

# **THE MISUSE OF *AMORIS LAETITIA* TO SUPPORT ERRORS AGAINST THE CATHOLIC FAITH**

**A letter to the Supreme Pontiff Francis,  
to all bishops in communion with him,  
and to the rest of the Christian faithful**

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*Code of Canon Law*

Book II, Part I, Title I: The Obligations and Rights of All the Faithful, canon 212 §3:

According to the knowledge, competence, and prestige which they possess, they have the right and even at times the duty to manifest to the sacred pastors their opinion on matters which pertain to the good of the Church and to make their opinion known to the rest of the Christian faithful, without prejudice to the integrity of faith and morals, with reverence toward their pastors, and attentive to common advantage and the dignity of persons.

**Y**our Holiness, Pope Francis;  
Your Excellencies, all Bishops in communion with him; and  
all of our other Brothers and Sisters in the Lord Jesus Christ:

We are convinced that certain statements in the Apostolic Exhortation *Amoris Laetitia*, and certain omissions from it, have been misused and/or, unless prevented, will be misused to support positions that are or include errors against the Catholic faith. We shall identify eight such positions, explain how *AL* is used to support each of them, and show how each either is or includes error against the Catholic faith.

Proponents of the erroneous positions may respond that their readings of *AL* are accurate, and that the Exhortation overrides and supersedes the sources we quote from or cite to show that the positions they defend are errors against the Catholic faith. But in making such a response, as in holding their positions, they would neglect what it is for bishops of the Catholic Church to teach.<sup>1</sup>

Bishops are successors of Peter and the other Apostles. They act *in persona Christi* when, in carrying out their duty of teaching on matters of faith and morals, they identify propositions that call for the assent of the faithful. If they do what they should, they teach truths, primarily truths that were entrusted by Jesus to his Church and secondarily truths needed to guard the primary ones as inviolable and/or to expound them with fidelity. Whether primary or secondary, such truths can never supersede or annul one another.

All statements by bishops carrying out their duty of teaching on matters of faith and morals must therefore be presumed to be attempts to articulate truths that belong to one and the same body of truths to be believed with Catholic faith. These statements, therefore, must be presumed to be, when carefully interpreted, consistent with one another. It is a misuse of a teaching statement to claim its support without first seeking to interpret it accordingly.

If, despite careful interpretation seeking consistency, there nevertheless emerges an inconsistency, a teaching statement that is not itself definitive must be understood with qualifications and delimitations sufficient to render it consistent with Scripture and the teachings that definitively pertain to Tradition, interpreted in each other's light, and so to clarify the truths the pope or other bishop or group of bishops who issued it appears to have been trying to articulate.

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1. Our exposition follows the lead given by the Pastoral Letter of Archbishop Sample of Portland, Oregon, "On the Reading of *Amoris Laetitia* in light of Church Teaching" (published 7 October 2016), which illuminates the Apostolic Exhortation and three misuses of it, in the light of the Second Vatican Council's reaffirmation of the scriptural and traditional teaching that, in Archbishop Sample's words, "the Magisterium itself 'is not superior to the Word of God, but is its servant. It teaches only what has been handed on to it'. The Gospel remains always whole and alive. 'preserved by an unending succession of preachers until the end of time,' who 'handing on what they themselves have received, warn the faithful to hold fast to the traditions which they have learned ...'" (internal quotations from *Catechism of the Catholic Church* 86, citing Vatican II, Dogmatic Constitution on Divine Revelation, *Dei Verbum*, 10; and from *Dei Verbum*, 8).

Since we shall deal in this letter only with the misuse of *AL* to support positions held by some theologians and pastors who are not teaching *in persona Christi*, we do not here assert or deny that teachings in *AL* need to be qualified and delimited. Nor do we make any suggestions about how that might be done, were it needed.

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The issue of admission to Communion for the divorced and remarried, discussed at length during the 2014 and 2015 sessions of the Synod of Bishops, involves the question of whether, at least under some conditions, priests administering the Sacrament of Reconciliation should absolve penitents who lack a purpose of amendment with respect to some sin in grave matter. Some Catholic theologians and pastors have held, at least implicitly, and some will likely hold explicitly:

**Position A: A priest administering the Sacrament of Reconciliation may sometimes absolve a penitent who lacks a purpose of amendment with respect to a sin in grave matter that either pertains to his or her ongoing form of life or is habitually repetitive.**

Proponents may suggest that, in place of a purpose of amendment, such penitents should meet three conditions: regret for sinning (to keep in view the ideal from which they are falling short); ongoing penance (to counterbalance their ongoing sin); and an effort to mitigate harm to others (to cover their sinning with love for others).<sup>2</sup>

Proponents of Position A will claim that *AL* strongly and clearly, even if only implicitly, supports their view. They will point out that early in chapter eight, which concerns those in “various situations of weakness or imperfection,” *AL* 296 makes “clear to the whole Church, lest we take the wrong path,” that

“There are two ways of thinking which recur throughout the Church’s history: casting off and reinstating. The Church’s way, from the time of the Council of Jerusalem, has always been the way of Jesus, the way of mercy and reinstatement. ... The way of the Church is not to condemn anyone for ever; it is to pour out the balm of God’s mercy on all those who ask for it with a sincere heart. ... For true charity is always unmerited, unconditional and gratuitous.”<sup>[326]</sup> Consequently, there is a need “to avoid judgements which do not take into account the complexity of various situations” and “to be attentive, by necessity, to how people experience distress because of their condition.”<sup>[327]</sup><sup>3</sup>

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2. *AL* 306: “In every situation, when dealing with those who have difficulties in living God’s law to the full, the invitation to pursue the *via caritatis* must be clearly heard. Fraternal charity is the first law of Christians (cf. Jn 15:12; Gal 5:14). Let us not forget the reassuring words of Scripture: ‘Maintain constant love for one another, for love covers a multitude of sins’ (1 Pet 4:8).” This and all subsequent English-language quotations from papal teachings and the documents of Vatican Council II are taken from <<http://www.vatican.va>>.

3. *AL* 296 (ellipses his); note 326: *Homily at Mass Celebrated with the New Cardinals* (15 February 2015): AAS 107 (2015) 257; note 327: *Relatio Finalis* 2015, 51.

297. It is a matter of reaching out to everyone, of needing to help each person find his or her proper way of participating in the ecclesial community and thus to experience being touched by an “unmerited, unconditional and gratuitous” mercy. No one can be condemned for ever, because that is not the logic of the Gospel! Here I am not speaking only of the divorced and remarried, but of everyone, in whatever situation they find themselves.

Position A’s proponents will say that *AL* 297 plainly extends to all ongoing and habitually repetitive sinners the preceding paragraph’s clear and very firm directive to reinstate, not condemn, which might have been thought to apply only to the divorced and remarried.

Anyone who approaches the Sacrament of Reconciliation, proponents will argue, is asking for God’s mercy with a heart that should be presumed to be sincere. Condemning such penitents forever is at least a terrible risk involved in demanding of them a purpose of amendment that they may be unable to provide sincerely. To demand it of them as a condition for absolution is at least to set a condition for the balm of God’s mercy and to make a judgment that cannot possibly take into account everything that constitutes their concrete situation and how they themselves think and feel about its troubling and painful aspects.

Proponents of Position A also will argue that *AL* 304’s observation that “general rules . . . cannot provide absolutely for all particular situations” applies to the general rule that a purpose of amendment is required of all penitents with respect to their sins in grave matter. Therefore, simply to apply that rule to penitents who admit that their sinfulness will be ongoing is to treat the rule as if it were a stone “to throw at people’s lives. This would bespeak the closed heart of one used to hiding behind the Church’s teachings, ‘sitting on the chair of Moses and judging at times with superiority and superficiality difficult cases’.”<sup>4</sup>

Proponents also will argue that only putting Position A into practice will take adequate account of the fact that penitents who sin in grave matter, including those who accuse themselves of mortal sin, may well be sinning only venially:

Because of forms of conditioning and mitigating factors, it is possible that in an objective situation of sin—which may not be subjectively culpable, or fully such—a person can be living in God’s grace, can love and can also grow in the life of grace and charity, while receiving the Church’s help to this end.<sup>[351]</sup> Discernment must help to find possible ways of responding to God and growing in the midst of limits. By thinking that everything is black and white, we sometimes close off the way of grace and of growth, and discourage paths of sanctification which give glory to God. (*AL* 305)

Proponents will point out that note 351 begins: “In certain cases, this can include the help of the sacraments. Hence, ‘I want to remind priests that the confessional must not be a torture chamber, but rather an encounter with the Lord’s mercy.’”<sup>5</sup>

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4. *AL* 305; the internal quotation is from *Address for the Conclusion of the Fourteenth Ordinary General Assembly of the Synod of Bishops* (24 October 2015): *L’Osservatore Romano*, 26–27 October 2015, p. 13.

5. Note 351 goes on: “(Apostolic Exhortation *Evangelii Gaudium* [24 November 2013], 44: AAS 105 [2013], 1038). I would also point out that the Eucharist ‘is not a prize for the perfect, but a powerful medicine and nourishment for the weak’ (*ibid.*, 47: 1039).”

Proponents will conclude that, unless Position A is put into practice for ongoing sinners who cannot sincerely affirm a purpose of amendment, the confessional will remain for such sinners a thing even worse than a torture chamber: an escape capsule close at hand in which they could find rescue from the profound depths of sin were it not tightly locked against them.

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Against Position A, in the first place, there stands a pastoral practice of the Catholic Church that has the clear marks of Tradition: a purpose of amendment has been regarded as essential for the valid reception of the Sacrament of Reconciliation both throughout the Church and for a very long time.

Moreover, the requirement of a purpose of amendment is very strongly grounded in Scripture. To be open to God's forgiveness, sinners need to repent, and there simply is no repentance without resolve to change one's ways, to cease doing the evil one is repenting having done (see Is 1:16–20; Am 5:14–15). Already holding before Israel the promise to make for the repentant sinner a new heart, enamored no longer with sin but now with doing God's holy will (see Ezek 18:19–32, 36:16–28), God "so loved the world that he gave his only son" (Jn 3:16) precisely to emancipate sinners from their slavery to sin so that they might live with the freedom of his dear children (see Rom 8:12–21), the freedom of an obedience to the commandments that is a grateful, loving obedience (see Jn 14:15–24; 1 Jn 2:3–6).

There is, moreover, humanly obvious good reason for the requirement of a purpose of amendment. Sinful acts carry out sinful free choices. One's sinful acts often harm others but one's sinful free choices always harm oneself.<sup>6</sup> They deprive one of some of the human fulfillment one could have even now if one made good free choices instead of sinful ones. (This truth is clouded by misunderstandings about self-denial. In fact, one's sinful self is the only self that one must deny.) Since free choices are self-determining and the self they determine lasts, a sinful free choice goes on harming one, in oneself, even after one carries it out. Nothing and no one—not even God—can put an end to that harm unless one undoes the sinful choice by making an opposing good free choice. That is why a purpose of amendment is required for receiving forgiveness.

Still, having damaged oneself by sinning, one's ability to make good free choices is impaired. How can one deny one's sinful self? It is only with the help of God that one can make the opposing good free choice—can freely resolve to amend one's ways by turning away from one's sin. That special help by God is the grace for which one can pray: "A clean heart

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6. The summary teaching of the *Catechism of the Catholic Church* on the necessity of a firm purpose of amendment for Confession begins with that affirmation: "To the eyes of faith no evil is graver than sin and nothing has worse consequences for sinners themselves, for the Church, and for the whole world" (1488). It continues: "To return to communion with God after having lost it through sin is a process born of the grace of God who is rich in mercy and solicitous for the salvation of men. One must ask for this precious gift for oneself and for others. The movement of return to God, called conversion and repentance, entails sorrow for and abhorrence of sins committed, and the firm purpose of sinning no more in the future" (1489–90).

create for me, O God, and a steadfast spirit renew within me” (Ps 51:12 [NAB]). The clean heart and steadfast spirit are a contrition that includes a firm purpose of amendment. No one is locked out of God’s forgiving rescue from sin, for no one is denied the grace that is a necessary condition for making and meaning that prayer.

Yet another reason why Position A is erroneous is touched on by St. John Paul II when he explains why the divorced and remarried cannot be admitted to the Eucharist. After giving a reason not relevant here, he adds: “There is another special pastoral reason: if these people were admitted to the Eucharist, the faithful would be led into error and confusion regarding the Church’s teaching about the indissolubility of marriage” (*Familiaris Consortio*, 84).

A proponent of Position A might object: That is not a pastoral reason; it is a doctrinal one, and doctrinal ideas ought to be subordinated to pastoral realities, not vice versa. But that objection would be unsound.

For Christ gave his Church her mission: “Go therefore and make disciples of all nations, baptizing them . . . teaching them to observe all that I have commanded you” Mt 28:19–20)—in other words: *teach them to keep all my commandments*. Only Church members belong to the flock to be pastored, and only the baptized are Church members. So, the primary pastoral activity is teaching Jesus’ disciples to keep his commandments, beginning with: love God, love others as yourself, and seek first God’s kingdom. A bit later comes the commandment: You shall not commit adultery, and, for keeping it, some information, available only in Jesus’ teachings, about how divorce and remarriage break it.

Moreover, as Vatican II teaches, revelation is carried out by both deeds and words: God’s deeds manifest and confirm the teaching and realities signified by his words, and his words proclaim his deeds and clarify their real but not obvious significance (see *Dei Verbum*, 2). Thus, Jesus reveals both by what he does and what he says, and his Church hands on his revelation—she teaches—both by what she does and what she says (see *DV* 8).

So, if the divorced and remarried, or any other ongoing sinners in grave matter who have no purpose of amendment, were absolved and admitted by the Church to the Eucharist, her act of admitting them would teach something false: either (1) that grave matter is light and mortal sins venial, or (2) that mortal sins are compatible with the living relationship with Jesus that is incipiently realized in Holy Communion but ultimately perfected by the sharing in Jesus’ life with his Father and Holy Spirit that we call the *beatific vision*. Neither (1) nor (2) is a mere false abstraction; both are matters of life and death—not temporal but eternal life and death.

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Until quite recently, Catholic homilists, catechists, and preachers of retreats and similar spiritual exercises regularly and rather often reminded the faithful that, as children of God, they should leave behind the darkness and iniquity of the fallen human condition, cleanse themselves “from every defilement of body and spirit, and make holiness perfect in the fear of God” (2 Cor 7:1; cf. 6:14–18). Aware of our own sinfulness and feeling too weak to aspire

to holiness, we were regularly exhorted to apply to ourselves the Lord’s reassurance to Paul: “My grace is sufficient for you, for my power is made perfect in weakness” (2 Cor 12:9).

However, not believing that God loves sinners enough, and that he is merciful enough, to free us from our sins and to empower us to live blamelessly in his sight, some theologians and pastors now assure us—and, unless prevented, many more soon will assure us—that God not only forgives the guilt incurred by past sins of weakness but condones ongoing sins of weakness. Such theologians and pastors hold:

**Position B: Some of the faithful are too weak to keep God’s commandments; though resigned to committing ongoing and habitual sins in grave matter, they can live in grace.**

*AL* 295 may well reject precisely this position by affirming that “the law ... can be followed with the help of grace.” But proponents of Position B will defend it by arguing as follows: That affirmation may not apply to everyone or in all circumstances, and some restriction is implied by other words in *AL* 295, about people “not in a position” to “fully carry out the objective demands” of a divine prohibition.

Proponents will reinforce their argument by appealing to *AL* 301–303, which is headed “Mitigating Factors in Pastoral Discernment” and includes, near the end, the statement that an individual’s conscience can “recognize with sincerity and honesty what for now is the most generous response which can be given to God, and come to see with a certain moral security that it is what God himself is asking amid the concrete complexity of one’s limits, while not yet fully the objective ideal” (*AL* 303).

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Position B, however, is incompatible not only with the Lord’s reassurance to St. Paul recalled above but with the teachings of Jesus and the Apostles about the efficacy of prayer, not least in the context of living by the commandments (see Mt 7:7–11, 21:21–22; Mk 11.23–24; Lk 11:5–13, 17:6, 18:1–8; Jn 14:13–14; 1 Jn 5:14–15). Position B also is incompatible with the teaching of the Letter to the Hebrews about faith (see 11:1–40). That teaching emphasizes that faith includes hope’s trust in God’s promises, and does so precisely in order to point out both the necessity and the efficacy of this gift and virtue for enabling the faithful to overcome all the great weight of, and temptations to, serious sin (see Heb 10:22, 26–31; 12:1).

Besides being incompatible with the New Testament’s witness to God’s revelation in Christ, Position B contradicts a solemn definition of the Council of Trent: “If anyone says that the commandments of God are impossible of observance even by a person justified and established in grace: let him be anathema.” In teaching preceding that solemn definition and providing the context for rightly interpreting it, Trent warns the faithful against using

that rash statement, forbidden by the fathers under anathema, that the commandments of God are impossible of observance by one who is justified. For God does not command the

impossible, but by commanding he instructs you both to do what you can and to pray for what you cannot, and he gives you his aid to enable you.<sup>7</sup>

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**B**eginning in the 1960s—especially after Pope Paul VI’s reaffirmation of the Catholic moral teaching on contraception—many theologians and pastors taught:

**Position C: No general moral rule is exceptionless. Even divine commandments forbidding specific kinds of actions are subject to exceptions in some situations.**

Proponents of Position C will now appeal to *AL* for support. They will point especially to three consecutive elements of *AL* 304:

[1] It is reductive simply to consider whether or not an individual’s actions correspond to a general law or rule, because that is not enough to discern and ensure full fidelity to God in the concrete life of a human being. [2] I earnestly ask that we always recall a teaching of Saint Thomas Aquinas and learn to incorporate it in our pastoral discernment: “Although there is necessity in the general principles, the more we descend to matters of detail, the more frequently we encounter defects... In matters of action, truth or practical rectitude is not the same for all, as to matters of detail, but only as to the general principles; and where there is the same rectitude in matters of detail, it is not equally known to all... The principle will be found to fail, according as we descend further into detail”. [*Summa Theologiae*, I–II q. 94 a. 4]. [3] It is true that general rules set forth a good which can never be disregarded or neglected, but in their formulation they cannot provide absolutely for all particular situations.<sup>8</sup>

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Nevertheless, that some negative precepts admit of no exception is a truth implicit in Scripture, discernible in the writings of the earliest Fathers, insisted upon by St Augustine, explicitly defended by all teachers of Catholic morality down to the mid-twentieth century, and held from the beginning until recently by the whole body of the faithful, not least by those who laid down their lives rather than even once violate a commandment of God.<sup>9</sup>

The contrary view that emerged in the 1960s is rejected by St. John Paul II in the Encyclical *Veritatis Splendor* (1993) as “incompatible with revealed truth” (*VS* 29). Carefully explaining a difference between negative and positive commandments—and stressing that the latter, though applying in a different way, are not less important—John Paul refers to “the

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7. Canon 18 and chapter 11, “Decree on Justification,” sess. 6; Norman F. Tanner, S.J., ed., *Decrees of the Ecumenical Councils* (London: Sheed and Ward, 1990), vol. 2, 680 and 675.

8. [3] = “nella loro formulazione non possono abbracciare assolutamente tutte le situazioni particolari” = “en su formulación no pueden abarcar absolutamente todas las situaciones particulares” = “doch in ihren Formulierungen können sie unmöglich alle Sondersituationen umfassen”.

9. The Holy See’s International Theological Commission helped to verify all this (while one of us served in it, and in its working group on “Principles and Absolute Norms in Morality”); see John Finnis, “Grounds and Preparations for the Main Thesis of *Veritatis Splendor*,” *Studia Philosophiae Christianae* (Warsaw), 52 (2015): 7–26.



moral commandments expressed in negative form in the Old and New Testaments,” and teaches that “Jesus himself reaffirms that these prohibitions allow no exceptions” and that

They oblige each and every individual, always and in every circumstance. It is a matter of prohibitions which forbid a given action *semper et pro semper*, without exception, because the choice of this kind of behaviour is in no case compatible with the goodness of the will of the acting person, with his vocation to life with God and to communion with his neighbour. (*VS* 52)

In referring to this exceptionlessness of various negative precepts of natural law clarified by revelation, *VS* calls them “absolute prohibitions.” Thus it formally condemns those theories which, “while acknowledging that moral values are indicated by reason and by Revelation, maintain that *it is never possible to formulate an absolute prohibition* of particular kinds of behaviour which would be in conflict, in every circumstance and in every culture, with those values” (*VS* 75; italics added). Against such views, “The faithful are obliged to acknowledge and respect the specific moral precepts declared and taught by the Church in the name of God” and “the absolute validity of negative moral precepts, which oblige without exception” (*VS* 76).

When proponents of Position C appeal to *AL* 304 [1], they will overlook the distinction between what is necessary and what is sufficient. True, one’s compliance with all negative precepts applicable to one’s situation is not sufficient (“not enough”) to ensure that one’s dispositions and actions are fully reasonable and faithful to God. But that compliance with all relevant negative precepts is necessary, since not complying with even one of them renders one’s choice and action unreasonable, immoral, and unfaithful to God.

When proponents of Position C used Aquinas’s statements quoted in *AL* 304 [2] before *VS* and now will claim *AL*’s support for using them, they overlooked and will overlook the fact that Thomas makes it clear elsewhere that those statements about general principles are themselves generalizations that admit of exceptions.<sup>10</sup> As Thomas often teaches, some negative precepts (prohibitions), which pertain to natural law and are clarified by divine revelation, are subject to no exceptions.

Some of the negative precepts forbid specific kinds of action; others are more general. None can be dispensed from, and all must be followed by everyone, even at the risk of one’s own or others’ lives. This truth about such negative precepts, held by the whole Catholic tradition, is summed up by Thomas with an axiom also used by John Paul in a passage quoted above: while positive/affirmative precepts apply always but not in every situation [*semper sed non pro semper*], some negative precepts (such as the commandment against adultery) apply always and in every situation [*semper et pro semper*]<sup>10</sup>—that is, without

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10. See John Finnis, *Moral Absolutes: Tradition, Revision and Truth* (Washington, D.C.: Catholic University of America Press, 1991), 90–91; John Finnis, *Aquinas: Moral, Political and Legal Theory* (Oxford: Oxford University Press, 1998), 163–64.

exception.<sup>11</sup> So, when proponents of Position C appeal to *AL* 304 [3] for support, they will simply beg the question.

The teaching of *VS* and of the unbroken Tradition that it so clearly and strongly reaffirms, about the absoluteness, in each and every situation, of certain negative precepts, is both rooted in and verified by a comprehensive and careful consideration of what God’s revelation shows his mercy to be: his omnipotent love, not feebly *tolerating* evil but creatively *overcoming* it. Moreover, *VS* and the earlier Tradition alike teach that the exceptionlessness of the relevant precepts/norms is itself revealed. “In teaching the existence of intrinsically evil acts, the Church accepts the teaching of Sacred Scripture” (*VS* 81; see also 29, 49, 52, 67, 82, 110, 114).

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**F**rom the early 1960s, some theologians and pastors held:

**Position D: While some of God’s commandments or precepts seem to require that one never choose an act of one of the kinds to which they refer, those commandments and precepts actually are rules that express ideals and identify goods that one should always serve and strive after as best one can, given one’s weaknesses and one’s complex, concrete situation, which may require one to choose an act at odds with the letter of the rule.**

Some who now hold or will hold Position B or Position C or both are or will be proponents of Position D.

Proponents of D will argue that *AL* begins early to describe the divine commandments as “rules” that articulate “ideals.” They will point out that *AL* speaks of “the ideal of marriage, marked by a commitment to exclusivity and stability” (*AL* 34) rather than speaking of sacramental marriage with its essential properties of exclusivity and indissolubility; and that the Exhortation speaks of “the preaching and attitudes of Jesus, who set forth a demanding ideal yet never failed to show compassion and closeness to the frailty of individuals like the Samaritan woman or the woman caught in adultery” (*AL* 38).

Proponents of Position D will note that in *AL*, chapter eight, “Accompanying, Discerning and Integrating Weakness,” the Exhortation recalls St. John Paul II’s “law of gradualness,” a gradualness said (with him) to be “not a ‘gradualness of law’ but rather a gradualness” said (now apart from him) to be “in the prudential exercise of free acts on the part of subjects who are not in a position to understand, appreciate, or fully carry out the objective demands of the law” (*AL* 295).

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11. For this essential distinction between affirmative and negative precepts, see e.g., *ST* II–II q. 33 a. 2 c; q. 79 a. 3 ad 3; later Aquinas, *De Malo* q. 7 a. 1; earlier, 3 *Sent.* d. 25 q. 2 a. 1 sol. 2 ad 3; 4 *Sent.* d. 17 q. 3 a. 1 sol. 4 ad 3; “what should be done in situations of danger cannot be inferred from anything general [*non possunt ad aliquid commune reduci*],” even though “what must not be done can be”: *ST* II–II q. 140 a. 1 ad 2.

Then proponents will point out that “the law” at the end of that passage refers not least to the moral laws relevant to the sexual intercourse of participants in “simple cohabitation” or “civil marriage” after divorce (*AL* 294), and thus to the Sixth Commandment expressly forbidding adultery and impliedly fornication.<sup>12</sup> Finally, proponents of Position D will point out that “the objective demands of the law” in *AL* 295 clearly refers to the same thing as “the ideal which the Gospel proposes for marriage and the family” in *AL* 298 and “the full ideal of marriage, God’s plan in all its grandeur” in *AL* 307.

Theologians and pastors who maintain Position D will conclude that the demands or prohibitions of divine law quite often *cannot* reasonably—and so cannot rightly—be complied with, and therefore are mercilessly misinterpreted if they are taken to express exceptionless requirements, but are understood as God intended if and only if they are recognized to be rules that partially express a calling to pursue certain values as best one can, given one’s weakness and one’s complex, concrete situation.

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But Position D has no plausible ground in earlier magisterial teaching or in previous Catholic moral theology, and is incompatible with all the teachings recalled in relation to Position C. Jesus never said that God’s commandments are ideals; he bluntly told the Samaritan woman that she was living with a man not her husband (Jn 4:17–18), and he instructed the woman taken in adultery to sin no more (see Jn 8:11).

Moreover, when St. John Paul II dealt with Position C in *VS*, he also taught against Position D:

*Only in the mystery of Christ's Redemption do we discover the "concrete" possibilities of man.* “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, according to a ‘balancing of the goods in question.’ But what are the ‘concrete possibilities of man?’ And of *which* man are we speaking? Of man *dominated* by lust or of man *redeemed by Christ*? This is what is at stake: the *reality* of Christ's redemption.”<sup>13</sup> (*VS* 103, italics his)

In this context, appropriate allowance is made both for *God's mercy* towards the sinner who converts and for the *understanding of human weakness*. Such understanding never means compromising and falsifying the standard of good and evil in order to adapt it to particular circumstances. It is quite human for the sinner to acknowledge his weakness and to ask mercy for his failings; what is unacceptable is the attitude of one who makes his own weakness the criterion of the truth about the good, so that he can feel self-justified, without

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12. Both these sins are among the kinds that exclude one from the kingdom, as St. Paul taught in 1 Cor 6:9–10, a passage that the Council of Trent used as its premise (and thus implicitly defined) in its solemnly definitive teaching that unbelief is not the only mortal sin: “Decree on Justification,” sess. 6, cap. 15 and canon 27; Tanner, ed., op. cit., vol. 2, 677 and 681.

13. Much of this passage is a quotation from John Paul II, *Address to participants in a course on “responsible parenthood”* (1 Mar. 1984), 4: *Insegnamenti* VII, 1 (1984), 583.

even the need to have recourse to God and his mercy. An attitude of this sort corrupts the morality of society as a whole, since it encourages doubt about the objectivity of the moral law in general and a rejection of the absoluteness of moral prohibitions regarding specific human acts, and it ends up by confusing all judgments about values. (*VS* 104; italics his)

John Paul added a warning against being tainted by “the attitude of the Pharisee,” today “expressed particularly in the attempt to adapt the moral norm to one’s own capacities and personal interests” (*VS* 105).

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Some theologians and pastors who, from the early 1960s, began to hold Position C also held:

**Position E: If one bears in mind one’s concrete situation and personal limitations, one’s conscience may at times discern that doing an act of a kind contrary even to a divine commandment will be doing one’s best to respond to God, which is all that he asks, and then one ought to choose to do that act but also be ready to conform fully to the divine commandment if and when one can do so.**

Theologians and pastors who hold or will hold Position E will maintain that its truth and application are supported by passages such as this:

We also find it hard to make room for the consciences of the faithful, who very often respond as best they can to the Gospel amid their limitations, and are capable of carrying out their own discernment in complex situations. We have been called to form consciences, not to replace them. (*AL* 37)

That passage, proponents of Position E will say, plainly consigns to people’s consciences the work of discerning in complex situations—that is, of *recognizing* in their own situations, which always are complex—the right option to choose. The Exhortation also makes it clear, they will claim, that in forming their consciences, people’s “feeling in conscience [sentir en conciencia]” (*AL* 298) is at least as important as any abstract rule or doctrine.

Indeed, according to *AL* 303, proponents of Position E will also argue, one’s conscience sometimes “can also recognize with sincerity and honesty” that acting contrary to a commandment is “what God himself is asking amid the concrete complexity of one’s limits,” because one conscientiously “discerns” that an act which one is, here and now, choosing—though knowing that it violates a commandment—“for now is the most generous response which can be given to God” (*AL* 303). Also, conscience’s discernment of what “God himself is asking amid the concrete complexity of one’s limits” is said in *AL* 303 to be dynamic: it “must remain ever open to new stages of growth and new decisions which can enable the ideal to be more fully realized.”

Finally, proponents of Position E will claim that it does not abrogate the general rule. They will point out that *AL* teaches that “what is part of a practical discernment [by one’s

conscience: *AL* 303] in particular circumstances cannot be elevated to the level of a rule. That would not only lead to an intolerable casuistry, but would endanger the very values [that pertain to the “ideal” that grounds the general “rule”] which must be preserved with special care” (*AL* 304).

.....

But Position E presupposes a modern notion of conscience that is alien to Christian Tradition. In the Tradition, conscience is one’s God-given capacity to grasp moral truths, so that one can walk in their light rather than in darkness; one may and must follow one’s conscience only because it is one’s access to the truth about the good and the right as in his wisdom God wills it. The modern notion of conscience was condemned by John Henry Cardinal Newman in the name of the whole Christian Tradition:

Conscience has rights because it has duties; but in this age, with a large portion of the public, it is the very right and freedom of conscience to dispense with conscience, to ignore a Lawgiver and Judge, to be independent of unseen obligations. ... Conscience is a stern monitor, but in this century it has been superseded by a counterfeit, which the eighteen centuries prior to it never heard of, and could not have mistaken for it, if they had. It is the right of self-will.<sup>14</sup>

The Tradition is what is speaking in Vatican II’s teaching about conscience:

In the depths of his conscience, man detects a law which he does not impose upon himself, but which holds him to obedience. Always summoning him to love good and avoid evil, the voice of conscience<sup>15</sup> when necessary speaks to his heart: do this, shun that. For man has in his heart a law written by God; to obey it is the very dignity of man; according to it he will be judged (see Rom 2:15–16). ... In fidelity to conscience, Christians are joined with the rest of men in the search for truth, and for the genuine solution to the numerous problems which arise in the life of individuals from social relationships. Hence the more right conscience holds sway, the more persons and groups turn aside from blind choice and strive to be guided by the objective norms of morality. Conscience frequently errs from invincible ignorance without losing its dignity. The same cannot be said for a man who cares but little for truth and goodness, or for a conscience which by degrees grows practically sightless as a result of habitual sin.<sup>16</sup>

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14. John Henry Newman, *Certain Difficulties Felt by Anglicans Considered ... a Letter addressed to the Duke of Norfolk* (London: Longmans, Green, 1897), 250; see John Finnis, “Conscience in the *Letter to the Duke of Norfolk*,” in John Finnis, *Collected Essays*, vol. 5, *Religion and Public Reasons* (Oxford: Oxford University Press, 2011), 209–24 at 214–18, 220–23.

15. We are quoting the usual English translation. But the Latin (for which alone the Fathers voted) unambiguously means “the voice of this law” (In imo conscientiae *legem* homo detegit, *quam* ipse sibi non dat, sed *cui* obedire debet, et *cuius* vox, semper ad bonum amandum et faciendum ac malum vitandum eum advocans, ubi oportet auribus cordis sonat: fac hoc, illud devita.); the usual Italian and French translations (and even more closely and clearly the Spanish and German) sufficiently confirm this, and include nothing meaning or suggesting “voice of conscience.”

16. Vatican II, Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes*, 16.

So, genuine conscience is the God-given capacity to understand and apply objective norms of morality (moral law), and the corresponding divine commandments. And rather than degrading a person, obeying the moral law ennobles a person. People who are unwilling to let their feelings shape their lives and are willing instead to submit to truth need objective norms of morality to guide them to fully reasonable choices of what is right and good, and to avoid what is evil.

Objective norms of morality are, however, not only useless but a nuisance to us when we rebelliously refuse to submit to truth as well as when we obscure the truth by self-deceptions and rationalizations developed in a more or less successful effort to veil from ourselves and others the degradation and slavishness of a surrender to sinning.

Bearing in mind the traditional understanding of what conscience is, one can see that proponents of Position E will also be profoundly confusing conscience with discernment properly so-called when they speak of conscience “discerning in complex situations” and “recognizing the right option to choose,” and talk about people’s “feeling in conscience.” For, contrary to what those expressions suggest, an upright conscience arrives at judgments of the morally right and wrong by reasoning soundly from premises that are moral truths (including divine commandments articulating and ratifying such truths). So, judgments of conscience can be criticized by checking the soundness of the reasoning and the truth of the premises.

Discernment properly so-called, by contrast, is not concerned with the morally right and wrong but with the suitability of different morally acceptable possibilities for some purpose.<sup>17</sup> For example, one discerns the suitability of different possible ways of using one’s gifts in service pleasing to God, or of different possible forms of recreation for one’s physical and mental health, or, at a still more commonplace level, the preferability of one or another condiment for accompanying a particular dish. Also, discernment arrives at its judgments from one’s concrete awareness of factors, from one’s sensing or imagining of the different possibilities’ qualities and how one feels about them.

As in his 1981 Apostolic Exhortation *Familiaris Consortio*, 33 and 84, so in his 1993 Encyclical *Veritatis Splendor*, St. John Paul II expressly teaches—in full accord with the teaching of Vatican II,<sup>18</sup> Pius XII and other predecessors—that in every situation one’s conscience is

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17. About discernment as the way to make Christian choices, St. Ignatius Loyola states: “Authentic Christian choices necessarily pertain only to alternatives which are good in themselves, or certainly not evil, and only those which are in harmony with the practices and procedures of our holy mother, the Catholic Church” (*Spiritual Exercises*, 170, trans. Lewis Delmage, S.J. [New York: Joseph F. Wagner, 1968], 87–88).

18. Declaration on Religious Freedom, *Dignitatis Humanae*, 14: “In the formation of their consciences, the Christian faithful ought carefully to attend to the sacred and certain doctrine of the Church [citation to Pius XII]. For the Church is, by the will of Christ, the teacher of the truth. It is her duty to give utterance to, and authoritatively to teach, that truth which is Christ Himself, and also to declare and confirm by her authority those principles of the moral order which have their origin in human nature itself.”

to be guided before all else by revealed truths, by the divine revelation delivered to the Apostles by Christ and now conveyed in the Church's constant and very firm moral doctrine:

*When people ask the Church the questions raised by their consciences, when the faithful in the Church turn to their Bishops and Pastors, the Church's reply contains the voice of Jesus Christ, the voice of the truth about good and evil. In the words spoken by the Church there resounds, in people's inmost being, the voice of God who "alone is good" (cf. Mt 19:17), who alone "is love" (1 Jn 4:8, 16). (VS 117; italics his)*

This body of truths about good and evil includes the particular truth on which VS focused: certain negative precepts are really exceptionless, as the passages quoted above against Position C make clear.

In its section concerned with conscience and truth VS describes Position E, precisely in order to clarify what must be rejected. In trying to justify their unsound views,

some authors have proposed a kind of double status of moral truth. Beyond the doctrinal and abstract level, one would have to acknowledge the priority of a certain more concrete existential consideration. The latter, by taking account of circumstances and the situation, could legitimately be the basis of certain *exceptions to the general rule* and thus permit one to do in practice and in good conscience what is qualified as intrinsically evil by the moral law. A separation, or even an opposition, is thus established in some cases between the teaching of the precept, which is valid in general, and the norm of the individual conscience, which would in fact make the final decision about what is good and what is evil. On this basis, an attempt is made to legitimize so-called "pastoral" solutions contrary to the teaching of the Magisterium, and to justify a "creative" hermeneutic according to which the moral conscience is in no way obliged, in every case, by a particular negative precept. (VS 56)

John Paul proceeds (VS 57–61) to show how these views are at odds with Scripture and Tradition.

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In societies formerly Christian in culture but now largely secularized, a set of standards for sexual activities has come to be so widely held since the 1960s that it now generally prevails in those societies' media, educational institutions, programs of sex education, and legislative, judicial, and administrative policies. These standards, formulated as moral requirements, are:

**Position F: Choosing to bring about one's own, another's, or others' sexual arousal and/or satisfaction is morally acceptable provided only that (1) no adult has bodily contact with a child; (2) no participant's body is contacted without his or her free and clear consent to both the mode and the extent of contact; (3) nothing done knowingly brings about or unduly risks significant physical harm, disease transmission, or unwanted pregnancy; and (4) no moral norm governing behavior in general is violated.**

(Standard [4], regarding moral norms governing behavior in general, forbids, among other things, indecency, such as engaging in sexual activity in a public place; harassment, such as insistently repeated and manifestly unwanted proposals to engage in sexual activity; and breaking promises, including by committing adultery, if doing so is unfair by the common, rather variable standards for promise keeping.)

Some Catholic theologians and pastors who hold Positions C, D, and/or E think that the whole of any distinctively Christian sexual ethics is unrealistic and outdated. Seeking a realistic, up-to-date, and adequate sexual ethics, at least some of them will become proponents of Position F and claim that *AL* supports it. They will claim that the Exhortation approves of remarriage after divorce, and will argue that it cannot reasonably be taken to be less merciful to other sex sinners than it is to the remarried, whose intercourse Jesus characterized as an instance of the adultery proscribed by the Sixth Commandment.

They also will argue that, if the Exhortation is thought to be dealing only with matters explicitly discussed during the 2014 and 2015 sessions of the Synod of Bishops, it is misinterpreted, because all other passages in *AL* bearing on sexual morality ought to be read in light of the following passage:

It is a matter of reaching out to everyone, of needing to help each person find his or her proper way of participating in the ecclesial community and thus to experience being touched by an “unmerited, unconditional and gratuitous” mercy. No one can be condemned for ever, because that is not the logic of the Gospel! Here I am not speaking only of the divorced and remarried, but of everyone, in whatever situation they find themselves. (*AL* 297)

Proponents of Position F will point out that *Everyone, in whatever situation* is broad enough to include anyone viewing internet pornography and masturbating, adolescents engaging in sex-play with one another, couples engaging in intercourse deliberately rendered infertile, those so disposed engaging in sodomy, spouses committing adultery, people practicing polygamy, those buying or selling sexual services, groups of people engaging in orgies, and so on. Proponents will conclude that only a sex ethics as liberal as Position F can accommodate such widely diverse actions of individuals, couples, and groups.

Proponents of Position F will also point out that nowhere in *AL*, not even in its seven paragraphs on sexual education, is there any indication that every choice to masturbate, engage in premarital or extramarital sex play, fornicate, engage in homosexual activities, or commit adultery is the matter of grave sin, as is every choice of spouses to bring about orgasm apart from marital intercourse.<sup>19</sup> Nor does *AL* anywhere mention one of the fundamental principles underlying those norms, namely, that sexuality is only for marriage.<sup>20</sup>

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19. Proponents of position F will point out that the words *masturbation*, *fornication*, and *sodomy* appear nowhere in *AL*, that the word *adultery* appears only in references to the woman caught in adultery, and that the expression *mortal sin* appears only once in *AL*—to deny (in 301) that those in “irregular” situations need be living in mortal sin.

20. Under “Offenses against chastity,” the *Catechism of the Catholic Church*, 2352, states the principle (the internal quotations are from the Congregation for the Doctrine of the Faith, Declaration, *Persona Humana* [1975], 9): “Both the Magisterium of the Church, in the course of a constant tradition, and the moral sense



Aware that Position F is an entirely secular sexual ethics, Catholic theologians and pastors who propose it will exhort the faithful to complement it by cherishing the *ideal* of Christian chastity for both married couples and single members of the faithful as well as for those committed to virginity or celibacy for the kingdom’s sake.

To promote that ideal, proponents of Position F will provide advice, often grounded in psychology, and in doing so claim to follow the example of *AL*: “Young people should not be deceived into confusing two levels of reality: ‘sexual attraction creates, for the moment, the illusion of union, yet, without love, this “union” leaves strangers as far apart as they were before.’”<sup>21</sup>

.....

While Position F, in spelling out some relevant requirements of justice, expresses a part of the moral truth to which Christians should conform, it is radically inadequate as a sexual ethics—even from the point of view of sound reason without faith. For Position F falls far short of respecting, promoting and protecting the great human good of faithful marital communion. That good can never be realized except by one man and one woman who forsake all others and faithfully hold fast to each other through good times and bad and, if they are able, have and raise the children who incarnate their communion.

Then too, since free choices are self-determining and that self-determination lasts unless earlier choices are reversed by later ones, choices to enjoy sex apart from marital intercourse indispose for faithful marital communion those who never repent them—not least those who continue making them during marriage and even in the spouses’ sexual activity. The bad and sad result is that even spouses in their sexual activities serve each other as if they were, at best, partners in a cohabitation that falls short of faithful marriage, or even merely as mere partners in mutual masturbation.

Moreover, Position F omits the specific moral norms that Christianity taught from the beginning, that the Council of Trent in part implicitly defined infallibly, that the Catholic Church in modern times taught in a way that clearly meets the conditions for infallible teaching by the universal, ordinary magisterium,<sup>22</sup> and that all of the separated Christian churches and ecclesial communions taught at least into the nineteenth century. Against the adequacy of Position F also are the teachings of St. John Paul II, already quoted or cited in dealing with Positions C, D, and E, that make it clear that the truth God revealed in Jesus includes exceptionless moral norms, some of which bear upon sinful sex activities.

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of the faithful have been in no doubt and have firmly maintained that masturbation is an intrinsically and gravely disordered action.’ ‘The deliberate use of the sexual faculty, for whatever reason, outside of marriage is essentially contrary to its purpose.’ For sexual pleasure sought outside of marriage is sought outside of ‘the sexual relationship which is demanded by the moral order and in which the total meaning of “mutual self-giving and human procreation in the context of true love” [Vatican II, *Gaudium et Spes*, 51] is achieved.”

21. *AL* 284; the internal quotation is from: Erich Fromm, *The Art of Loving*, New York, 1956, p. 54.

22. See Germain Grisez, *The Way of the Lord Jesus*, vol. 2, *Living a Christian Life* (Quincy, Ill.: Franciscan Press, 1993), 633–68.

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Since the early 1960s, many Catholic theologians have argued that the Church’s teaching on marriage’s indissolubility could be changed. Most of those taking that view have argued that the New Testament and Tradition do not support the teaching that a consummated, sacramental marriage is absolutely indissoluble. Most have or would have accepted:

**Position G: A consummated, sacramental marriage is indissoluble in the sense that spouses ought always to foster marital love and ought never to choose to dissolve their marriage. But by causes beyond the spouses’ control and/or by grave faults of at least one of them, their human relationship as a married couple sometimes deteriorates until it ceases to exist. When a couple’s marriage relationship no longer exists, their marriage has dissolved, and at least one of the parties may rightly obtain a divorce and remarry.<sup>23</sup>**

Proponents of Position G will argue that their view is implicitly supported by *AL* when it describes a second union in a way that, they will claim, can hardly be verified unless it is a second marriage: “a second union consolidated over time, with new children, proven fidelity, generous self giving, Christian commitment, a consciousness of its irregularity and of the great difficulty of going back without feeling in conscience that one would fall into new sins” (*AL* 298). If such a second union is a marriage, however, the first union must at some time have ceased to exist—unless, of course, both of the marriages exist simultaneously.

Proponents of Position G will observe with satisfaction that *AL* never mentions Jesus’ linkage of divorce and adultery (see Mt 5:32, 19:9; Mk 10:11–12; Lk 16:18). Proponents will also observe that, whereas the indissolubility of marriage not only is mentioned three times in St. John Paul II’s *Familiaris Consortio*, 84, but also determines its teaching about the treatment of the divorced and remarried, the indissolubility of marriage is never mentioned in *AL* 291–312, the paragraphs from which that Exhortation’s directives about how to deal with the divorced and civilly remarried must be gathered.

Proponents of Position G will acknowledge that marriage’s indissolubility is often mentioned elsewhere in *AL* (see 52–53, 62, 77, 86, 123, 124, 134, 178, and 243). Thrice, in quotations from the Synod Fathers, indissolubility is strongly affirmed (see *AL* 62, 77, and 86). Near the middle of *AL*, chapter four, a passage on lifelong sharing clearly describes

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23. See Kenneth R. Himes and James A. Coriden, “The Indissolubility of Marriage: Reasons to Reconsider,” *Theological Studies*, 65 (2004): 453–99, who argue (480–90) for a view very like Position G; they also retrieve and use much of the pro-divorce theological literature. Stanley S. Harakas, “The Stand of the Church on Controversial Issues,” holds (on the website of the Greek Orthodox Diocese of America) a view similar to Position G: “The Church has frequently deplored the rise of divorce and generally sees divorce as a tragic failure. Yet, the Orthodox Church also recognizes that sometimes the spiritual well-being of Christians caught in a broken and essentially nonexistent marriage justifies a divorce, with the right of one or both of the partners to remarry.” <<http://www.goarch.org/ourfaith/controversialissues>> accessed 21 Nov. 2016.

the many natural signs that point to the “indissoluble exclusivity” of marriage and concludes by noting: “For believers, it also is a covenant before God” and adding a quotation from the prophet Malachi (2:14–16) that ends: “I hate divorce, says the Lord.” (*AL* 123).

However, proponents of Position G will note that the passage just considered speaks of “indissoluble exclusivity *expressed in the stable commitment* to share and shape together the whole of life” and “a covenant before God *that calls for fidelity*” (*AL* 123; italics added) rather than speaking of a *God-given covenant indissolubly* uniting one man and one woman who consented to marriage and consummated it.

Proponents also will call attention to other passages in *AL*: “The *ideal* of marriage, marked by a *commitment* to exclusivity and stability, is swept aside whenever it proves inconvenient or tiresome” (*AL* 34; italics added) and “Marital love is not defended primarily by presenting indissolubility as a duty, or by repeating doctrine, but by helping it to grow ever stronger under the impulse of grace. *A love that fails to grow is at risk*” (*AL* 134; italics added).

All of this, proponents will point out, is entirely harmonious with Position G, which affirms the indissolubility of marriage in a real and important sense, and Position G also is entirely harmonious with the strong and clear indication “that in no way must the Church desist from proposing the full ideal of marriage, God’s plan in all its grandeur” (*AL* 307). For the same paragraph later adds: “To show understanding in the face of exceptional situations never implies dimming the light of the fuller ideal, or proposing less than what Jesus offers to the human being.”

.....

Against Position G stands Jesus’ teaching about divorce and remarriage.<sup>24</sup> When some Pharisees ask whether divorce is ever “lawful,” Jesus begins his reply (see Mt 19:3–6, cf. Mk 10: 2, 6–9) by recalling that marriage in God’s plan involved persons of the two sexes leaving parents to be joined by marital intercourse and so become one flesh (“Have you not read that he who made them from the beginning made them male and female, and said, ‘For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh?’”) He then draws a first conclusion: the two really are one (“So they are no longer two but one flesh”). But their being one flesh is a union of their persons that is more than physical oneness. It is a covenantal oneness so sacred and inviolable that divorce, *pace* Moses, is never lawful (“What therefore God has joined together, let no man put asunder”).<sup>25</sup>

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24. Vatican II, *Dei verbum*, 11, reaffirms constant Catholic teaching that, being also asserted by the Holy Spirit, propositions asserted by the sacred writers of the Bible’s books cannot be false. *Dei verbum*, 19, moreover, specifically teaches the historical character and accuracy of the four Gospels. For a defense against Raymond Brown of *Dei verbum*, 11, see Germain Grisez, “The Inspiration and Inerrancy of Scripture,” *Letter and Spirit*, 6 (2010): 181–190.

25. See Paul F. Palmer, S.J., “Christian Marriage: Contract or Covenant,” *Theological Studies*, 33 (1972): 617–30.

Still, if it really dissolved marriages, divorce, though wrong, would be possible. But Jesus teaches (see Mt 19:7–9 cf. 5:31–32, Mk 10:2–12, Lk 16:18) that marriage, as it was in the beginning and as he renewed it, is absolutely indissoluble.<sup>26</sup> For to the objection that Moses allowed divorce,<sup>27</sup> Jesus responds that this practice was not in accord with God’s plan (“but from the beginning it was not so”). And he then states as a truth (“I say to you”) that any attempt to dissolve a divinely established marital union *inevitably fails* (“whoever divorces his wife, except for unchastity, and marries another, commits adultery; and he who marries a divorced woman, commits adultery”). Again, in the Sermon on the Mount (Mt 5:32), he teaches: “every one who divorces his wife, except on the ground of unchastity, makes her an adulteress; and whoever marries a divorced woman commits adultery.”

“Except for [or: except on the ground of; or: leaving aside the case of] unchastity” is not in the other evangelists’ accounts of Jesus’ teaching. The Greek word translated “unchastity” is *porneia*, which, though it has a wider meaning, most often was translated “fornication;” and fornication by a married person is adultery, so many non-Catholics and recently some Catholics have thought the whole phrase allowed divorce in such a case and, at least for the spouse who had not committed adultery, allowed also remarriage.

However, in each of these passages, the final sentence (marrying a divorced woman is adultery) is incompatible with there being such an exception. It holds that whenever (1) spouses joined by God are “divorced,” and (2) either of them attempts remarriage, the result is never marriage or remarriage but always adultery. If the sentence (in either of its instances) that contains the “except for” or “leaving aside” clause really indicated a true exception, there would be a class of cases in which, despite conditions (1) and (2) being met, the result is not adultery. There are at least two ways, each supported by able exegetes, in which that sentence is reasonably understood as indicating no such class, no true exception. One is that “*porneia*” refers to a “marriage” in which the intercourse was not chaste because it never was a true marriage. On that interpretation, the first condition is not met.<sup>28</sup> Another way is that “*porneia*” refers to adultery violating a true marriage; but the phrase allows only for separation,<sup>29</sup> not remarriage.<sup>30</sup> On that interpretation, the second condition is not met.

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26. Both as it was in the beginning and as Jesus renewed it, marriage is a God-given covenantal union of the two spouses in one flesh. As Jesus renewed marriage, the God-given covenant is a sacrament of the New Law. Both as it was in the beginning and as Jesus renewed it, the being of two spouses in one flesh is a marriage’s having been not only initiated by their consent but by their consummating it, by which it is “fully constituted as a marriage” (see John Paul II, General Audience [5 Jan. 1983], 2). So, not only the Catholic Church but Jesus himself teaches that *sacramental, consummated* marriage is absolutely indissoluble.

27. That is, allowed a man to (a) repudiate (*apolusai*) his wife and (b) give her also a certificate of divorce (*biblios apostasion*) enabling her to remarry: cf. Mt 19:3, 7.

28. Joseph A. Fitzmyer, S.J., “The Matthean Divorce Texts and Some New Palestinian Evidence,” *Theological Studies*, 37 (1976): 221, affirms: “There is clear first-century Palestinian support for an interpretation of *porneia* in Mt 5:32 and 19:9 in the specific sense of *zēnūt* as an illicit marital union between persons of close kinship.”

29. That is, repudiation (*apolusai*) in a restricted sense involving no remarriage-enabling divorce (*apostasion*).

30. As Raymond F. Collins, *Divorce in the New Testament* (Collegeville, Minn.: Liturgical, 1992), 199–200, noted, some contemporary exegetes have “vigorously proposed” this view. E.g., a Protestant scholar who held

St. Paul hands on Jesus' teaching:

To the married I give charge, not I but the Lord, that the wife should not separate from her husband (but if she does, let her remain single or else be reconciled to her husband)—and that the husband should not divorce his wife.

To the rest I say, not the Lord, that if any brother has a wife who is an unbeliever, and she consents to live with him, he should not divorce her. If any woman has a husband who is an unbeliever, and he consents to live with her, she should not divorce him. . . . But if the unbelieving partner desires to separate, let it be so; in such a case the brother or sister is not bound. For God has called us to peace.” (1 Cor 7:10–13, 15)

By the personal advice Paul added, he certainly did not intend to contradict Jesus' precept, which he had just handed on. Yet the Church has understood Paul's advice as authorizing her to treat marriages between unbaptized persons as dissoluble. How, then, is this exception to marriage's indissolubility to be explained?

St. Ambrose proposed an answer already in the fourth century: What God has joined is indissoluble, but pagans are not joined in marriage by God.<sup>31</sup> A contemporary Scripture scholar offers a similar interpretation of the Pauline text: “The heart of this teaching has to do with those God joins together, not just any sort of human coupling or official or legal marriage act.”<sup>32</sup>

In sum: when God joins a couple in marriage, their covenantal union cannot be dissolved except by death, and we know that this is so because Jesus taught that such a couple's attempt to divorce and remarry ends in adultery. Neither the exception about *porneia* nor the exception about a Christian's unbelieving spouse unwilling to carry on the marriage are exceptions to the indissolubility that Jesus was affirming. So, to hold, as Position G does, that the consummated marriage of a baptized couple can be dissolved by anything but death is to imply that Jesus' teaching was false.

Not Position G's counterfeit, but Jesus' genuine and absolute indissolubility is what the Orthodox churches set aside, what the Protestant Reformers denied, and what the Council of Trent defended with its Decree on the Sacrament of Matrimony (11 November 1563).

That Decree has two parts: a doctrinal preface and twelve canons. Beginning its preface with the account of creation in Genesis, Trent teaches:

Inspired by the Holy Spirit . . . pronounced marriage to be a perpetual and indissoluble bond when he said: *This at last is bone of my bones, and flesh of my flesh . . . Therefore a man will leave his father and mother and cleave to his wife, and the two will become one flesh.*

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marriage to be dissoluble, Ulrich Luz, *Matthew 8–20: A Commentary*, trans. James E. Crouch (Minneapolis, Minn.: Augsburg Fortress, 2001), 486–94, argued for this view and concluded (494): “The exegesis shows that in all probability (one cannot say more than that) the Catholic practice of refusing divorce while allowing the partners to have separate living arrangements comes the closest to Matthew's intention.”

31. See St. Ambrose, *Expositio Evangelii secundum Lucam* 8, 2, in *Sancti Ambrosii Mediolanensis Opera*, pars 4, CCSL 14 (Turnhout, Belgium: Brepols, 1957), 299.

32. Ben Witherington III, *Matthew* (Macon, Ga.: Smyth and Helwys, 2006), 359.

Christ our Lord taught more openly that two alone are to be coupled and joined by this bond when, referring to the words just quoted as spoken by God, he said, *So they are no longer two but one flesh*, and went on at once to confirm the lasting nature of the same bond, previously declared only by Adam, with the words, *What therefore God has joined together, let no one put asunder*.

Christ himself, the instituter and perfecter of the most holy sacraments, merited for us by his passion the grace that would perfect natural love, strengthen the unbreakable unity [*indissolubilem unitatem confirmaret*] and sanctify the spouses.<sup>33</sup>

And Trent goes on to teach that “our holy fathers and councils and the universal tradition of the church have always taught that [marriage] is rightly to be counted among the sacraments of the new law.”<sup>34</sup> Thus, the Council of Trent teaches very clearly that any consummated, sacramental marriage is absolutely indissoluble, and while it draws its teaching about sacramentality from Tradition, it draws its teaching about indissolubility directly from Scripture.

Trent explains that the canons that follow are meant to deal with views “foreign to the mind of the catholic church” and to defend the Church’s teaching, just summarized, against “the more glaring errors and heresies” of the time.<sup>35</sup> Canons five and seven concern divorce.

Canon five is: “If anyone says that the marriage bond can be dissolved because of heresy, or irksome cohabitation, or because of the willful desertion of one of the spouses, *anathema sit*.”<sup>36</sup> On 24 July 1563, the Cardinal of Lorraine had proposed that there be a canon condemning errors he attributed to Calvin—a proposal at once supported by many council fathers.<sup>37</sup> Trent’s ready inclusion of this canon manifested its determination to defend its teaching on indissolubility.

Less direct in its formulation than canon five, canon seven defends the inerrancy of the Catholic Church’s interpretation of Jesus’ teaching:

If anyone says that the Church is in error for having taught and for still teaching that [1] in accordance with the evangelical and apostolic doctrine, the marriage bond cannot be dissolved because of adultery on the part of one of the spouses, and that [2] neither of the two, not even the innocent one who has given no cause for infidelity, can contract another marriage during the lifetime of the other; and that [3] the husband who dismisses an adulterous wife and marries again and the wife who dismisses an adulterous husband and marries again are both guilty of adultery, *anathema sit*.<sup>38</sup>

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33. Tanner, ed., vol. 2, 753–54.

34. *Ibid.*, 754.

35. *Ibid.*

36. J. Neuner and J. Dupuis, *The Christian Faith in the Doctrinal Documents of the Catholic Church*, 7th ed. rev. (New York: Alba House, 2001) no. 1812.

37. *Concilium Tridentinum: Diariorum, Actorum, Epistularum, Tractatum*, ed. Societas Goerresiana, ed. 2 (Freiburg im Breisgau: Herder, 1965), 9:642 and 682.

38. Neuner and Dupuis, *op. cit.*, no. 1814

To teach a proposition is to assert its truth, and to say that that assertion was not in error is to reassert its truth. So canon seven reasserted the truth of the three propositions indicated above and made those teachings the Council of Trent's own teaching. Moreover, by the words "for having taught and for still teaching that in accordance with the evangelical and apostolic doctrine," canon 7 refers to, among other things, the Council's other reaffirmation, drawn from Scripture in the doctrinal preface, of marriage's indissolubility. With canon seven, therefore, the Council of Trent does two things. First, it definitively, even if implicitly, teaches that divorce on the ground of adultery is excluded by "evangelical and apostolic doctrine"—that is, by divine revelation to which Scripture and Tradition bear witness. Second, it also definitively, though implicitly and indirectly, teaches that its teaching in the doctrinal preface that any consummated, sacramental marriage is absolutely indissoluble must be accepted as a revealed truth and be held with faith.<sup>39</sup>

After Trent, bishops instituted seminaries and appointed theology professors who used approved textbooks in instructing seminarians, so that all seminarians learned that sacramental, consummated marriages are absolutely indissoluble. Accordingly, during the centuries from the Council of Trent to Vatican II, Catholics everywhere were told in sermons and learned in their catechism classes that a sacramental, consummated marriage is dissolved only by death. Pastors also made the teaching clear to couples preparing for marriage.

The practice of the Church confirmed its teaching on indissolubility by uniformly rejecting, as gravely sinful, attempts to remarry after civil divorce. Those who nevertheless attempted remarriage were warned that they were living in mortal sin and risking hell. Most divorced and remarried Catholics took the warning seriously and, to avoid worsening their condition by sacrilegious reception of Holy Communion, they entirely forwent it, while hoping and praying to be reconciled before they died.

Thus, preaching, catechesis, and pastoral practice made it clear to all the faithful that the Church's teaching on indissolubility is part of the Catholic faith, and until 1960, there was virtually no dissent from that teaching among the faithful. Thus for four centuries the ordinary, universal magisterium infallibly taught and the whole body of the faithful infallibly believed that every valid, consummated, sacramental marriage is absolutely indissoluble.<sup>40</sup>

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Until recently, Catholic catechists taught the faithful—and homilists and preachers of days of recollection and retreats often reminded them—that many human beings will end in hell, admonished them to refrain from sinning mortally and to repent if they had sinned mortally, and encouraged them to persevere in hoping for heaven.

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39. For a much fuller explanation and a defense of the interpretation of canon 7 summarily given here, see Peter F. Ryan, S.J., and Germain Grisez, "Indissoluble Marriage: A Reply to Kenneth Himes and James Coriden," *Theological Studies*, 72 (2011): 399–410, including (404–10) a critique of Piet Fransen's interpretation of canon 7.

40. See Vatican II, *Lumen Gentium*, 25 and 12; also see Ryan and Grisez, *op. cit.*, 410–14.

Since the early 1960s, however, some Catholic homilists and preachers never mention hell and those who do mention it tend to suggest that their hearers need not be anxious about ending in hell. Many Catholic catechists convey the opinions of one or more of the theologians and/or pastors who have taught one of the following positions:

H<sup>1</sup> Only a few extremely wicked human beings will end in hell.

H<sup>2</sup> Since God is all-powerful and wills all humans to be saved, he surely can and very likely will find a way to save everyone, and so we ought to hope that everyone will be saved.

H<sup>3</sup> People who die without a capacity for living in loving communion with God and with unselfish created persons will be annihilated, and so nobody will end in hell.

If any one of those three positions were true, the other two would necessarily be false. Nevertheless, the three positions are similar insofar as all of them include or at least imply:

**Position H: A Catholic need not believe that many human beings will end in hell.**

Proponents of Position H will point out that *AL* nowhere mentions the young man's question, "Teacher, what good deed must I do, to have eternal life?" or Jesus' direct reply: "If you would enter life, keep the commandments" (Mt 19:16, 17). Proponents will conclude that one need neither do anything nor abstain from anything to have eternal life, since by virtue of Christ's redemptive act and God's "indulgent love" (*AL* 62), every human person will inherit eternal life and none will end in hell (see *AL* 117, 297, 310, 325; also see Encyclical *Laudato Si* (2015), 83 and 243).

For support, proponents of Position H<sup>1</sup> may also claim that hell is reserved for "people who have totally destroyed their desire for truth and readiness to love, people for whom everything has become a lie, people who have lived for hatred and have suppressed all love within themselves" according to Benedict XVI's Encyclical *Spe Salvi*, 45. They may also invoke that Encyclical's statement (in 47) that sin's "defilement does not stain us for ever if we have at least continued to reach out towards Christ, towards truth and towards love."

For support, proponents of Position H<sup>3</sup> may also cite a statement that Eugenio Scalfari, an Italian journalist to whom Pope Francis has granted interviews, attributed to him in a column (*La Repubblica*, 15 March 2015). Reporting first that the Pope holds the unproblematic view that the souls of the lost are self-condemned,<sup>41</sup> Scalfari's column goes on to report that, when asked whether and how the self-condemned soul is punished,

The answer of Francis is distinct and clear: there is not punishment but the annihilation of that soul. All the others participate in the beatitude that is to live in the presence of the Father. Annihilated souls do not take part in that feast; with the death of the body their journey is finished. And this is the motivation of the missionary Church: to save the lost.<sup>42</sup>

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41. The *Catechism of the Catholic Church*, 1472, similarly teaches that punishment for sin "must not be conceived of as a kind of vengeance inflicted by God from without, but as following from the very nature of sin."

42. Our translation of: "La risposta di Francesco è netta e chiara: non c'è punizione ma l'annullamento di quell'anima. Tutte le altre partecipano alla beatitudine di vivere in presenza del Padre. Le anime annullate non fanno parte di quel



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Against Position H, the New Testament and Church teachings make it clear that many human persons who die in unrepented mortal sin will undergo unending punishment in hell.

Several New Testament texts clearly teach that unrepented grave sins, including omitting to meet others' urgent needs, will prevent sinners from entering the kingdom and will result in their ending in hell (see Mt 13:24–30, 36–43, 47–50; 25:41–46; Jn 5:28–29; Rom 1:26–2:12; 1 Cor 6:9–11; 2 Cor 5:10; Gal 5:19–21; Eph 5:5; Rev 21:8).

When pointedly asked, “Lord, will those who are saved be few?” (Lk 13:23), Jesus exhorts his listeners to strive earnestly and promptly to enter the kingdom. First, though, he indirectly answers the question by saying that *many will be unable* to enter: “Strive to enter by the narrow door; for many, I tell you, will seek to enter and will not be able”<sup>43</sup> (v. 24; cf. Mt 7:13–14). Jesus also makes it clear that not only nonbelievers but many of his disciples will end in hell. Not everyone who calls him “Lord” will enter the kingdom, but only those who do the Father’s will; *many* will say they had acted in Jesus’ name, but he *will* declare: “I never knew you; depart from me, you evildoers” (Mt 7:21–23; cf. Lk 13:25–30).

When Jesus encourages his disciples to trust in providence and not fear adversaries who might kill them, he redirects their fear: “I will warn you whom to fear: fear him who, after he has killed, has power to cast into hell; yes, I tell you, fear him!” (Lk 12:5; cf. Mt 10:28).<sup>44</sup> Exhorting disciples to resist temptations, Jesus points out that it would be better to give up parts of one’s body than to end in hell (see Mt 5:29–30, 18:8–9; Mk 9:43–48; also see Phil 2:12; 2 Thess 1:5–10; 1 Pt 4:17–18).

Church teachings not only hand on the dominical and apostolic teachings to which the New Testament attests, but also definitively clarify some of hell’s essential features.

That hell is the *immediate* result of *dying in mortal sin* was definitively taught by Benedict XII, in *Benedictus Deus* (29 January 1336): “We define that according to the general disposition of God, the souls of those who die in actual mortal sin go down into hell immediately after death and there suffer the pain of hell” (*Denz.* 1002).

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convito, con la morte del corpo il loro percorso è finito e questa è la motivazione della Chiesa missionaria: salvare i perduti.” <[http://www.repubblica.it/politica/2015/03/15/news/quel\\_che\\_francesco\\_puo\\_dire\\_all\\_europa\\_dei\\_non\\_credenti-109542750/?ref=search](http://www.repubblica.it/politica/2015/03/15/news/quel_che_francesco_puo_dire_all_europa_dei_non_credenti-109542750/?ref=search)> accessed 21 Nov. 2016); see also Edward Schillebeeckx, O.P. *Church: The Human Story of God*, trans. John Bowden (New York: Crossroads, 1990), 134–39; Paul J. Griffiths, *Decreation: The Last Things of All Creatures* (Waco, Texas: Baylor, 2014), chs. 24 and 26.)

43. Joseph A. Fitzmyer, S.J., *The Gospel according to Luke*, Anchor Bible, 28A (Garden City, N.Y.: Doubleday, 1985), 1025, comments: “*many ... will not be able*. So Jesus answers indirectly the question put to him. Many may crowd before the narrow door, but not all of them will succeed in passing through it.”

44. Fitzmyer, *ibid.*, 959, rejects the opinion that *him* in Lk 12:5 refers to Satan: “In the NT one is otherwise counseled to resist Satan, not fear him (Jas 4:7; 1 Pet 5:9). The fear of God, however, is not beneath a follower of Jesus (cf. Acts 9:31); nor is it merely an element of Lucan bourgeois piety (cf. Rom 11:20; 2 Cor 7:1; Phil 2:12; 1 Pet 1:17; 2:17).”

That hell is *unending* punishment was made clear in a document published at a synod in Constantinople in 543 and subsequently it seems confirmed by Pope Vigilius. The document includes a condemnation of a view attributed to Origen that “the punishment of the demons and of impious men is temporary and that it will have an end at some time, that is to say, that there will be a complete restoration of demons or of impious men” (*Denz.* 411). In its profession of Catholic faith, “Firmiter credimus” (November 1215), the Fourth Lateran Council, with Innocent III, definitively taught:

He [Jesus Christ] will come at the end of time to judge the living and the dead, to render to every person according to his works, both to the reprobate and to the elect. All of them will rise with their own bodies ... so as to receive according to their deserts, whether these be good or bad: for the latter perpetual punishment with the devil, for the former eternal glory with Christ.<sup>45</sup>

That God wills everyone’s salvation and *predestines nobody to hell* was taught in 853 by a Council at Quiercy:

The omnipotent God wishes “all men” without exception “to be saved” [1 Tim 2:4], even if not all are saved. That some, however, are saved is the gift of the one who saves; that some, however, perish [*perunt* (present plural active indicative)] is the fault of those who perish. (*Denz.* 623).

Although Quiercy was only a regional council, the truth that God gives everyone grace sufficient for salvation and predestines no one to hell was eventually accepted universally by Catholics. Seven centuries later, the Council of Trent definitively taught:

If anyone says that the grace of justification is given only to those who are predestined to life, and that all the others who are called, are called indeed, but do not receive grace, as they are predestined to evil by divine power, *anathema sit*? (*Denz.* 1567).

Trent’s “all the others” obviously presupposes the truth Quiercy asserts: *that some perish*.

New Testament passages mentioning hell, on the one hand, and, on the other, Church teachings bearing on it are soundly interpreted only if they are read in each other’s light. Read in that way, these witnesses to divine revelation and the Church’s faith make four things clear: (1) God wills each human being to be saved, and predestines no one to hell; (2) human persons who die in mortal sin at once begin undergoing endless punishment; (3) many human persons will end in hell; and (4) Satan and other demons also will suffer endless punishment.

Position H contradicts propositions that the human authors of the Gospels, and therefore the Holy Spirit,<sup>46</sup> clearly assert to have been among the teachings of our Lord Jesus himself. Position H also contradicts relevant definitive teachings of the Church understood in the light of those Scripture passages. Moreover, no Catholic would ever have believed that many human beings will end in hell had he or she not believed that to be a truth revealed by God, as all

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45. Tanner, ed., op. cit., vol. 1, 230.

46. See the first two sentences of footnote 24, above.

Christians until 1800 and all Catholics until 1960 were taught from childhood by parents, catechists, and pastors. It would be difficult to identify a clearer example of the infallibility both of the whole body of the faithful, anointed as they are by the Holy Spirit, and of the ordinary, universal magisterium.<sup>47</sup>

In the edition of Joseph Ratzinger's book on eschatology published in 1977, just as he ended his work as an academic and began his service as a bishop, he began the section on hell:

No quibbling here: the idea of eternal damnation, which had taken ever clearer shape in the Judaism of the century or two before Christ, has a firm place in the teaching of Jesus, as well as in the apostolic writings. Dogma takes its stand on solid ground when it speaks of the existence of Hell and of the eternity of its punishments.<sup>48</sup>

While God gives love, Ratzinger explains, human beings can refuse the gift. "Heaven reposes upon freedom, and so leaves to the damned the right to will their own damnation. The specificity of Christianity is shown in this conviction of the greatness of man. Human life is fully serious."<sup>49</sup>

Still, theologians Karl Rahner and Hans Urs von Balthasar denied that the New Testament's teachings mean what, until yesterday, all Catholics took them to mean and what popes and bishops surely understood them to mean when they taught definitively about hell. Writing in the late 1960s, Rahner prescribes:

For a proper understanding of the matter, all the rules for the hermeneutics of eschatological assertions are to be observed, as must also be done in all preaching on hell. This means that what Scripture says about hell is to be interpreted in keeping with its literary character of "threat discourse" and hence not to be read as a preview of something which will exist some day. Insofar as it is a report, it is rather a disclosure of the situation in which the persons addressed are actually to be found. They are placed before a decision of which the consequences are irrevocable. They can be lost for ever if they reject God's offer of salvation.<sup>50</sup>

Balthasar quotes part of that passage with approval and even speaks of "Jesus' threat" and "threats by God."<sup>51</sup>

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47. See Vatican II, *Lumen Gentium*, 25 and 12; also see Ryan and Grisez, op. cit., 410–14.

48. Joseph Ratzinger, *Eschatology: Death and Eternal Life*, trans. Michael Waldstein (Washington, D.C.: The Catholic University of America Press, 1988), 215; notes 75–77 with references to the New Testament and Church teachings omitted.

49. *Ibid.*, 216.

50. See Karl Rahner, "Hell," in Karl Rahner, ed., *Encyclopedia of Theology: The Concise Sacramentum Mundi* (New York: Seabury, 1975), 602–603.

51. Concerning the account of the last judgment in Mt 25:31–46, Hans Urs von Balthasar, *Dare We Hope "that All Men Be Saved"? with a Short Discourse on Hell*, trans. David Kipp and Lothar Krauth (San Francisco: Ignatius, 1988), 32, quotes Rahner, beginning with the words *not to be* (using a different English translation of the German edition of Rahner's book). Balthasar speaks repeatedly of threats (see 30–34 and 183–87); "Jesus' threat" (30) and "threats by God" (183).

This attempt to discredit the New Testament's witness to what Jesus revealed about hell fails for several reasons.

- Nothing in Scripture or Tradition, and no previous Catholic theologian or pastor, supports Rahner's rule for interpreting the New Testament's teachings about hell; he simply stated it and never established it.<sup>52</sup>
- If eschatological assertions about hell are reduced to threat-discourse that provides no glimpse of what *will* be, assertions about resurrection and life in the kingdom are reduced to promise-discourse that is equally uninformative about what will exist some day.
- Believing that God predestines no one to evil but makes available to everyone means sufficient for salvation, and believing too that hell is self-exclusion from heavenly communion that is an inevitable effect of an unrepented mortal sin,<sup>53</sup> Catholics should regard Jesus' statements about hell not as threats but as uniquely well informed warnings that, in the entire order of things natural and supernatural, repentance is impossible after death and that those who die with unrepented, mortally sinful free choices limiting their capacity for the self-giving essential to genuine friendship *will be unable* to share in heavenly communion.
- A threat or a warning bears on possible choices of those to whom it is addressed, by calling attention to an unwanted state of affairs they will or may experience if they ignore the threat or warning. So, if assertions about hell provide no preview of what will exist, those assertions cannot function as authentic threats or warnings.
- With respect to "the quite numerous threatening texts in the New Testament," Balthasar says that "the question arises—ultimately unanswerable for us—of whether these threats by God, who 'reconciles himself in Christ with the world', will be actually realized in the way stated."<sup>54</sup> This claim implies that the evangelists and Jesus may be mistaken or untruthful—his threats inauthentic—and that the Holy Spirit may be bluffing: that is, inspiring the evangelists to assert statements of divine threats that God will not carry out.

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52. Even in a lecture Rahner published explaining what he had in mind by his rules for interpreting eschatological statements, that explanation depends on claims peculiar to his own theology, and he admits near the end of it: "All that we have been able to say here amounts only to a thesis. A strict proof [in fact, any proof whatever] of the thesis is still to be given"; see "The Hermeneutics of Eschatological Assertions," *Theological Investigations*, vol. 4, trans. Kevin Smyth (Baltimore, Md.: Helicon, 1966), 345.

53. *Catechism of the Catholic Church*, 1033: "To die in mortal sin without repenting and accepting God's merciful love means remaining separated from him for ever by our own free choice. This state of definitive self-exclusion from communion with God and the blessed is called 'hell.'"

54. Balthasar, op. cit., 183 (correctly translating *Kleiner Diskurs über die Hölle* (Schwabenverlag AG, Ostfildern, 1987; Neuausgabe 5/2013, Johannes Verlag Einsiedeln, Freiburg), 30: "... erhebt sich die—letzlich für uns unbeantwortbare—Frage, ob diese Drohungen von Gott, der 'sich in Christus mit der Welt versöhnt', so wie sie dastehn in die Tat umgesetzt werden"); "reconciles himself" ("sich...versöhnt") is also an error, for it is sinners and the fallen world that are alienated from God and that, in Christ, are reconciled by God with himself (cf. 2 Cor 5:19).

Balthasar also claims that “in the New Testament, two series of statements run along side by side in such a way that a synthesis of both is neither permissible nor achievable: the first series speaks of being lost for all eternity; the second, of God’s will, and ability, to save all men,”<sup>55</sup> and he refers to the latter as the “universalist series of texts.”<sup>56</sup> In fact, however, none of the second series of texts contradicts any assertion in the first series—nowhere in the New Testament is there a statement that no human being will end in hell, that everyone will repent before death, or that after death everyone’s guilt will eventually be purged. Therefore, calling the second series of texts “universalist” is misleading and question-begging.

Moreover, Balthasar’s claim that a synthesis of the two series of statements is neither permissible nor achievable is untenable. Such statements express assertions, and, no matter how disparate the assertions may be, if they are logically consistent with one another, they can be truths about distinct aspects of a single complex reality. To say, therefore, that the two sets of Scripture passages cannot be synthesized implies that the assertions expressed by the statements of the two sets are logically inconsistent with one another. But the assertions of two inconsistent sets cannot all be true, and so the claim that the two sets of New Testament statements cannot be synthesized implies that the authors of some of them assert false propositions. That, however, implies either that the New Testament writings are not divinely inspired or that divinely inspired writings include false assertions, both of which are contrary to the faith. This inescapable dilemma no doubt explains why many Fathers and Doctors of the Church proposed or accepted ways of synthesizing the two sets of statements.

Balthasar also cited “testimonies” of women who have been canonized.<sup>57</sup> Rather than criticize his reliance on the testimonies he invoked, we mention the testimony of a single witness: St. Mary Faustina Kowalska.

Faustina (1905–1938) was a religious who lived a simple life and served her community as cook, gardener, and porter. Eventually, “The Lord Jesus chose Sr. Mary Faustina as the apostle and ‘secretary’ of his mercy, so that she could tell the world about his great message. ‘In the Old Covenant,’ he said to her, ‘I sent prophets wielding thunderbolts to my people. Today I am sending you with my mercy to the people of the whole world.’”<sup>58</sup>

Accordingly, Faustina recorded the private revelations she received in notebooks, which were transcribed and published after her death. Among other things, Faustina reports that, during her eight-day retreat in 1936, she was led one day by an angel through hell, which she found to be “awesomely large and extensive.” She describes the various sufferings of the damned. Then she goes on to explain why she records this experience:

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55. *Ibid.*, 29; cf. 177.

56. *Ibid.*, 35.

57. *Ibid.*, 97–113.

58. Editorial, “St. Faustina, Apostle of Divine Mercy,” *L’Osservatore Romano*, Eng. ed., 3 May 2000, 2.

I am writing this at the command of God, so that no soul may find an excuse by saying there is no hell, or that nobody has ever been there, and so no one can say what it is like.

I, sister Faustina, by the order of God, have visited the abysses of hell so that I might tell souls about it and testify to its existence. I cannot speak about it now; but I have received a command from God to leave it in writing. The devils were full of hatred for me, but they had to obey me at the command of God. What I have written is but a pale shadow of the things I saw. But I noticed one thing: that most of the souls there are those who disbelieved that there is a hell.<sup>59</sup>

Indeed, divine mercy requires testimony to the reality of hell in order that people will believe in and fear it, accept God's mercy, and avoid ending in hell.

Intent on denying that many human beings will end in hell, Balthasar sarcastically dismissed those who disagreed with him:

I do not wish to contradict anyone who, as a Christian, cannot be happy without denying the universality of hope to us so that he can be certain of his full hell: that was, after all, the view of a large number of important theologians, especially among the followers of Augustine.<sup>60</sup>

No one ever wanted hell, and no theologian merely followed Augustine in holding that many people will end in hell. Rather, they believed, with all other Christians, that the authors of the books of the New Testament accurately conveyed divinely revealed truths, including Jesus' teaching that many people will finish up outside the kingdom. And many Catholics were so anxious to minimize the population of hell that they devoted their lives to promoting others' salvation.<sup>61</sup>

The denial by proponents of Position H that Christians must believe that many human beings will end in hell is of great general significance for Christian life. When pastors no longer hand on Jesus' warnings to stay awake lest the Bridegroom come at an hour when we are unprepared and lest we find our own choices have closed to us the eternal Wedding Feast, hope for heaven becomes a confident expectation of almost everyone's salvation—a hope like that of a child for a gift promised by trusty parents.

Confidently expecting heaven and no longer fearing hell, one reasonably assumes that nothing one does or fails to do is likely to make any difference to what will happen to oneself, one's loved ones, or anyone else after death. Without a kingdom that must be sought, there no longer is any reason for non-Christians to repent and believe, and Jesus' exhortation to seek first the Father's "kingdom and his righteousness" (Mt 6:33; cf. Lk

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59. Maria Faustina Kowalska, *Diary: Divine Mercy in My Soul*, notebook 2, #741 (Stockbridge, Mass.: Marian, 1999), 297.

60. Balthasar, *Dare We Hope ...*, 187.

61. For some additional criticisms of Balthasar's argumentation, see John Finnis, "Hell and Hope," in his *Religion and Public Reasons: Collected Essays*, vol. 5 (Oxford: Oxford University Press, 2011), 368–79. For an extensive and careful criticism of the virtually universalistic views of both Rahner and Balthasar, see Ralph Martin, *Will Many Be Saved?* (Grand Rapids, Mich.: William B. Eerdmans, 2012), 93–190.

12:31) no longer evokes the theological hope unsullied by presumption that alone can motivate Christians to live their faith in love, to try to form their children in its practice, and to promote others' salvation.<sup>62</sup>

So, kind-hearted Christians join kind-hearted nonbelievers in seeking first a more humanly just, peaceful, and prosperous world while selfish Christians join selfish nonbelievers in seeking for themselves and those near and dear a healthy, wealthy, and enjoyable life, and an eventual pain-free death.

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**T**heologians and pastors teaching and putting into practice any of the eight positions we have dealt with above will bring about grave harm to many souls. The rationalizations of some already unrepentant for their grave sins will be confirmed, while some others, who would have repented, will be persuaded to adopt the proffered rationalizations and resist God's grace calling and enabling them to repent. Though other erroneous consciences will be innocent, the contribution of the false teachings to such persons' error may well prevent them from detecting and correcting their error and so living by the truth, or, if they become aware of their error, may well lead them to cling to it guiltily.

Even while people are invincibly ignorant, the privation of moral truth can be bad for them. It may occasion temptations to make choices known to be gravely wrong. It may result in the invincibly ignorant leading others to commit sins those others know to be mortal. Moreover, any kind of sin that invincible ignorance leads people to commit will have specific bad consequences corresponding to that kind of sin. To clarify this last point, it is worth considering the bad consequences of invincible ignorance with respect to some sexual sins.

Such ignorance may result in good-hearted children becoming addicted to sexual release before they ask themselves what God wishes them to do with their lives. It may lead young people to engage in bodily intimacies that so shape their dispositions that they are prevented from ever experiencing authentically close friendship. It may bar the development of conjugal chastity and almost eliminate the freedom of spouses to engage or not in marital intercourse, with the result that their quasi-compulsive marital intercourse never fully actualizes the good of conjugal love, including but not only with respect to welcomed offspring. And such quasi-compulsiveness may also prevent a sacramental marriage from becoming a manifestly loving communion and thus a perspicuous sign of the covenantal oneness of Christ and his Church.

Undoubtedly, many theologians and pastors who embrace, spread, and apply positions at odds with the faith imagine that they are dealing realistically with Catholics who, imbued with secularized culture, are breaking with the Church or drifting away. Their strategy, however, abandons the Church's tradition and primary mission, which, again, is to preach the Gospel everywhere and always, and to teach believers all that Jesus commanded. Moreover, the

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62. See Germain Grisez and Peter F. Ryan, S.J., "Hell and Hope for Salvation," *New Blackfriars*, 95 (Sept. 2014): 606–15, available at <<http://www.twotlj.org/OW-Hell&Hope.pdf>>.

experiences of Christian ecclesial communities that have adopted similar strategies during the past two centuries make it clear that those which compromise their Christian identity with one generation retain nothing sufficient to interest its descendants.

Are not those wiser who, ordained to act in the person of Jesus, teach the truth as he set himself to do—and as he went on doing even when (Jn 6:66) many of his disciples found his word too hard and drifted away?

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We therefore respectfully and earnestly request of:

Your Holiness, Pope Francis, that you put an end to the misuse of your Apostolic Exhortation, *Amoris Laetitia*, by condemning the eight positions dealt with above and reaffirming as truths of faith the teachings of the New Testament and Tradition contradicted by each of those erroneous positions.

Your Excellencies, all Bishops in communion with Pope Francis, that, in fulfilling your responsibility for the whole Church, you both join us in our request to Pope Francis and yourselves condemn the eight positions dealt with above and reaffirm as truths of faith the teachings of the New Testament and Tradition contradicted by each of those erroneous positions.

Your Excellencies, the Bishops serving as pastors of particular churches, that, in fulfilling that responsibility, you see to it, insofar as possible, that your clergy, catechists, and other relevant assistants carry out their functions in accord with the truths of faith you reaffirm and in no way support the positions you condemn.

All of our Brothers and Sisters in the Lord Jesus Christ, that you join us in praying that the sacred pastors of our Church will be enlightened and strengthened by the Holy Spirit to fulfill well their own responsibilities and to lead all of the faithful well in fulfilling theirs, so that every human being will be helped to hear and encouraged to welcome the whole truth revealed in Christ by God, and everyone open to that Word will be saved.

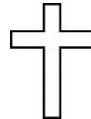
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