



ANALYSIS OF THE INSTRUMENTUM LABORIS OF THE ORDINARY SYNOD ON THE FAMILY

Contents

- I. Introduction
- II. “The interpretative key”
- III. The dignity of the human person
- IV. Contraception
- V. Artificial methods of reproduction
- VI. Holy Communion for the “divorced and remarried”
- VII. “The law of gradualness”
- VIII. The indissolubility of marriage
- IX. Cohabitation
- X. Homosexuality and homosexual unions
- XI. Parents as primary educators
- XII. The “emancipation of women”
- XIII. Clarity and truth
- XIV. Sin
- XV. Conclusion

Introduction

The *instrumentum laboris*, released by the General Secretariat of the Synod of Bishops on 23 June 2015, is intended to act as the basis for discussions at the XIV Ordinary General Assembly of the Synod of Bishops to be held in Rome from 4-25 October 2015. The theme of the Synod is “The Vocation and Mission of the Family in the Church and the Contemporary World.”

The *instrumentum laboris* includes the full text of the *relatio synodi* of the Extraordinary Synod that was held in Rome in October 2014. In the *instrumentum laboris* the text of the *relatio synodi* is supplemented by extensive further commentary, which develops the themes present in the earlier document, as well as addressing some subjects not previously considered. These additions are said to be based on responses sent to the General Secretariat of the Synod in response to the questions contained in the *lineamenta* published in December 2014.

The initial “Presentation” section of the *instrumentum laboris* states that the document “*is comprised of the definitive text*” of the *relatio synodi*.¹ This indicates that paragraphs 52, 53 and 55, which failed to receive the necessary two-thirds majority vote at the Extraordinary Synod, are now considered part of the “*definitive text*”. The inclusion of these paragraphs is contrary to the *Ordo Synodi Episcoporum*, which states in Article 26 § 1:

To arrive at the majority of votes, if the vote is for the approval of some item, 2/3 of the votes of the Members casting ballots is required; if for the rejection of some item, the absolute majority of the same Members is necessary.

This violation of the synod’s rules casts serious doubt on the integrity of the synodal process.

Voice of the Family has previously published an analysis of the gravely flawed approach adopted in the *relatio synodi* and, given the inclusion of the full text of the *relatio synodi* in the *instrumentum laboris*, we take this opportunity to reaffirm the content and relevance of our original *Analysis of the Final Report of the Extraordinary Synod on the Family* which is available at www.voiceofthefamily.info.

“The interpretative key”

In our analysis of the *relatio synodi* we identified an “interpretative key” that we consider to be the basis of the problematic approach adopted in that document. We argued that the introduction to the *relatio* provides the key to its interpretation when it states, in paragraph 3, that the principle “*describing the synodal experience and indicating the task at hand*” is “*to read both the signs of God and human history, in a twofold yet unique faithfulness which this reading involves*”. The same “interpretative key” can, and should, be applied to the *instrumentum laboris* because the *relatio synodi* is included in, and forms the foundation of, the new document.

This “interpretative key” proclaims that the task of the synod is to be faithful to two different sources of authority, (1) “*the signs of God*” and (2) the signs of “*human history*”. If man must be faithful both to God and to “*human history*” it follows that whenever there is a clash between their

¹ All quotations from the *instrumentum laboris* are in italics. This analysis is based on the official English translation of the *instrumentum laboris*.

mutual demands a compromise must be found. When this approach is adopted, the natural moral law is no longer regarded as immutable but rather as subject to change over the course of time. This approach has its roots in a false understanding of the relationship between doctrine and history. A fuller account of our argument, and analysis of the historical roots of this approach, can be found in our *Analysis of the Final Report of the Extraordinary Synod on the Family*.

This false approach was given clear and eloquent expression by Walter Kasper in his 1967 article entitled *God and History*. Kasper wrote:

“The God who is enthroned over the world and history as a changeless being is an offence to man. One must deny him for man’s sake, because he claims for himself the dignity and honour that belong by right to man... We must resist this God, however, not only for man’s sake, but also for God’s sake. He is not the true God at all, but rather a wretched idol. For a God who is only alongside of and above history, who is not himself history, is a finite God. If we call such a being God, then for the sake of the Absolute we must become absolute atheists. Such a God springs from a rigid worldview; he is the guarantor of the status quo and the enemy of the new.”²

This approach to God and history was condemned by the Congregation for the Doctrine of the Faith in the 1984 instruction on liberation theology. The CDF taught:

[3.]... History thus becomes a central notion. It will be affirmed that God Himself makes history. It will be added that there is only one history, one in which the distinction between the history of salvation and profane history is no longer necessary. To maintain the distinction would be to fall into "dualism". Affirmations such as this reflect historicist immanentism. [...]

4. Along these lines, some go so far as to identify God Himself with history and to define faith as "fidelity to history", which means adhering to a political policy which is suited to the growth of humanity, conceived as a purely temporal messianism.

5. As a consequence, faith, hope, and charity are given a new content: they become "fidelity to history", "confidence in the future", and "option for the poor." This is tantamount to saying they have been emptied of their theological reality.³

This false approach to history is the basis for the approach adopted in the *relatio synodi* and the *instrumentum laboris*, as explained in detail in our analysis of the original document.

In paragraph 68 of the *instrumentum laboris* we read that the “*Church’s point of departure is the concrete situation of today’s families*”. This is an erroneous approach. The Church’s point of departure should always be God and the objective order that He has established. The sentence continues by stating that this “*point of departure*” begins with “*those who are suffering most*”, but the document makes unfounded assumptions about who those families are. Certain groups, such as the

² “Gott in der Geschichte”, *Gott heute: 15 Beiträge zur Gottesfrage*, (Mainz, 1967) Translation from “The New Pastoral Approach of Cardinal Kasper to the divorced and ‘remarried’”, 12 April 2014, *Documentation Information Catholiques Internationales*, [Accessed 16 December 2014], <http://www.dici.org/en/documents/the-new-pastoral-approach-of-cardinal-kasper-to-the-divorced-and-remarried/>.

³ *Instruction on Certain Aspects of the “Theology of Liberation”*, Congregation for the Doctrine of the Faith, 6 August 1984, Section IX, No. 3-5.

“divorced and remarried” and those in “civil marriages” are given a great deal of attention, while other groups, such as those whose livelihoods are threatened because of their adherence to the truth about the moral law, or parents struggling to bring up their children in a society which constantly threatens to undermine their faith and morals, are not mentioned at all. This is precisely the kind of error of judgement that is to be expected when one begins with subjective “concrete situations”, rather than with consideration of the objective reality.

The dignity of the human person

In paragraph 7 the *instrumentum laboris* claims that “People are becoming increasingly aware of the dignity of every person – man, woman and child...” It is difficult to see how this statement can be defended in the light of increasing attacks on human life and on the authentic understanding of human sexuality. The last half century has witnessed:

- (i) an unprecedented attack on unborn human life, with conservative estimates placing the number of victims higher than one billion
- (ii) the degradation of human procreation through a contraceptive mentality that is almost universal in the west, and which is being aggressively imposed on the developing world
- (iii) the degradation of human procreation through artificial methods of reproduction, which also constitute an attack on the life of the human embryo
- (iv) the development of theories of “gender”, which are opposed to the dignity of men and women, whose masculine and feminine natures are ordained by God
- (v) the degradation of human sexuality through widespread exposure to pornography, including the use of pornographic sex education materials in schools
- (vi) the degradation of the institution of marriage by its redefinition to include same-sex couples
- (vii) the spread of assisted suicide and euthanasia, which directly attack the life and dignity of the elderly and disabled.

In his encyclical letter *Evangelium Vitae* Pope John Paul II noted the increase of “declarations” and “initiatives” in the modern world “acknowledging the value and dignity of every individual as a human being”. However, he continued:

On the other hand, these noble proclamations are unfortunately contradicted by a tragic repudiation of them in practice. This denial is still more distressing, indeed more scandalous, precisely because it is occurring in a society which makes the affirmation and protection of human rights its primary objective and its boast. How can these repeated affirmations of principle be reconciled with the continual increase and widespread justification of attacks on human life? How can we reconcile these declarations with the refusal to accept those who are weak and needy, or elderly, or those who have just been conceived? These attacks go directly against respect for life and they represent a direct threat to the entire culture of human rights.⁴

This awareness is lacking in the *instrumentum laboris*. Paragraph 7 recognises that “Only a minority of people lives, supports and encourages the Catholic Church’s teaching on marriage and the family, seeing in it the

⁴ Pope John Paul II, *Evangelium Vitae*, No. 18.

goodness of God's creative plan." Yet the authors seem to consider that an increased rejection of God's plan for marriage and the family is compatible with increased awareness of human dignity. In fact, as the list above suggests, rejection of God's plan leads to violations of human dignity.

We would argue that the approach adopted in this paragraph is shaped by the "interpretative key", which leads the drafters to adopt a positive view of current social trends and a marked reluctance to challenge the real moral and social evils that threaten families in the modern world. As we will see, this is a recurring problem with the document.

Contraception

Paragraph 7 makes the claim that the "*development of a consumer society has separated sexuality from procreation*". While consumerism is no doubt a contributing factor to the development of the contraceptive mentality it is not "*consumer society*" itself that eliminates procreation from the sexual act but rather the use of contraceptive methods. The *instrumentum laboris*, in common with the *relatio synodi* and other synodal texts, refuses to use the word "contraception" or make any direct reference to any contraceptive method, despite the devastating consequences of the use of contraceptives in many areas of human life, not least the killing of unborn children by abortifacient methods. The consistency of this omission, which can be seen also in the encyclical letter *Laudato Si*, would seem to reflect a deliberate policy.⁵

The claim that the separation of procreation from sexuality is the result of "*consumer society*" also ignores the aggressive imposition of birth control on the developing world. This omission is particularly disturbing against the backdrop of the negotiation of the Sustainable Development Goals at the United Nations. The current draft SDGs call on nations "to ensure access to reproductive services". This is a euphemism for access to abortion and contraception.

The problems in the *instrumentum laboris* however go much deeper than its omissions. The document clearly undermines the core teaching of the encyclical letter *Humanae Vitae*. Paragraph 137 effectively nullifies the central teaching of the encyclical, which declared morally inadmissible "any action which either before, at the moment of, or after sexual intercourse, is specifically intended to prevent procreation—whether as an end or as a means."⁶

Paragraph 137 claims to identify the encyclical's "*two principle points*". The first of these points is "*the role of conscience as understood to be God's voice resounding in the human heart which is trained to listen*" and the second is "*an objective moral norm.*" It is important to note that the actual moral norm, as quoted above from paragraph 14 of *Humanae Vitae*, is not in fact stated anywhere in this text. In the fact the norm is explained simply as avoiding "*considering the act of generation a reality to be decided arbitrarily, irrespective of the divine plan of human procreation.*" This explanation does not explicitly reject the use of contraceptive methods. We are further told that an "*over-emphasis*" on the moral

⁵ "We cannot insist only on issues related to abortion, gay marriage and the use of contraceptive methods. This is not possible." Pope Francis, *Interview with Antonio Spadaro*, 19 August 2013, [Accessed 23 July 2015], https://w2.vatican.va/content/francesco/en/speeches/2013/september/documents/papa-francesco_20130921_intervista-spadaro.htmlhttps://w2.vatican.va/content/francesco/en/speeches/2013/september/documents/papa-francesco_20130921_intervista-spadaro.html

⁶ Pope Paul VI, *Humanae Vitae*, No. 14.

norm “results in seeing the moral norm as an insupportable burden and unresponsive to a person’s needs and resources.”

The document goes on to state that couples should make decisions by “combining the two”; a balance must be reached between the “role of conscience” and the “objective moral norm” under “the regular guidance of a competent spiritual guide.” The only fault that is counselled against is “making selfish choices.” The implication of the passage is that contraceptive acts may be permitted by a confessor or spiritual director in some circumstances, such as when the moral norm would otherwise be “an insupportable burden.” The *instrumentum laboris* also “highlights”, in paragraph 136, “the need to respect the dignity of the person in morally assessing methods in regulating births.”

In this way the *instrumentum laboris* follows the line indicated by Cardinal Kasper in an interview shortly before the beginning of the Extraordinary Synod:

[Paul VI] was concerned to remain in the truth and not give up something, but I think it’s a question of the interpretation of this encyclical *Humanae Vitae* because he was the first pope who spoke in ‘personalistic’ terminology about marriage – it was new! So in light of this general approach we have to interpret what he said about contraception and so on, and I think what he said is true, but it’s not a casuistic we can deduce from it [sic], it’s an ideal and we have to tell people, but then we have also to respect the conscience of the couple.⁷

Artificial methods of reproduction

Paragraph 34 discusses the “so-called bio-technological revolution” that has made possible the separation of “the act of human reproduction” from the “sexual relationship between man and woman.” It notes that such methods are “gaining increasing popularity”, are “having a profound effect in relationships, in society and in the judicial system which intervenes in an attempt to regulate a variety of different situations and what is already taking place.” The paragraph contains no moral judgement on these procedures; the reader cannot discover from this paragraph whether such procedures are good or evil. There is no reference to any previous Church teaching, such as the CDF instructions *Donum Vitae* and *Dignitatis Personae*.⁸ Finally the document contains no reference either to the fact that such procedures cause the deaths of millions of human beings or to the connection between such procedures and embryo experimentation.

Holy Communion for the “divorced and remarried”

From the earliest stages of the synodal process the debate has been dominated by the proposals of Walter Cardinal Kasper that “divorced and remarried” Catholics may in certain circumstances be admitted to the sacraments of Penance and Holy Communion without amendment of life. The paragraphs relating to this proposal were rejected by the Extraordinary Synod but are nonetheless included in the *instrumentum laboris* in defiance of the synod fathers’ votes.

⁷ “Card Kasper: Synod to model Pope’s ‘listening magisterium’”, 1 October 2014, *Vatican Radio*, [Accessed 25 November 2015],

http://en.radiovaticana.va/news/2014/10/01/card_kasper_synod_to_model_popes_listening_magisterium/1107667.

⁸ *Donum Vitae*, Congregation for the Doctrine of the Faith, 22 February 1987; *Dignitatis Personae*, Congregation for the Doctrine of the Faith, 8 September 2008.

In addition to the original rejected paragraphs the *instrumentum laboris* contains additional commentary clearly intended to further such proposals.

Paragraph 121 accuses the Church of practicing “forms of exclusion” in current “liturgical and pastoral practice” and calls on the Ordinary Synod to “reflect on the opportunity to eliminate these forms of exclusion.” Furthermore it calls for a process of re-education of Catholics in order that the process of “greater integration” of the “divorced and remarried” be “accompanied by raising the sensitivity of the Christian community.” The document shows no concern for Catholics who may be confused or scandalised by such an approach or for parents whose efforts to guide their children to live according to the moral law will be undermined.

Paragraph 123 asserts that a “great number” of those who sent responses to the *lineamenta* “agree that a journey of reconciliation or penance, under the auspices of the local bishop, might be undertaken by those who are divorced and civilly remarried, who find themselves in irreversible situations.” The document acknowledges that the Secretariat received the “suggestion” that the process follow the norms outlined by John Paul II in *Familiaris Consortio*, which reasserted the unchanging teaching of the Church that the “divorced and remarried” could not be admitted to Holy Communion. However paragraph 123 immediately continues:

Others refer to a way of penance, meaning a process of clarifying matters after experiencing a failure and a reorientation which is to be accompanied by a priest who is appointed for this purpose. This process ought to lead the party concerned to an honest judgement of his/ her situation. At the same time, the priest himself might come to a sufficient evaluation as to be able to suitably apply the power of binding and loosing to the situation.

This is a clear restatement of the proposal made by Cardinal Kasper, and others, at the Extraordinary Synod.

Paragraphs 124 and 125 discuss the connection between spiritual communion and sacramental communion. Not only does the *instrumentum laboris* include the paragraph rejected by the Extraordinary Synod (no. 124, originally no. 53 of the *relatio synodi*) but goes on to restate the argument in paragraph 125. The insinuation made is that because the “divorced and remarried” can, it is said, make an act of spiritual communion it is therefore reasonable to admit them to sacramental communion. This position is based on a false understanding of spiritual communion.

The traditional teaching of the Church is as follows:

- (1) If a person receives Holy Communion with the correct dispositions they receive both sacramentally and spiritually
- (2) If a person receives Holy Communion but is not correctly disposed they receive sacramentally but not spiritually; that is, they physically eat the Body and Blood of the Lord but do not receive an increase of sanctifying grace, rather “he that eateth and drinketh unworthily, eateth and drinketh judgement to himself.” (1 Cor 11:29)

- (3) Finally, a person who is correctly disposed to receive Holy Communion, but is not able to do so physically, receives spiritually but not sacramentally when they make an act of spiritual communion.⁹

Those persisting in a state of adultery can neither make an act of spiritual communion, in the proper sense of the term, nor receive the sacrament of Holy Communion.

Passages that seem to be designed to prepare the ground for the “Kasper proposal” are found in other parts of the document. Paragraph 36 states:

Many request that the group of persons referred to as "far from the Church" not carry the connotation of "excluded" or "rejected," since such persons are loved by God and are at the heart of the Church's pastoral activity. Everyone is entitled to be treated with understanding, bearing in mind that some situations which keep people from participating in the life of the Church are not always intentionally chosen. Oftentimes these situations result — and are sometimes endured with great suffering — because of the conduct of a third party.

Only mortal sin can prevent a Catholic from participating fully in the sacramental life of the Church. A person who has committed mortal sin has not been excluded by the Church but by their own freely chosen action, because only a freely willed act can be a mortal sin. Mortal sin is always “*intentionally chosen*” and can never directly be the result of “*the conduct of a third party*.”

Underlying the document is the assumption that those who are living in irregular unions are not capable of repenting of their sin and amending their lives. This attitude can be clearly seen in the assertion of Cardinal Kasper, made in the context of the reception of Holy Communion by the “divorced and remarried”, that “heroism is not for the average Christian”.¹⁰ This attitude denies both the power of God’s grace, and the ability of each and every human being to co-operate with it to avoid sin. It is an approach which is incompatible with the solemn teaching of the Council of Trent:

But no one, however much justified, should consider himself exempt from the observance of the commandments; no one should use that rash statement, once forbidden by the Fathers under anathema, that the observance of the commandments of God is impossible for one that is justified.

For God does not command impossibilities, but by commanding admonishes thee to do what thou canst and to pray for what thou canst not, and aids thee that thou mayest be able.¹¹

It may also be noted here that paragraph 128 suggests extending reception of Holy Communion, in certain circumstances, to baptised non-Catholics married to Catholics

⁹ This question is thoroughly discussed by Paul Jerome Keller O.P. in “Is Spiritual Communion for Everyone?”, *Nova et Vetera*, English Edition, Vol. 12. No.3 (2014): 631-655.

¹⁰ Matthew Boudway and Grant Gallicho, “Merciful God, Merciful Church: An Interview with Cardinal Walter Kasper”, *Commonweal*, 7 May 2014 [Accessed 25 November 2014], <https://www.commonwealmagazine.org/merciful-god-merciful-church>.

¹¹ *Decree on Justification*, Council of Trent, Session VI, Promulgated by Pope Paul III on 13th January 1547.

“The law of gradualness”

The interim *relatio post disceptationem* used “the law of gradualness” as a justification for the admission of the “divorced and remarried” to Holy Communion. Direct references to “the law of gradualness” were removed from the final *relatio synodi*, presumably as a result of the opposition of the synod fathers as expressed at the small groups stage, though the general approach was retained.

The *instrumentum laboris* has reintroduced the concept to justify “*integrating persons who are divorced and civilly remarried into pastoral life*” (paragraph 121).

The “law of gradualness”, according to the most common usage of the term, maintains that the demand of obedience to the moral law only imposes itself gradually as the person matures and develops and becomes capable of observing the law. This would mean that a person would not in fact be obliged, according to this theory, to live in accordance with the moral law at certain points in their lifetime. This opinion was expressed during the Synod of Bishops in 1980 and was corrected by Pope John Paul II in his Apostolic Exhortation *Familiaris Consortio*:

[Married persons] cannot however look on the law as merely an ideal to be achieved in the future: they must consider it as a command of Christ the Lord to overcome difficulties with constancy. “And so what is known as 'the law of gradualness' or step-by-step advance cannot be identified with 'gradualness of the law,' as if there were different degrees or forms of precept in God's law for different individuals and situations...”¹²

The virtues develop over the course of a person’s lifetime and at, particular stages of their lives, individuals may find themselves struggling to observe certain precepts of the moral law. Nonetheless they are obliged by the law, even if in particular cases they have reduced culpability due to ignorance or a lack of consent of the will.

The indissolubility of marriage

The proposal to admit the “divorced and remarried” to Holy Communion without amendment of life is in itself incompatible with the indissolubility of marriage.

Paragraph 42 undermines the doctrine of the indissolubility of marriage further by describing marriage as “*a personal response to the profound desire for mutual and enduring love.*” This is an incomplete definition because marriage is also a public commitment upon which the family, the fundamental social unit, is built. The indissoluble bond of marriage is confirmed in the sight of God, and is a symbol of the indissoluble union between Christ and His Church.

The paragraph goes on to say that the gospel offers an “*an ideal in life which must take into account a sense of the times and the real difficulties in permanently maintaining commitments.*” The “*Church needs to proclaim a message which might give hope and not be burdensome.*” Both of these statements seem intended to prepare the way for proposals that are not compatible with the indissoluble nature of marriage. As in the case of contraception, the moral law is reduced to “*an ideal*” and it is implied that there are cases where the moral law need not be obeyed.

¹² Pope John Paul II, *Familiaris Consortio*, No. 34.

Cohabitation

The *relatio synodi* stressed the so-called “*positive aspects*” of cohabitation in its various forms, at the expense of a clear presentation of the sinful nature of fornication, and the resultant harm caused to individuals and society.

This approach is endorsed and extended in the *instrumentum laboris*. The paragraphs that treat of this subject, such as 57 and 63, never clearly state that “civil marriage” is not a valid marital bond. In fact they imply the opposite. The authors seem to suggest that it is possible for baptised persons to have a form of marriage that is not sacramental and which can then be “upgraded” to sacramental marriage. This implication is seen in paragraph 63 which distinguishes “*people living together*” from the “*civilly married*” and then states that “*starting with civil marriage, a Christian marriage might then be achieved*”. Paragraph 57 suggests that “*persons living together*” and “*those civilly married*” are in an “*initial stage*” of “*sacramental marriage*”.

Paragraph 99 states that “*The Church also ought to accompany those in a civil marriage or those living together in a gradual discovery of the ‘seeds of the Word’ which lie hidden, so as to value them until the fullness of union in the Sacrament might be achieved.*” This implies that a habit of grave sin is already in some sense an authentic union, which has simply not yet reached its “fullness.”

Paragraph 102 asserts that the “*choice of civil marriage, or, in some cases, simply ‘living together’*” can be “*an enduring bond, stable and open to life*” and describes “*sacramental marriage*” as “*a possible good which ought to be proclaimed as a gift to enrich and strengthen married life*”. This clearly implies that not only “*civil marriage*”, but even “*living together*”, can be already considered as “*married life*.” There can in fact be no “stages” to marriage for that would imply the possibility of a partial yet complete gift of self or of a temporary yet permanent commitment. These are contradictions in terms.

Paragraph 57 calls for Catholics to show “*an appreciation for the commitment already made*” by those in irregular unions, despite the fact that the commitment is actually to a life of habitual sin. The *instrumentum laboris* consequently calls on Catholics to show an appreciation for a habit of mortal sin.

Paragraph 61 states “*people need to become aware that in God’s plan the family is not a duty but a gift, and that today the decision to enter into the Sacrament of Marriage is not a foregone conclusion but something to be developed and a goal to be achieved.*” This is a misleading statement. All who wish to marry have a duty to do so according to God’s plan. For baptised persons this necessitates sacramental marriage; all true marriages between baptised persons are sacramental.

Homosexuality and homosexual unions

Paragraph 8 seems to suggest the possibility of giving approval to same-sex unions on some level when it acknowledges the necessity of “*defining the specific character of such unions in society*” and calls for “*a more thorough examination of human nature and culture which is based not simply on biology and sexual difference*”. This is particularly dangerous given the rapid proliferation throughout the world of laws permitting homosexual civil unions and so called “same-sex marriage”. The majority of “developed” nations now have such laws and there is much pressure being placed on “developing” countries to adopt such legislation. This pressure is often tied to aid; the needs of

some of the poorest populations are being manipulated as a means of promoting the radical homosexual agenda.

The paragraphs in the interim *relatio post disceptationem* that discussed homosexuality caused great controversy. Among other controversial statements was the assertion “that unions between people of the same sex cannot be considered on the same level as marriage between man and woman”. This statement, which implies that there is some level on which same-sex unions can be accepted, was strongly opposed by many synod fathers. As a consequence of this opposition it was replaced in the *relatio synodi* by a new paragraph (no. 55) which restated authentic Church teaching on same-sex unions while calling for respect and sensitivity to be shown to those with homosexual tendencies. This paragraph failed to obtain a two-thirds majority but is included in the *instrumentum laboris* as paragraph 130.

In their commentary on this paragraph the authors of the *instrumentum laboris* write in paragraph 131:

The following point needs to be reiterated: every person, regardless of his/ her sexual orientation, ought to be respected in his/ her human dignity and received with sensitivity and great care in both the Church and society. It would be desirable that dioceses devote special attention in their pastoral programmes to the accompaniment of families where a member has a homosexual tendency and of homosexual persons themselves.

It should be noted that the authors choose not to reiterate the first point in paragraph 130, namely, that there “are absolutely no grounds for considering homosexual unions to be in any way similar or even remotely analogous to God’s plan for marriage and the family.” Nor do they choose to reiterate the demand of paragraph 132 (56 in the *relatio synodi*) that “exerting pressure in this regard on the Pastors of the Church is totally unacceptable: it is equally unacceptable for international organizations to link their financial assistance to poorer countries with the introduction of laws that establish “marriage” between persons of the same sex.” Both of these passages, added to the *relatio synodi* following the hostile reaction of many synod fathers to the *relatio post disceptationem*, are deliberately downplayed. This selective emphasis is in line with the “interpretative key” which shapes the entire document. In accordance with their desire to be faithful to history as well as to God the authors deliberately emphasise that part of the document which is most in line with current social and political trends and downplay those other sections which are not.

In this connection we note that, while emphasising the need to show sensitivity to those with homosexual tendencies, the document does not discuss the threat posed to individuals and families by the increasing strength of the homosexual movement in the west, including the increasing persecution of those who uphold authentic truths about marriage and sexuality.

Parents as primary educators

The initial “presentation” section of the *instrumentum laboris* claims that: “The renewed interest in the family, brought about by the Synod is illustrated in the attention the family has received in not only Church circles but also civil society”. The implication here is that “civil society” is paying renewed attention to the family in a positive way. In fact, in recent decades, the family has been under attack in civil society perhaps as never before; one of the most pressing issues is the assault on the right of parents to act as the primary educators of their children.

Paragraph 143 mentions this right but only expands on it in the context of parental involvement in preparation for the sacraments of initiation.

Paragraph 86 contains a direct attack on the rights of parents. The paragraph states that “*the family, while maintaining its privileged spot in education, cannot be the only place for teaching sexuality.*” This statement is directly contrary to Catholic teaching, which affirms the right and duty of parents to be the first and foremost providers of education to their children. The exercise and defence of this right is particularly important in sexual matters. Parents are entirely capable of performing this task by themselves and it is entirely their choice if they wish to involve others.

In his Apostolic Exhortation *Familiaris Consortio* Pope John Paul II taught:

Sex education, which is a basic right and duty of parents, must always be carried out under their attentive guidance, whether at home or in educational centres chosen and controlled by them. In this regard, the Church reaffirms the law of subsidiarity, which the school is bound to observe when it cooperates in sex education, by entering into the same spirit that animates the parents.¹³

The *Charter for the Rights of the Family* states:

Since they have conferred life on their children, parents have the original, primary and inalienable right to educate them; hence they must be acknowledged as the first and foremost educators of their children.

- a) Parents have the right to educate their children in conformity with their moral and religious convictions, taking into account the cultural traditions of the family which favour the good and the dignity of the child; they should also receive from society the necessary aid and assistance to perform their educational role properly.
- b) Parents have the right to freely choose schools or other means necessary to educate their children in keeping with their convictions. Public authorities must ensure that public subsidies are so allocated that parents are truly free to exercise this right without incurring unjust burdens. Parents should not have to sustain, directly or indirectly, extra charges which would deny or unjustly limit the exercise of this freedom.
- c) Parents have the right to ensure that their children are not compelled to attend classes which are not in agreement with their own moral and religious convictions. In particular, sex education is a basic right of the parents and must always be carried out under their close supervision, whether at home or in educational centres chosen and controlled by them.
- d) The rights of parents are violated when a compulsory system of education is imposed by the State from which all religious formation is excluded.
- e) The primary right of parents to educate their children must be upheld in all forms of collaboration between parents, teachers and school authorities, and particularly in forms of

¹³ Pope John Paul II, *Familiaris Consortio*, No. 37.

participation designed to give citizens a voice in the functioning of schools and in the formulation and implementation of educational policies.¹⁴

All of these rights are under serious threat today by laws such as that in Scotland, which nominates a “Named Person” to every child who will have the right to intervene in the family, overriding the rights and prerogatives of parents. Such laws pose an immediate threat to the family. The *instrumentum laboris*, not only fails to do anything to protect children and parents from such laws but, in fact, gravely undermines their rights.

The “emancipation of women”

The subject of paragraph 30 is “*The Role of Women*” and it adopts uncritically modern secular notions of “gender equality”. The paragraph asserts that “*many quarters are witnessing an emancipation of women which is clearly indicating a woman’s role in the growth of the family and society.*” There is no awareness shown here of the suffering caused to many women and many families as a result of the economic and social pressure which forces women out of the home, often leaving children to be cared for by others. The *Charter of the Rights of the Family* teaches in Article 10 that wages “ought to be such as not to force mothers to work away from home, to the detriment of family life and the upbringing of children in particular.”¹⁵ The *instrumentum laboris* however does not share these concerns, rather the document explicitly laments the status of woman in the “developing” world, even though traditional family structures are more likely to be maintained by families in these countries. The document also asserts that “*in western countries, the empowerment of women requires a rethinking of the duties of the spouses*”. In the absence of any clarification to the contrary it seems this should be interpreted as a call for the Church to embrace the continuing dissolution of traditional family structures and the abandonment of the different but complementary roles of men and women.

Paragraph 30 concludes that the Church must contribute to these social changes by involving women more in “*the decision-making process*” in the Church and “*in the governing of some institutions; and their involvement in the formation of ordained ministers.*” The approach adopted here seems to be due to the drafters need to show a “*unique faithfulness*” to “*human history*” by implementing modern gender ideology.

Clarity and truth

By this stage of our analysis it is clear that the *instrumentum laboris* fails to clearly affirm Catholic doctrine, but rather, through the use of ambiguous terms, seriously undermines it.

The aversion of the authors to clear proclamations of Catholic truth can be seen in paragraph 78, which states that when proclaiming the “*Christian message*” a “*clear, inviting and open communication needs to be adopted*” in contrast to one that would “*moralize, judge or control.*” This preferred form of communication apparently “*bears witness to the Church’s moral teaching, while, at the same time, remaining sensitive to the circumstances of each individual.*” Paragraph 81 states that “*pastoral care ought to take into consideration the need of communicating with others in a manner open to dialogue and free from prejudice,*

¹⁴ *Charter of the Rights of the Family*, Article 5, (Issued by the Holy See on 22 October 1983).

¹⁵ *Ibid*, Article 10.

especially in cases where Catholics, in matters of marriage and family life, do not live or are in no condition to live in full accord with the Church's teaching."

These passages are problematic because they imply that there is a widespread problem within the Church of her moral teachings being proclaimed in a moralising, judgemental, controlling, insensitive, closed and prejudiced manner, which must be corrected by a new approach. It is more likely that most Catholics experience a situation in which the moral law is scarcely proclaimed at all.

The call to "*dialogue*" with those living in sinful situations is inadequate. The Church has a duty to offer clear truths to those individuals and call them to repentance. Our Lord commanded the Apostles to: "Go into all the world and proclaim the gospel to the whole creation. Whoever believes and is baptized will be saved, but whoever does not believe will be condemned." (Mk 16:15-16) In accordance with Our Lord's mandate the Church must call sinners to repentance and make clear the eternal consequences of sin. The statement that there are Catholics who "*are in no condition to live in full accord with the Church's teaching*" is incompatible with the Catholic faith, as explained above in the section on Holy Communion for the "divorced and remarried".

Paragraph 78 concludes with an acknowledgment that "*many do not understand the various subjects of the Church's Magisterium*" but, rather than proposing renewed efforts at authentic catechesis, the document suggests that "*a language is urgently needed which everyone, especially young people, can understand.*" This proposal is flawed in two serious ways. Firstly, the attempt to recast Catholic truth in new language is a recurring temptation and an ever present danger to the integrity of Catholic doctrine. Precise theological and philosophical language, developed over centuries, cannot easily be altered or abandoned without altering the content of what is taught. Secondly, the approach is contrary to that which the Church has successfully followed over the centuries, which is to lead young people to greater knowledge and fulfilment of their intellectual potential, rather than altering what she teaches to make it easier to understand.

The *instrumentum laboris* manifests in very many places a lack of clarity and care in the claims it makes and the expressions it uses. The examples below are given so that readers can see that the errors and ambiguities of the *instrumentum laboris* extend beyond the issues relating to life, marriage and the family that are emphasised in this analysis.

- Paragraph 75 calls for the adoption of "*symbolic, experiential and meaningful language in preaching and catechesis.*" This is an erroneous approach because it neglects to emphasise the transmission of revealed doctrine, which is the primary purpose of catechesis.
- Paragraph 83, included in a section entitled "*A Symphony of Differences*", states that based on "*the existence of religious and cultural pluralism, some wish that the Synod retain and value the image of a 'symphony of differences.'*" This confusing phrase would seem to obscure the claims made by the Church to possess the fullness of truth and undermine the impetus to evangelisation. The paragraph continues: "*Generally speaking, there are indications that pastoral care on behalf of marriage and family needs to appreciate the positive elements present in different cultural traditions and religious experiences, which are praeparatio evangelica, that is, 'a preparation for the Gospel.'*" This statement assumes that the Church herself lacks all the means to fully

provide “*pastoral care*”; if so, this raises the question of what is meant by “*pastoral care*”, not only in this passage, but throughout the document. The care of the shepherds of the Church for their flocks should be ordered principally to the salvation of souls, and the Church already possesses all the means necessary to accomplish this end.

- Paragraph 127 states of marriages of mixed religion and marriages of disparity of cult that “*such situations would call for formulating a policy of behaviour in which neither spouse would impede the journey of faith of the other.*” This seems to imply that the Catholic party should not try to lead their spouse to the Catholic Church. It is also problematic to refer to the practice of a false religion as a “*journey of faith*”. Faith is the theological virtue by which the intellect assents to truths revealed by God and authoritatively taught by the Church; therefore the term cannot be applied to false religions.

A further defect of the document is its tendency to deploy rhetorical language that yields no clear meaning. An example can be found in paragraph 110, in the section entitled “*The Art of Accompaniment*”:

For the Church, drawing near to the family as a companion on a journey means to adopt a prudent and differentiated mentality. At times, this means to be at one’s side and to listen in silence; at other times, to stand in front to indicate the way forward; and at still other times, to stand behind to support and to encourage.

The authors of the *instrumentum laboris* seem to try to distance themselves from certain inclusions in the document that would support clear teaching.

Paragraph 134 reads (our **emphasis**):

***Some see a need** to continue to make known the documents of the Church’s Magisterium which promote the culture of life...*

Paragraph 135 reads:

***Some urgently call** for Christians involved in the political life to make appropriate and responsible choices in passing laws which promote and defend life.*

However in many sections of the document, including most of those which we have identified as undermining Catholic doctrine, the opinions are presented directly and without any implication that they are only opinions held by “*some*”. For example in paragraph 92 we read “*Christians ought to engage directly in the socio-political life by actively participating in the decision-process and introducing the Church’s social doctrine into discussions with institutions.*” It would seem when dealing with “social justice” issues the authors have no problem taking the opinions as their own but when issues that conflict with secular ideology are at stake they are reluctant to do so.

Readers can further investigate this suggestion by consulting the paragraphs referred to in the earlier sections of this analysis and comparing them with the tone adopted in paragraphs 134 and 135 quoted above.

Sin

One of the gravest elements of the *instrumentum laboris* is the neglect of any discussion of sin, even when discussing objectively sinful practices. In fact the whole document has a distinctly naturalistic and pelagian tone. One example of this can be found in paragraph 9, which describes “*dependence on alcohol, drugs or gambling*” as a potential result of “*social contradictions and the disadvantages which are part of family life.*” While there is truth in this statement, it is striking that in such passages there is no mention of man’s fallen human nature and propensity to sin.

The lack of emphasis on sin is actually the result of a lack of focus on God. When man is made the centre, sin, which is primarily an offence against God, is ignored.¹⁶ Paragraph 15 deals with the problems of “*social exclusion*” and places the blame on an economic system that removes the human person from the centre. In fact social problems are due not to the exclusion of man from the centre but the exclusion of God from the centre.¹⁷ This reality is scarcely alluded to in this document, even though the Church was established to lead men and women to union with God.

Exclusion of God is also exclusion of all the real means for helping “*wounded families*”, such as prayer, the sacraments, and the love of fellow Christians. The latter is a manifestation of the infused theological virtue of charity and is not an acquired natural virtue. The document is of little assistance in leading families to a deeper interior life because of its distortions and ambiguities. Paragraph 38 claims that to “*look at Jesus means, above all, to listen to his word*”. This statement places listening to scripture above even more direct encounters with Christ, namely prayer and the sacraments, and most of all the Eucharist, which is truly “*above all*” the means “*to look at Jesus.*”

Paragraph 59 contains a problematic treatment of the Church and seemingly reduces the Church, the Mystical Body of Christ, to some sort of equality with families. It states that “*each family becomes in every way a blessing for the Church, who requests on her part to be considered a blessing by the newborn family.*” The Church, the perfect bride of Christ, is, by virtue of her divine head, the source of all blessings that pass to those families who are united to her. She possesses the entirety of revealed truth, which she infallibly transmits to every generation and through the sacraments divine grace flows to each of her members. All mankind is absolutely bound to co-operate with all the graces offered by God, which will lead them towards the Catholic Church, outside of which there is no salvation.¹⁸ The Church certainly does not “*request*” to “*be considered a blessing*” by anyone, rather she requires each and every man and woman to acknowledge her as the sole ark of salvation.

The document continues by calling on the Church to display a “*humble willingness more equitably to consider this reciprocity of the bonum Ecclesiae, namely, the Church is a blessing for the family and the family is [sic] blessing for the Church.*” Here we see an extremely confused ecclesiology, which treats the

¹⁶ ST II-I q. 71 a.6.

¹⁷ “In the first Encyclical Letter which We addressed at the beginning of Our Pontificate to the Bishops of the universal Church, We referred to the chief causes of the difficulties under which mankind was laboring. And We remember saying that these manifold evils in the world were due to the fact that the majority of men had thrust Jesus Christ and his holy law out of their lives; that these had no place either in private affairs or in politics: and we said further, that as long as individuals and states refused to submit to the rule of our Savior, there would be no really hopeful prospect of a lasting peace among nations.” Pope Pius XI, *Quas Primas*, 11 December 1925.

¹⁸ ST III q.73 a.3.

Church as an equal party in a relationship with families. Perhaps the authors are thinking of the Church in limited institutional terms, as if the Church were merely composed of the clergy and of “*pastoral workers*” of the kind frequently mentioned in the text (paragraphs 32, 36, 75, 87 and 89). This emphasis is seen in the multitude of references to “*programmes*” (paragraphs 14, 36, 63, 75, 86, 88, 92, 94, 95, 131, 139, and 145) that are to be provided for the family by clergy and “*pastoral workers*”. In paragraph 75 even sanctifying grace is made subject to a programme: “*the following recommendations were made... to engage in sound programmes of growth in the grace of baptism.*”

Conclusion

The *instrumentum laboris*, in common with the *relatio post disceptationem* and *relatio synodi* of the Extraordinary Synod, threatens the entire structure of Catholic teaching on marriage, the family and human sexuality. The document is underpinned by an approach that seeks to obey two masters, the “*signs of God*” and the signs of “*human history*”. This “fidelity to history”, which already stands condemned by the Church’s Magisterium, leads the authors of the text to distort Catholic teaching in order to bring it into line with the ideological positions dominant in the secular world. The attempt to be faithful to two masters will have very real consequences for families, both within the Catholic Church, and beyond her bounds. The greatest victims will be those who are most vulnerable, especially children, born and unborn. In the light of this threat to the family, which comes from within the official structures of the Church, *Voice of the Family* repeats for a third time the judgement we expressed on the *relatio post disceptationem* and the *relatio synodi*:

We urge Catholics not to be complacent or give in to a false sense of obedience, in the face of attacks on the fundamental principles of the natural law. Catholics are morally obliged to oppose the course being taken with the Synod.

Matthew McCusker

Voice of the Family

28th July 2015