

Reflections on the Instrumentum Laboris for the Synod of Bishops Ignacio Barreiro Carámbula

The Instrumentum Laboris for the III Extraordinary General Assembly of the Synod of Bishops, *The Pastoral Challenges of the Family in the context of Evangelization*, summarizes the replies to the questionnaire on the issues of marriage and the family, contained in the preparatory document for the Synod, published in November 2013. This is a document that presents a series of suggestions to serve as a basis for the work of the Bishops, therefore this is not a binding document, and as a result it is open to a respectful consideration by the faithful. This document reaffirms in many occasions the permanent doctrine of the Church on life and the family, even in areas where today many dissent, for example, the teachings of Paul VI on the generosity with life, contained in the Encyclical *Humanae Vitae*. It honestly shows many areas of pastoral work of the Church where there are problems and limitations but also gives echo to proposals that can to some perplexity.

Mercy

The starting point of this paper is mercy, which is one of the significant points of the Magisterium of Pope Francis. We must pray with the psalmist's words¹, in order that truth and mercy will meet. The announcement of the Lord's mercy is done hand in hand with His truth, as the psalmist sings with hope². When the Lord leads us in paths of truth shows us His mercy. A mercy that hides the truth is not merciful, it would only be a caricature. A road that behind the mask of truth leads to errors or confirm the error in which a person lives, is not only deeply destructive, but also alienating. When man is enlightened by the splendor of truth, he naturally begins the path of peace, becoming reconciled with God and with men.

Contemporary problems

The document speaks with honesty about the ignorance of the faithful and also of the clergy on the teachings of the Church about marriage and family. It refers to the fact that many of the faithful would struggle to understand the documents of the Magisterium. This undoubtedly is an old problem, that could be solved by the Church with a better training of clergy, but also by an effort by the Church's authority in issuing documents more precise and clear, but also more synthetic. The document does well to underline the responsibility of the clergy. We have different sources of this responsibility of the clergy. On the one hand because of poor training, the clergy may be ignorant about part of the Church's teachings on life and family. It may be also that some members of the clergy dissent on these teachings and also that others are afraid to present these truths because they know that many believers refuse them. The document recognizes that many answers confirm that, "even when the Church's teaching about marriage and the family is known, many Christians have difficulty accepting it in its entirety." (p. 13) From the time of its founder, Father Paul Marx, Human Life International has tried to cooperate with the Church in the formation of the clergy in such a way that it would be able to present these teachings with courage and determination. Within a serious effort of evangelization the teachings on life and family must be integrated in coherent way with the rest of the doctrinal patrimony of the Church, so that the faithful can accept them in their entirety. An authentic new evangelization, because it is able to contrast and oppose successfully the negative trends of contemporary society (which are well listed in this document), must actively involve the faithful in a parish community that allows a full and coherent experience of faith. This also requires the participation in liturgies dominated by a sense of adoration of the Lord.

The document lists well the importance of the family as "an invaluable asset, the natural setting in

¹ Ps. 84, 11

² "Misericordias Domini in aeternum cantabo; in generationem et generationem annuntiabo veritatem tuam in ore meo." Ps. 89 (88) 2.

which life grows and develops and a school of humanity, love and hope for society.” (p. 31) The claim that the family is the place where the common good is learned, is very important and marks the role of family in integrating the children into society. (p. 33) At the same time, are described the many problems that damage families in our days, and the Church’s commitment to assist families in crisis. It is stated that “This “desire to marry and form a family” is a true sign of the times which should be seen as an opportunity for pastoral ministry.” (p. 45) This desire to form a family does not really seem that it can be considered a sign of the times, but it is part of the permanent human nature that was created by God with a natural inclination to form a family, except of course in cases where the Lord will grant a vocation to virginity or celibacy.

Natural Law

The document expresses a worrying perplexity about natural law. It focuses on the difficulties of understanding natural law in our days. It’s a surprise that the document states that “In a vast majority of responses and observations, the concept of natural law today turns out to be, in different cultural contexts, highly problematic, if not completely incomprehensible. The expression is understood in a variety of ways, or simply not understood at all.” (p. 21) It is disturbing to note that the document in some way accepts the position that contemporary man does not have a fixed and permanent nature, implying that the majority of respondents indicate that: “Today, in not only the West but increasingly every part of the world, scientific research poses a serious challenge to the concept of nature. Evolution, biology and neuroscience, when confronted with the traditional idea of the natural law, conclude that it is not “scientific.” ” (p. 22) If man does not have a permanent nature but rather a positivistic relationship with nature, this leads us to understand that “A positivist conception of nature as purely functional, as the natural sciences consider it to be, is incapable of producing any bridge to ethics and law, but once again yields only functional answers.”³ But if the man has a nature immutable, there are rights and duties, which are essentially the same for all men, because the substantive equality of men is founded on the sharing of the same nature.

It should be clear that natural law is not an abstract concept but a reality accessible to all men. For priests who have followed the two years of philosophy, that the law of the Church provides in mandatory form, it should be easy to explain to believers and also to non-believers what the natural law is in clear and simple terms. Using the words of Benedict XVI we can explain to our contemporaries that “Man is not merely self-creating freedom. Man does not create himself. He is intellect and will, but he is also nature, and his will is rightly ordered if he respects his nature, listens to it and accepts himself for who he is, as one who did not create himself. In this way, and in no other, is true human freedom fulfilled.”⁴

The Church’s teaching on the ability of human beings to know God through the light of reason is very clear. God, our Creator and Lord, can be known with certainty by the natural light of created things. This is a truth of Faith (De Fide) adopted and proclaimed by the First Vatican Council, “If anybody says that the one true God, our Creator and Lord cannot be known with certainty in the light of human reason by those things which have been made, anathema sit.”⁵ In this case, the object of our knowledge is the true God, because He has an objective existence outside of the world. The subjective principle of our knowledge is our natural reason in the condition of wounded nature. The means of knowledge are the created things.

The Scripture teaches on many occasions that God can be known through the experience of the nature: “For from the greatness and the beauty of created things their original author, by analogy, is seen.” (Wis. 13, 5) “Ever since the creation of the world, his invisible attributes of eternal power

³ Benedict XVI, *Visit to the Bundestag*, 22 September 2011.

⁴ Benedict XVI, *Visit to the Bundestag*, 22 September 2011.

⁵ Council Vatican I, Dogm. Const. *Dei Filius*, DS 3026.

and divinity have been able to be understood and perceived in what he has made.” (Rom. 1, 20) Without revelation man can know the natural moral law, as St. Paul says, “For when the Gentiles who do not have the law by nature observe the prescriptions of the law, they are a law for themselves even though they do not have the law.” (Rom. 2, 14) St. Thomas explains how when the Gentiles act “by nature” act “through the natural law that shows them what they have to do.”⁶

If we doubt the ability of the reason to know God, as a consequence we also place in doubt the ability of the human mind to know the natural law. Doubt the man’s ability to know and to accept a universal moral law is also to doubt the ability of people of different cultures to live together in peace. All men of good will can try to promote peace, a more just political order, a sense of shared responsibility, the dignity of the human person, his fundamental rights, and all the basic elements that make up the common good of a particular society. However, as pointed out by the International Theological Commission, “However, these efforts cannot succeed unless good intentions rest on a solid foundational agreement regarding the goods and values that represent the most profound aspirations of man, both as an individual and as member of a community. Only the recognition and promotion of these ethical values can contribute to the construction of a more human world.”⁷ So we can say that all these efforts can only succeed if they are based on a natural law known and respected by all men of good will.

The proposal contained in the p. 30 of the document causes several perplexities. It proposes the abandonment of a line of argument exclusively rational because it proposes the reference to an order of the creation of biblical inspiration. It is not just a change in terminology but a change of substance because it proposes to mix rational arguments with biblical arguments that it is an approach that is not appropriate from a logical point of view. Speaking of the liturgy in the context of rational discourse does not seem very logical, especially in the dialogue with non-Catholics or non-practicing Catholics interlocutors.

Distinction between the love of Christ to the Church and the natural love of a couple

It should be useful to make a distinction between the mystery of the love of Christ to the Church and the natural reality, simple and strong, of the spousal love. In p. 3 it is stated: “the Letter to the Ephesians has identified in the married love between a man and a woman, “the great mystery” which makes present in this world the love between Christ and the Church (cf. Eph. 5, 31-32).” The spousal love certainly foreshadows the love between Christ and the Church and is a great mystery, but the permanent and faithful love between a man and a woman is a reality so simple and obvious that everyone, even the less educated can understand. It could be argued that Paul considers the spousal love a great mystery, but in reality he says: “For this reason a man shall leave (his) father and (his) mother and be joined to his wife, and the two shall become one flesh. This is a great mystery, but I speak in reference to Christ and the church.” (Eph. 5, 31-32) So the mystery refers to the love between Christ and the Church. Is possible to say that, the more simple and natural is a couple, the more is possible to understand this gift of God to man. A blessing of the Creator which, neither the penalty for the original sin, nor the deluge deprived mankind, as it is prayed at the blessing for the spouse after the Pater Noster in the Mass for the celebration of the marriage.

Pre-marital training

The document describes several good initiatives for pre-marital training. It indicates like this formative process can serve as a starting point for the evangelization of the new couple. We should put in place more comprehensive preparation systems, trying as is possible, that the priests can dedicate more time to a formative dialogue with couples. It should be well understood that a real

⁶ St. Thomas Aquinas, *Letter to the Romans*, Chapter 2, Lesson 3, n.216.

⁷ International Theological Commission, *In Search of a Universal Ethic: A New Look at the Natural Law*, 2009, p. 2.

formation is the result of a life lived in the faith, when the love of Christ and His Church becomes connatural to the person.

Situations of Canonical Irregularity

The report correctly states that “Before treating the suffering associated with those who are unable to receive the sacraments due to their irregular union, the responses refer to a more basic suffering which the Church must take in hand, namely, the suffering of a breakdown in marriage and the difficulty of regularizing the situation.” (p. 91) It is evident that the Church must demonstrate its pastoral concern trying to help these couples in the most effective way possible. At the same time, the document referring to the situation of couples who can’t receive the sacraments because they are in an irregular situation points out that, “Moreover, responses and observations from some episcopal conferences emphasize that the Church needs to equip herself with pastoral means which provide the possibility of her more widely exercising mercy, clemency and indulgence towards new unions.” (p. 92) This is an ambiguous statement that could be interpreted in favor of granting communion to couples divorced and civilly remarried. The document should have listed with precision how it is advisable to exercise a greater mercy, clemency and indulgence towards these couples. The document adds that there are believers who are in an irregular situation who “wish to be publically readmitted to the Church.” (p. 93) Faced with this question of the faithful, the Church with pastoral zeal, love and patience, should try to get a true conversion of these faithful, making them take the path of penance and help to get rid of the irregular situation in which they find themselves.

The proposal to consider the practice of some Orthodox churches, which opens the way for a second or third marriage with a ceremony of penitential character (p. 95) is clearly not acceptable for doctrinal reasons, because the Church does not have the power to grant to break marriage link of marriages validly celebrated and consumed, except in the case of the Pauline privilege⁸. We have to consider that one of the major areas of disagreement with the Orthodox Churches regards this practice. The document points out that “A great many responses request streamlining the canonical processing of marriage cases.” At the same time noted that “Some argue that reducing the steps in the process would not be effective.” (p. 98) The document rightly argues that “Some responses urge caution and point out the following risks in streamlining, simplifying or reducing the process: injustices and errors could result; the impression might be given that the indissolubility of the Sacrament is not respected; the change might lead to abuses and create in young people’s minds the idea that marriage is not a life-long commitment; and the action might bolster the mistaken idea that an annulment is simply “Catholic divorce.” ” (p. 99)

The proposal to grant “an individual blessing to those who cannot receive the Holy Eucharist” (p. 104) can cause many ambiguities. It can create the impression, in many faithful, that the Church is willing to give a kind of acceptance in limited way to a situations of irregularity.

Paragraph 105 is incomplete and as such ambiguous, because although it is very advisable to use the will of a non-practicing or non-believers engaged couples to marry in the church as an opportunity to evangelize them, the marriage could be not celebrated if they do not accept the whole Church’s teaching on marriage. It is important to understand that the couple is free to marry or not, to choose the other person, but it is not free to choose the conditions of marriage.

The proposal that “In cases where a couple does not seem to understand or does not agree with the basic teachings of the Church on the benefits of marriage and its related responsibilities, the bishops’ conferences of northern Europe and North America say that the more appropriate course of

⁸ The marriages between not baptized persons can be dissolved when one of the spouses receives later the baptism, but is hampered in his journey of faith by the attitude of the other spouse.

action would be to postpone the celebration of marriage, fully cognizant beforehand that this proposal could lead to misunderstanding and resentment.” (p. 108) It is deeply merciful because a couple who do not understand or do not agree with the basic teachings of the Church on marriage is not ready to make a commitment for life. A true love for them should lead us to make them ponder in a mature and calm way about the decision they are about to make. The right to the celebration of marriage is a fundamental right of the human person and of the faithful, but this right may be limited in its exercise, when persons try to exercise this right in contradiction with the basic rules that govern the marriage. All faithful have a potential right to marry in the Church but this right only becomes actual when they fulfill the requirements of the Church and in particular when they believe on the basic teachings of the Church on marriage, like is permanence, fidelity and openness to life. A wedding celebrated by people who do not share the Church’s teachings on marriage, runs the risk of being invalid.⁹

Conclusions

It is clearly laudable the intention of promoting an improved knowledge and better understanding of the Church’s teachings on life and family especially in couples who are preparing for marriage. At the same time, the only guarantee of a good preparation for marriage can only come from an authentic evangelization in which people would convert to Christ and live their faith with coherence. It is also of great value the commitment to assist couples who are in different situations of irregularity. We must also consider that the only possible form to be freed from these different forms of irregularity is through a complete return to Christ. Experience shows that this return is not easy and can be gradual, so the Church must be willing to patiently accompany these couples in this road. In this process the faith should be presented with careful and precision avoiding any kind of ambiguity. I hope that the members of the synod understand the permanent importance of natural law and that its abandonment would bring many negative consequences. In the questionnaire and in the responses contained in this document the information requested was based on the Bible and on the teaching of the Second Vatican Council and to the post-conciliar Magisterium. Perhaps the answers would have been more comprehensive if the totality of the historical doctrine of the Church would have been used and pondered. In particular, it would been advantageous to meditate on the encyclical *Casti Connubii* of Pius XI. In conclusion, we hope that this Synod will serve to raise with the assistance of the Holy Spirit the pastoral family of the Church.

⁹Benedict XVI, *Meeting with Diocesan Clergy of Aosta*, 25 July 2005: “I would say that those who were married in the Church for the sake of tradition but were not truly believers, and who later find themselves in a new and invalid marriage and subsequently convert, discover faith and feel excluded from the Sacrament, are in a particularly painful situation. This really is a cause of great suffering and when I was Prefect of the Congregation for the Doctrine of the Faith, I invited various Bishops' Conferences and experts to study this problem: a sacrament celebrated without faith. Whether, in fact, a moment of invalidity could be discovered here because the Sacrament was found to be lacking a fundamental dimension, I do not dare to say. I personally thought so, but from the discussions we had I realized that it is a highly-complex problem and ought to be studied further. But given these people's painful plight, it must be studied further.”