



# *The* FURROW

A JOURNAL FOR THE  
CONTEMPORARY CHURCH

*Gerry O'Hanlon, SJ*

## The Joy of Love – *'Amoris Laetitia'*

June 2016

# The Joy of Love

## – ‘*Amoris Laetitia*’

---

Gerry O’Hanlon

Pope Francis released his Apostolic Exhortation *Amoris Laetitia* (*AL-The Joy of Love*) on 8 April 2016, signed 19 March. It is the fruit of the consultation, theological reflection and voting of the two-phase Bishops’ Synod on the Family in 2014 and 2015.

*AL* contains a rich reflection on marriage and family life with the humanity, wisdom and deep faith characteristic of Francis himself. On the whole it remains faithful to the consensus through ‘purposeful ambiguity’ (Tom Reese) on ‘irregular situations’ achieved at those Synods. For some traditionalists it is a catastrophe, evidence of the work of the anti-Christ. For some liberals it is too traditional, lacking in imagination and innovation.

I want to argue that the traditionalists, by correctly reading between the lines, have understood something that, ironically, the liberals, by being too literal, have failed to grasp. This document – taken together with the other key documents of Francis, his prophetic witness, and the renewed synodal process that he has initiated and sustained – point to a radical re-orientation of the Catholic imagination and ecclesial structure.

Cardinal Kasper’s shrewd observation is to the point – the document ‘doesn’t change anything of Church doctrine or canon law – but it changes everything’.<sup>1</sup> It is early days yet to appreciate the full significance of what is afoot, but I want to give a pointer in a direction that goes along with Kasper but also gives ground for supposing that there may be more to the story of this journey than his lapidary statement indicates.

### THE DOCUMENT

The core of the document is a long, sometimes eloquent and lyrical, account of marriage and family life through the lens of theology, spirituality, psychology and plain common sense. Its tone is overwhelmingly positive – marriage, friendship, sex,

1 *The Tablet*, 16 April, 2016, 4

---

Gerry O’Hanlon is an Irish Jesuit Priest. Address: Jesuit Centre of Faith and Justice, Upper Sherrard Street, Dublin 1.

the erotic are all gifts from God. There are many memorable lines – young lovers are encouraged to ‘keep dancing towards the future with immense hope’ (n 219), there is a hint about the potential for a less commercially oriented St Valentine’s Day (n 208), a phenomenological treatment of the importance of ‘a look of appreciation’ which ‘contemplates other persons as ends in themselves, even if they are infirm, elderly or physically unattractive’ (n 128), the insight that children learn in family life how to say ‘please, sorry and thank you’ (n 265) – and so on.

Although positive, *AL* is no exercise in romantic idealism – it is rooted deeply in the real-life experiences of marriage and family, warts and all, with awareness of inevitable difficulties and conflicts and yet radiating hope. It is clear that Francis – and the Bishops at the Synods – have listened carefully. He expresses and understands marriage and family life as a real, *if imperfect*, image of the Trinitarian life of God, of the relationship between Christ and his Church.

At this first level of meaning, then, this is a most welcome Roman document, speaking so positively, tenderly and yet realistically about sex and love. The judgement of Clifford Longley is striking: ‘*Amoris Laetitia* speaks to the truth of intimate human relationships like no other Catholic document I have come across’.<sup>2</sup> It invites a slow and meditative reading. Parts of it in particular (chs 4 and 5) will be a wonderful resource for marriage preparation in parishes and for couples themselves who will find so much of their lived experience reflected in the text in a way that makes real their baptismal call to holiness.

The topic of ‘irregular situations’ (see especially ch 8), in particular the issue of admission to Communion of divorced and remarried people, was a kind of lightning rod issue – not just because of its effect on those most directly concerned (many of whom had already come to some quiet resolution of their position), but because of the wider implications for change in the Church. Francis decides – in agreement with the Synod Fathers – not to go the way of new teaching or even new canonical rules (as, for example, the Orthodox Church has done for centuries, without this being seen as an obstacle to unity with Rome).

Rather he proposes a way of careful pastoral discernment, including the internal forum. The principal agent of this discernment is the married individual or couple, in dialogue with the priest or, significantly, ‘with other lay people whose lives are committed to the Lord’ (n 312). This approach assumes the notion of divine pedagogy, of the ‘law of gradualness’. It also assumes the need to avoid judgements ‘which do not take into account the complexity

2 Tablet Blog, 18 April, 2016, 4

## THE FURROW

of situations' (n 286) and the primacy of conscience ('We have been called to form consciences, not to replace them' – n 37).

Francis notes that conscience not only helps us to understand and respect an objective situation of sin but also 'helps us to understand what God is asking amid the *concrete complexity of one's limits, while not yet the full objective ideal*' (n 303, emphasis added). He goes on to suggest that even in an objective situation of sin a person can (due to mitigating circumstances) 'be living in God's grace ... can also grow in the life of grace and charity, while receiving the Church's help to this end' (n 305).

Within a 'logic of pastoral mercy' Francis is pointing to a process of accompaniment, discernment and ultimately integration, urging people in complex situations like this to participate in the life of the community, not to feel excommunicated, to have an eye to the experience of their children, so that we may see 'which of the various forms of exclusion currently practised in the liturgical, pastoral, educational and institutional framework can be surmounted', while avoiding any occasion of scandal (n 299). He is not offering a general solution – 'If we consider the immense variety of concrete situation ... it is understandable that neither the Synod nor this Exhortation can be expected to provide a new set of general rules, canonical in nature and applicable in all situations'. Rather he is urging an exercise in practical wisdom, a 'responsible and pastoral discernment of particular cases' (n 300).

In a crucial move and in sharp, but unacknowledged, contrast to the teaching of John-Paul II in *Familiaris Consortio* (1981 – n 84) which laid down the 'brother and sister' solution as the condition for admission to Eucharist, Francis links this surmounting of exclusion and recourse to the Church's help by noting that 'in certain cases this can include the help of the sacraments ... I would also point out that the Eucharist "is not a prize for the perfect, but a powerful medicine and nourishment for the weak"' (note 351). It is clear then, with regard to the outcome of the pastoral discernment, that if Francis himself has not yet opened and gone through the door of admission to Eucharist, 'he is at least showing you where the key under the mat is'.<sup>3</sup>

This whole approach (away from a moralism of the right or the left) will, of course, require more precise analysis and evaluation from the theological community, in particular with regard to the link between objective norms and concrete situations. One gets a sense of Francis grappling with a complex issue, having repeated recourse to Aquinas, and clearly not advocating any kind of simplistic 'situation ethics' or 'relativism' which would fail to take

3 James Bretzke S.J., moral theologian at Boston College, as reported on the RTE website, Friday 8 April, 2016 – <http://www.rte.ie/news/2016/0408/780344>

account of objective reality.<sup>4</sup> In adopting this approach, of course, Francis is also hoping to obviate the need for doctrinal change. However, it is already clear that he is speaking in a way that at least changes *how we think about doctrine*. Doctrine and the application of moral laws are not weapons, ‘stones to throw at peoples’ lives’ (n 305), rules which settle everything regardless of complexity. Rather, they are life-giving and emerge from the dialogue between our own lives (embedded in the Christian community to which we belong) and the primacy of love and mercy characteristic of gospel truth which, however challenging, sets us free.

Some might say that this is what they already believed and knew. What is different now, however, is that this approach is being promoted by the Pope, together with the bishops: in other words, at leadership level. This transposition to a new key at leadership level is one of the reasons why the document is so significant (‘everything has changed’) – there is a greater possibility that this will lead to a new phase of Church life that will deeply affect the Catholic imagination and institution.

Finally, two somewhat surprising aspects of *AL* alert us to the need for further consideration of the issue of doctrinal change. First, it would seem that Francis in his treatment of contraception (nn 68, 80-82, 222), is rather more insistent on the teaching of *Humanae Vitae* than the Bishops themselves were in their final synodal document (Oct 24, 2015, n 63). Secondly, and by way of contrast, he expresses himself more clearly in favour of feminism (‘we must see in the women’s movement the working of the Spirit’ – n 54) and less negatively about gender theory than heretofore (compare nn 56 and 286 for evidence of the evolution). I note in particular his admission that, while biological and socio/cultural factors must be considered together in understanding male/female differences, nonetheless there can be a too rigid categorizing, so that for example (and in opposition to some proponents of gender complementarity) it is perfectly acceptable that women take on leadership roles (n 286).

#### CHANGE OF DISCIPLINE OR DOCTRINE – OR BOTH?

One can appreciate why Francis and so many commentators – including Cardinal Kasper – want to contend that Church doctrine is

4 In this context I note, prior to the advent of Francis, the case made by Cathleen Kaveny for a critical retrieval of the best of the tradition of casuistry, with its focus on the relationship between objective norms and particular situations, all under the rubric of mercy – see M. Cathleen Kaveny, Retrieving and Reframing Catholic Casuistry, in Michael J. Lacey and Francis Oakley, eds, *The Crisis of Authority in Catholic Modernity*, Oxford University Press, 2011, 225-258. For an interesting Irish reflection on some of the underlying issues involved, see Angela Hanley, Practical Theology, *Doctrine and Life*, 66, April 2016, 24-35

not changing, only practice/discipline/interpretation. The evidence is clear from the two-fold Synod process that unity would not have been achieved had official claims been made that doctrinal change was involved, and, historically, it has been humorously but well said that reform (and hence doctrinal change) in the Roman Catholic Church ‘tends to be by amnesia’.<sup>5</sup>

However, as I argued in a recent article on the Synod itself,<sup>6</sup> drawing *inter alia*, on the work of Bishop Johan Bonny and Raphael Gallagher, it is not so easy to separate doctrinal and pastoral/disciplinary change. This is brought out well by Edward Hahnenberg<sup>7</sup> (with regard to ministry in the Church) when he shows that it is often through perceived ‘anomalies’ in practice that the teaching comes to be changed.

All this is already evident from *AL* itself. In it Francis at one point looks self-critically at the Church and notes its excessive focus historically on the procreative aspects of marriage to the detriment of an appreciation of the unitive aspects (nn 36-37). Elsewhere he clearly rejects any notion that women should be submissive in marriage (n 156), which was mainline Church teaching up to the 1940s at least, while his remarks on feminism and the leadership capacities of women certainly begin to move the conversation around women in the Church and even ordination in a new direction.<sup>8</sup> In addition his new (for popes) language around the homosexual ‘orientation’ will be welcomed by gays.

But, most centrally of all, while there is a common and unchanging Catholic teaching around the desirability of indissolubility in marriage, historically the Pauline and Petrine privileges have already allowed for exceptions and now Francis, however carefully, is clearly going further. He does so not just by focusing on discernment and conscience – after all John Paul had done as much, but came to the conclusion that this in no way allowed for readmission of divorced and remarried to sacramental life. For him there were strong theological, doctrinal reasons for this stance: if marriage was an image of the relationship between Christ and his Church, and if Eucharist was an expression of that relationship also, then it was impossible, a cause of scandal, to admit to Eucharist those who had broken that covenant relationship.

5 Gabriel Daly OSA, *The Church, Always in Need of Reform*, Dublin: Dominican Publications, 2015, 26

6 Gerry O’Hanlon, ‘The Quiet Revolution-Reflections on Synod 2015’, *The Furrow*, 66, December 2015, 632-641

7 Edward P. Hahnenberg, Learning from Experience: Attention to Anomalies in a Theology of Ministry, in Richard R. Gaillardetz and Edward P. Hahnenberg, eds, *A Church with Open Doors*, Liturgical Press: Collegeville, 2015, 159-180

8 Mary Anne Hinsdale, IHM, ‘A Feminist Reflection on Postconciliar Catholic Ecclesiology’, in Gaillardetz/Hahnenberg, op cit, 112-137

Francis can take a different view not least because for him marriage is a real but *imperfect* image of the Christ/Church relationship, and Eucharist is not just a sign of unity already achieved but a *means* towards unity (Decree on Ecumenism of Vatican II, *Unitatis Redintegratio* N8) – in other words, he gives a weight to other theological strands in the tradition so that a different conclusion and teaching emerge.

## NEED FOR DISCUSSION

I think, in addition, one must bear in mind that when we move on to other areas of contention – think of contraception, of homosexuality, of women priests – it is clearly the *teaching* and not just the *practice/discipline* that is in question. The operative mode of handling the contraception issue – encouraged by some Episcopal Conferences early on and now tacitly accepted by most – was by means of conscience. But the teaching itself remains controversial: it seems that the original natural law basis for it (‘intrinsically disordered’) has been quietly abandoned and the more preferred foundation given by the official Church is ‘the theology of the body’ of John-Paul II, itself controverted. And with respect to the other two areas mentioned the issue of doctrinal change is clearly central: if homosexual relationships may be considered natural to those of a homosexual orientation,<sup>9</sup> if women have innate leadership capacities and the findings of the Pontifical Biblical Commission on the non-determinative nature of the Scriptural evidence on the issue of female ordination are respected,<sup>10</sup> then surely it is unjust, lacking in mercy, to burden *conscience* with the discernment of going against a Church teaching which itself seems to require revision? Francis himself clearly welcomes ongoing theological enquiry even into doctrinal matters – ‘The complexity of the issues that arose revealed the need for continued open discussion of a number of doctrinal, moral, spiritual and pastoral questions’ (*AL*, n 2).

Clifford Longley notes the lengths to which *AL* has to go in order to claim that there is continuity with previous Church teaching on divorce and remarriage – selective quotes from sources and drawing conclusions that do not always follow from the evidence. Longley writes as one who favours the change in practice to which Francis is pointing. But he thinks that by not being more explicit in acknowledging change, Francis ‘has created confusion precisely where there needs to be clarity’.<sup>11</sup> Francis himself is aware that many will look for more clarity (but this time in the direction of

9 See Gerard J. Hughes, *The Tablet*, 23 April, 2016, 4-5

10 O’Hanlon, ‘Church, Women, Authority – Why Not?’, *Doctrine and Life*, 66, Jan 2016, 23-32

11 Longley, *op cit*, 2

## THE FURROW

more rigour and adherence to the *status quo*) and less confusion (n 308). He argues that the logic of mercy is compatible with both truth and justice and should not be so qualified as to be evacuated of meaning (n 311).

It may be that, given the traditional Roman Catholic reserve in admitting doctrinal development as it is happening, Francis has been wise to choose the route he has taken. He has found a way to move things on, without satisfying entirely (and indeed irritating considerably) some on the right and left, but maintaining substantial unity. But how can this unity continue to be maintained in the context of the pressures (and resistances) already noted to introduce doctrinal development and change?

### A DIFFERENT KIND OF CHURCH: THE CRUCIAL TURN TO SYNODALITY

I think it is clear that according to Francis the best way to maintain Church unity and yet introduce needed change and reform – always in function of the Church's mission – is to proceed by means of a synodal Church. He tells us that the way of synodality – a walking together along the road of discipleship with Jesus, involving laity, pastors and the Bishop of Rome – is the pathway 'that God expects from the Church in the third millennium', that, in the words of John Chrysostom, 'Church and synod are synonymous'.<sup>12</sup> This is a way that can honour the respective Spirit-imbued roles of bishops and Pope, theologians and the 'sense of the faithful' in contributing to Church teaching and governance. It is achieved not just through regular synodal events but also routinely at parish, diocesan and national/regional levels through good communication, the cultivation and influence of public opinion, parish and diocesan councils and so on.

This way of 'healthy decentralisation' accepts that 'not all discussions of doctrinal, moral or pastoral issues need to be settled by interventions of the magisterium' and that with all due regard to necessary unity of teaching and practice still '...each country or region, moreover, can seek solutions better suited to its culture and sensitive to its traditions and local needs' (*AL*, n 3). The new slant on Church teaching that emerges in *AL* does so after extensive consultation, after a synodal process, evidenced as well in the fact that the document itself is replete not just with references to Vatican sources but to sources from Episcopal Conferences all over the world.

This synodal turn – always 'with and under Peter' – is what makes possible a more inclusive kind of conversation with new results and a better chance of overall agreement. Of course, as we know from ordinary human experience, a single conversation

---

12 O'Hanlon, 2015, op cit



cannot broach all topics or solve all issues – and so, for example, at this synod it would not have been fruitful to force the issue around homosexuality, not to mention the issue around doctrinal development. But a start has been made, some progress has been made, there will be time to prepare the ground for further conversations as trust is built and skills are learned.

#### THE SYNOD IN LIMERICK

Enda McDonagh has remarked wisely that it may be a limitation of the analysis of Church reformers ‘that so much of the necessary reform is still left to the Pope and Rome, almost in contradiction to their faith and hope in a would-be collegial and practically-loving community’.<sup>13</sup> It is in this context that the recent Diocesan Synod in Limerick (April 2016) is such a sign of hope and leadership not just for Limerick, but for the Catholic Church in Ireland and more universally. Bishop Brendan Leahy had the courage of his own theological convictions to embark on what must have seemed a daunting journey, even if now encouraged by what Pope Francis was already saying. Under the energetic and wise stewardship of Eamonn Fitzgibbon, an eighteen month preparatory process yielded significant results: a three day prayerful discernment of key issues affecting the diocese, including issues beyond the remit of ordinary diocesan government, with up to 400 delegates, over 300 of them laity, of whom the majority were women.

It is surely at this more local level that the groundswell for renewal and change in the Church can begin to make itself felt in a way that can flourish and is sustainable, even after the era of prophetic encouragement characteristic of the present papacy has passed. There have already been signs of less formal ‘listening’ exercises in other Irish dioceses. Could we begin to see this movement gathering momentum in a more systematic, sustained kind of way? Might we even see the Episcopal Conference organizing some kind of national preparation and assembly before the World Meeting of Families in Ireland in 2018 and a possible papal visit? When can we expect to see guide-lines from our Episcopal Conference to help in the accompaniment of divorced and remarried in Ireland?

A reading of the current ecclesial signs of the times may well point Church reformers in the strategic direction of the access to input and decision-making that a synodal process offers rather than a more narrow, protest-based focus on single issues (however worthy). In the end the People of God will want to work with their bishops and we as reformers need to find new ways of being constructively critical in the emerging ecclesial landscape –

13 Enda McDonagh, ‘Reforming the Church’, *The Furrow*, 67, April 2016, 251 (246-251)

## THE FURROW

‘there is a time to scatter stones and a time to gather stones’ (Ecclesiastes, 3,5); ‘A time to tear down and a time to build up’ (Ecclesiastes 3,3).

### A NEW WAY OF BEING CHURCH

I have tried to indicate that the meaning of *AL* goes way beyond the positive teaching on family life that it presents. Rather, what is at stake here is a new way of being Church, a way that can handle change at all levels (including doctrinal) and yet hope to maintain unity. This will not occur through a replacement of one kind of tyranny (that of the centre) with that of another (the local, the periphery). What is at issue is a ‘better balance of vital forces’ (Orsy). This is what a synodal church aims to achieve.

This synodal vision relates closely to what Francis refers to as one of his principles of development – ‘time is greater than space’ (*AL*, nn 3 and 261; *EG*, nn222-225). With this principle he wants to emphasize the need to work by way of dynamic processes which will yield results in the long-term rather than focus on short-time gains which don’t last.

This strategic way of proceeding is more ambitious than the liberal aim of toleration of irreconcilable diversity.<sup>14</sup> Rather – think of the early Church in its engagement with the Gentile issue, think of the great strides made in recent decades in the ecumenical movement in reconciling apparently contradictory issues<sup>15</sup> – it is based on the vision of a synodal Church that puts no limits to what the Holy Spirit may achieve when all voices are listened to, what dares to hope that ‘unity prevails over conflict’ (*EG*, 226-230, a second of Francis’ principles of change).

We are living through an extraordinary time in Church history. We are being invited not just to be spectators of this ongoing event but rather active participants, emboldened by the hope and joy of *Amoris Laetitia* and *Evangelii Gaudium* – ‘we should not be trapped into wasting our energy in doleful laments, but rather seek new forms of missionary creativity’ (*AL*, n 57). It is good to be here.

14 See Richard Gaillardetz, ‘The intractable battle’, *The Tablet*, 30 April, 2016, 18

15 Archbishop Richard Clarke, ‘Vatican II Fifty Years On: Some Anglican Reflections’, in Niall Coll, ed, Ireland and Vatican II, Dublin: Columba Press, 2015, 45-57