacy, passion, erotic desire, pleasure given and received (cf. AL 120; 123), and openness to procreation and educating children (cf. AL 80-85). It is a **totalizing friendship** (cf. AL 125), and, as such, it prefigures and anticipates the mystical union with God and represents a particular path of holiness, a specific vocation (cf. AL 72; 74; 142; 316).

The couple's relationship is a permanent path (cf. AL 325) marked by the beauty and joy of being loved and loving, but also by faults and sins, difficulties and suffering. It should be considered with realism and confidence, as shared continuous growth and development (cf. AL 37), realized through small steps, with practical exercises, patience and persevering (cf. AL 266-267). "Love is thus a kind of craftsmanship" (AL 221), just as the education of children is (cf. AL 16; 271; 273).

All are called to be humble and to work toward greater perfection (cf. AL 325). This call is addressed not only to so-called irregular couples (the Pope prefers to speak about "situations of weakness or imperfection" AL 296), but also to regular couples. No couple, **no family is perfect**. All need God's grace; He loves and cherishes them all; to all the Church it offers her pastoral accompaniment on their journey.

Accompanying does not mean imposing obligations in an authoritarian way, but educating for responsible freedom. "We have been called to form consciences, not to replace them" (AL 37). People should be helped to mature their own beliefs and attitudes, to discover their own truth, values, and moral norms, incarnated in the filial love for God and the brotherly love towards others (cf. AL 264). Many elements contribute to furthering this: experience, practical advice, rational thought, and motivations of the faith (cf., e.g., AL 128; 133; 137; 139).

Pastoral guidance must take responsibility for everyone, but with **different forms of attention**. It must be especially patient and merciful with those who find themselves living in grave objective disorder. They are to be treated as life's poor, weak, suffering, and wounded. However, the pastoral priority, indicated by *Amoris Laetitia* for the present time, is to prevent as far as possible wounds, divisions, and marriage failures. "Today, more important than the pastoral care of failures is the pastoral effort to strengthen marriages and thus to prevent their breakdown" (AL 307; cf. *ibid.*, 211).

We must confidently and patiently develop **organic family pastoral care**, including remote and immediate marriage preparation and, after the wedding, the formation of the couple and especially of young spouses

(cf. AL 200; 202; 207; 208; 227; 229; 230). For this, personal closeness and family encounters, small groups and communities are more beneficial than convoked assemblies and crowded meetings. With this aim, it is necessary to promote the protagonism of the families themselves and their missionary responsibility (“families which go forth”), while emphasizing, among other things, the cooperation of movements and ecclesial associations.

The novelty of *Amoris Laetitia*, apart from chapter eight, seems to be especially the great attention paid to common human experience, existential, religious, and spiritual life, along with detailed analyses and observations, many practical tips, as well as concrete suggestions for people and for pastoral care. The primarily pedagogical intent is suggested by the lively and engaging discursive language, addressed to everyone and easy for all to read and understand without excessive concern for theological and scientific precision. The document can be fruitfully used by lay people for their personal formation and by pastoral workers in catechesis. It constitutes, in itself, a good example of ecclesial accompaniment.

2. Consistent Doctrinal Development

Referring to the two synods on the family, Pope Francis says: “The various interventions of the Synod Fathers, to which I paid close heed, made up, as it were, a **multifaceted gem** reflecting many legitimate concerns and honest questions” (AL 4). The geometric image of the multifaceted gem suggestively evokes the multiplicity of viewpoints and also the prospective nature of the truth that I would now like to emphasize.

The truth is always partial and always definitive. It is always partial because concepts are used to interpret the detailed intelligible aspects of reality. It is always definitive because, through declaratory judgments, it is the revelation of being. “Every truth, if it really is truth, presents itself as universal, even if it is not the whole truth” (St. John Paul II, *Fides et Ratio*, 27; cf. also 84; 87; 95). “In history, [truth] is known, but it also reaches beyond history” (*ibid.*, 95).

What is said here is generally true of all truth, but it applies *a fortiori* to the doctrine of the faith taught infallibly by the Church. **The development must be consistent.** The integration of new perspectives is admitted, but it is not permitted to negate previous meaning; there can be new formulations and specifications, but no contradictions. This is done according to the hermeneutic of reform in continuity. This principle of interpretation must usually be followed also for non-definitive teachings. Consequently, *Amoris Laetitia* should be read in light of the previous Magisterium and, vice versa, the previous Magisterium must be reread in light of *Amoris Laetitia*, and this may lead to the development of a new and coherent synthesis.

3. The Moral Doctrine

Amoris Laetitia confirms **the traditional doctrine**: Christian marriage is indissoluble (cf. AL 86; 123-124; 291-292); indissolubility, more than a yoke, is a gift to be appreciated and cultivated (cf. AL 62); divorce is an evil, and its increase is causing concern (cf. AL 246; 291); the new unions of divorcees and every type of sexual cohabitation that differs from marriage is a grave moral disorder (cf. AL 297-298; 301; 305). (Cf. also the Pope’s severe denunciation of the “theory of gender” in Tbilisi, Georgia, on 1 October 2016, as “a global war against marriage” and “ideological colonization”).

Unfortunately, *Amoris Laetitia* **says nothing about general negative norms**, which forbid doing evil. They are binding in every situation, without any exception, that may be considered objectively lawful, as St. John

Paul II taught very authoritatively, in the wake of the Catholic tradition, in his Encyclical *Veritatis Splendor*: “The *negative precepts* of the natural law are universally valid. They oblige each and every individual, always and in every circumstance... It is prohibited, to everyone and in every case, to violate these precepts” (VS 52; cf. 78-82 and also CCC 1750-1761; 2072). It is never permissible to transgress them, even for a good intention and a commendable purpose (cf. VS 80 and also CCC 1753). This is so because the acts that they prohibit are intrinsically disordered in themselves because of their content. This is the case, for example, of blasphemy, apostasy, the direct murder of an innocent person, abortion, torture, embezzlement, slander, lying, adultery, sexual disorder, and of course also the unions of remarried divorcees and types of cohabitation. The silence of *Amoris Laetitia* on the issue of negative rules can easily lead to the misinterpretation and thinking that, in some cases, these unions are objectively licit, as a good analogous to marriage, even if though they are incomplete.

Amoris Laetitia **excludes the gradualness of the law** as well as double standards (cf. AL 295; 300); therefore, it is in agreement with *Veritatis Splendor* when it warns: “It would be a very serious error to conclude... that the Church’s teaching is essentially only an ‘ideal’ which must then be adapted, proportioned, graduated to the so-called concrete possibilities of man” (VS 103; cf. 104); recognizing that, with the help of grace, keeping the commandments is really possible (cf. AL 295; 297; 303), the document is substantially in line with the doctrine of the Council of Trent (cf. DH 1568) and the teaching of St. John Paul II (cf. VS 65-70; 102-103). Yet, we do find ambiguous language in some passages that is justified by the discursive tone and necessity of communication. For example, the second unions of divorcees and other types of sexual cohabitation are said to be imperfect yet temporarily possible (cf. AL 76; 78; 296; 303; 308), whereas, in more precise theological terms, they should be considered a moral evil to which some goods (cf. AL 308) are added, i.e., “constructive elements” (cf. AL 292), and values corresponding to those of marriage (cf. AL 292), such as friendship, mutual help, dedication to the children.

In light of *Amoris Laetitia* and especially of St. John Paul II’s teaching in *Familiaris Consortio* and *Veritatis Splendor*, the new unions of divorcees and other types of sexual partnerships **must never be approved** as objectively licit (cf. AL 291; 297; 303; 305). However, the people who are living in such disordered situations **must be helped to integrate themselves** into the concrete life of the Church, gradually and in different ways. To each should be proposed what seems good for him or her (cf. AL 308), while trying to avoid scandal (cf. AL 297; 299) and encouraging steps in the right direction (cf. AL 305)—i.e., personal, family and community prayer, listening to the Word, regular attendance at Mass, responsible commitment to education for their children, works of mercy for the benefit of others, volunteering, ecclesial services (also in the structures of participation)—so that they may encounter the Lord and his mercy “in other ways,” different from the sacraments (cf. Saint John Paul II, *Reconciliatio et Poenitentia*, 34).

4. Subjective Personal Responsibility

Amoris Laetitia certainly does not forget the objective moral law; However, it widely explicates **the prospect of conscience** and personal responsibility and puts them into the foreground, recommending, among other things, that pastoral practice should take them more largely into account (cf. AL 303). The document rightly explains that observing of the norms without love may be insufficient before God (cf. AT 304) and, conversely, life in God’s grace could be reached even in a situation of objective moral disorder, if the conditions are attenuated or the subjective guilt eliminated (cf. AL 305). So, grave objective disorder is one thing; and personal mortal sin, which implies full awareness and deliberate consent, is quite another.

Amoris Laetitia confirms the so-called **law of gradualness** (cf. AL 295), already formulated by Saint John Paul II: the person who “knows, loves and accomplishes moral good by stages of growth” (*Familiaris Consortio*, 34). This law implies that the conscience may at times be erroneous without ceasing to be upright; a person may act contrary to the moral norm without being guilty or at least without full guilt. A person may not know the general norm (for example, sexual intercourse outside of marriage is always illicit); he might not perceive the value contained in the norm, and, so, be incapable of choosing what is good and avoiding evil freely, by inner conviction (for example, he may not understand that sexual

intercourse is proper to marriage, and has value and human dignity within marriage, as the expression of the total reciprocal gift and the common gift to the children); finally, he may wrongly believe that compliance with the rule, in his particular situation, is impossible, and could even become an occasion of other sins (for example, sexual continence, if the partner does not agree, could lead to sex with other people and to the end of cohabitation, with serious damage to the care and education of the children).

I said that the observance of the moral law could mistakenly be deemed impossible for a person, because in reality, with the help of God's grace, it is always possible to observe the commandments, even to be chaste according to their standard of living. The Magisterium of the Church teaches engaging His authority in the highest degree. "God does not command the impossible, but in commanding urges you to do what you can, and in asking what you cannot do, He helps you so that you can do it" (Council of Trent, DH 1536). "If anyone says that even for the man justified and constituted in grace the commandments of God are impossible to observe: let him be anathema" (Council of Trent, DH 1568). "Keeping God's law in particular situations can be difficult, extremely difficult, but it is never impossible. This is the constant teaching of the Church's tradition" (St. John Paul II, *Veritatis Splendor*, 102). For those who pray, cultivate a personal relationship with the Lord Jesus Christ and invoke, with humility and trust, the help of his grace, it becomes possible to keep the commandments and, if he is a remarried divorcee, it becomes possible for him to observe sexual continence. According to a famous metaphor, repeatedly used by St. John Paul II, the Christian life is as difficult as climbing a mountain, but the believer should not renounce going up; he must rather get going promptly and courageously strive to reach the summit. In fact, the law of gradualness does not mean that the law will be obligatory in a more or less distant future. "They cannot, however, look on the law as merely an ideal to be achieved in the future: They must consider it as a command of Christ the Lord to overcome difficulties with constancy. And so what is known as 'the law of gradualness' or step-by-step advance cannot be identified with 'gradualness of the law,' as if there were different degrees or forms of precept in God's law for different individuals and situations" (St. John Paul II, *Familiaris Consortio*, 34). Therefore, one must not stay in a situation that is contrary to the law; one should not lay down at the foot of the mountain. On the other hand, when teaching the doctrine, pastors must not lower the mountain and, in accompanying the individual believer personally, they must help him to climb at his pace, according to his strength, setting out on the road immediately, ready to rise again after a fall, and determined to continue with God's help.

5. Pastoral Accompaniment

Amoris Laetitia asks that priests and other pastoral workers, in preaching and teaching catechesis, propose the Christian concept of marriage in its entirety (cf. AL 303; 307). On the other hand, it recommends avoiding further aggravation of the situation of people who are already oppressed by suffering and misery, by blaming their conscience (cf. Al 49). With respect to this, it can be recalled that one must sometimes **tolerate a lesser evil** in order to avoid a greater one, and that in confession and personalized accompaniment the priest can licitly, by his silence, leave the penitent in ignorance, if he deems, at least for the moment, some grave objective disorder cannot be corrected (e.g., contraception or irregular sexual cohabitation). With his silence he does not endorse evil; he does not cooperate with it; he prevents only aggravation, careful so that the material sin does not become formal sin. Interpersonal dialogue is not required to be as completeness as public teaching.

However, the priest **must not remain silent** even before the individual Christian, who while living in a situation of grave moral disorder that is publicly known, intends to receive Holy Communion, the sacrament of spiritual and visible ecclesial unity, which requires harmony in the profession of faith and objective consistency in the form of life. "The judgment of one's state of grace obviously belongs only to the person involved, since it is a question of examining one's conscience. However, in cases of outward conduct which is seriously, clearly and steadfastly contrary to the moral norm, the Church, in her pastoral concern for the good order of the community and out of respect for the sacrament, cannot fail to feel directly involved" (St.

John Paul II, *Ecclesia de Eucharistia*, 37). Objective and definite contradiction creates scandal and engages the responsibility of the ecclesial community and, especially, of the pastors. The priest, if he is aware of the irregular situation, should respectfully and lovingly admonish the person concerned, because he takes into account not only his judgment of conscience; accordingly, the person's admission to the Eucharistic communion may be postponed as long as a discernment has not been made "with the priest, in the internal forum" (AL 298; cf. 300) and the person has not accomplished, under his guidance, an appropriate ecclesial process (cf. AL 294; 300; 305; 308).

Since negative general rules always oblige, without exception, the Christian in an irregular situation is **bound before God to do everything possible** to get out of the objective disorder and harmonize his behavior with the norm. It may be that his conscience, mistaken in good faith, was not aware of it; however, the priest accompanying him must guide him, with love and prudence, through his discernment and in accomplishment God's will for him, until he assumes a form of life consistent with the Gospel. The steps for which there may be room along this path are the following: a) **verification of the validity of the previous marriage** and possible annulment, through the procedural facilities introduced by Pope Francis on 15 August 2015 in the two *Motu Proprio Mitis Iudex Dominus Iesus* and *Mitis et Misericors Iesus*; b) **celebration of a religious marriage** or radical sanation of a civil marriage; c) **ending the cohabitation**, if there are no impediments; d) **practicing sexual continence**, if other solutions are not possible (cf. Saint John Paul II, FC 84); e) **in the case of an temporarily invincible error and, hence, refusal of sexual continence**, assessment of the possible rectitude of conscience in the light of the personality and the global experience (prayer, love of neighbor, participation in the life of the Church, and respect for its doctrine, humility and obedience before God); require the person to commit himself at least to pray and grow spiritually in order to properly understand and faithfully accomplish God's will for him, as it will become manifest; f) **finally, sacramental absolution and Holy Communion may be given**, but care must be taken to maintain confidentiality and avoid any scandal (cf. AL 299); g) **the priest needs charity and wisdom** in order to bear witness God's mercy to all and always offer forgiveness, while discerning whether forgiveness is truly received by the penitent with the necessary conversion. (Nevertheless, it does not seem that a Christian, as long as he remains in an objectively disordered situation, can claim the right to receive the sacraments, by appealing to his inner dispositions and his judgment of conscience. Chapter VIII of *Amoris Laetitia* seemingly does not want to give orders but only advice).