Introduction

Pope Francis’ challenge to seek and find an adequate pastoral response to new family situations needs to be taken up boldly. There is no doubt that an important way of doing this is to reflect on the way we, as Church, consider family issues ad intra, but we also need to look at how we seek to communicate truths about the family with and to the world. Is the “Gospel of the Family” offering hope and joy to those in the fold who are struggling with complex family situations? Is it encouraging the conversion of those often deemed to be on the “margins” of the Church? Is our message about family life persuasive – in particular, in our case, in a strongly secularist European context?

Reflection not just about the “message” but also about the way it is communicated is a key challenge for theologians, always called to read the signs of the times and to interpret the Gospel afresh. It is pivotal for ministers and church leaders called to guide the faithful along the steps of their pilgrim journey. It is also necessary for the Church’s task of evangelization in a post-Christian continent in particular, and in the “global village” at large.

The challenge is that of finding a new language that speaks to the various audiences to whom we, as Church, are sent to share and proclaim the Gospel. It is obvious that we are not merely seeking some skilful spin, a nice, attractive packaging for an old and cherished product, or, to put it in more biblical terms, new pieces of cloth to mend an old garment; we are looking for much more.

We all know that there is an essential link between the content of the message and its formulation. Indeed, precisely because “the medium is (also a key) message,” oftentimes, and perhaps without ourselves realizing, what we seem to communicate to our audiences – whether to the world at large, the peripheral Catholic or the struggling faithful – is more a “condemning tone” or a “message of doom,” than the joy of the Gospel.

Yet crafting a new language, a language that speaks to the times, is no easy quest, for it is not immediately obvious what is old and can be thrown away, what remains ever new even after many centuries and, indeed what is so novel that still needs to be discovered and articulated. Truth itself is multi-faceted and multi-layered: thus different aspects of truth need to be emphasized in different circumstances, without losing touch with what is truly essential to the Good News.\(^2\) Thus, our quest for a new language is not only for the sake of better and easier communication, but for the sake of Truth itself, for the sake of witnessing transparently the Good News. We are seeking a language that seeks to form the flock that is dispersed, whether the sheep are in the fold or outside of it.

This emphasis on language is also evident in the *Lineamenta* that specifically call for “a conversion in the language we use, so that it might prove to be effectively meaningful.” The document stresses that “proclamation needs to create an experience where the Gospel of the Family responds to the deepest expectations of the human person” (*Lineamenta*, no. 32, our emphasis). Our language must embody “the tenderness of a mother and the clarity of a teacher” (ibid., no. 28) with the urgency demanded of a field hospital.\(^3\) Thus, to exercise the Church’s ministry better, we need a language that by being ardent in its urgency, penetrating in its clarity, and comforting in its tenderness, not only responds to our natural inclinations, but transcends us to true beatitude. We need a language that through expressing the truth with zeal and lucidity is healing and ultimately transforming.

This pastoral need to find new ways of speaking to people is undisputed and certainly urgent. Yet it finds its source in our theological language, that is, in the very way we seek to understand and articulate the Gospel of the Family in

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\(^2\) This is particularly so for moral teachings. As Pope Francis has been emphasizing through his words and example, in our zeal to defend particular Church teachings, we cannot contradict the very essence of the Good News with our language and attitudes.

\(^3\) The evocative image of the field hospital, together with those of the Church as mother and the Church as shepherdess, is a favourite of Pope Francis to capture his sense of the Church we need today. See Antonio Spadaro’s extended interviews with Pope Francis collected in Pope Francis and Antonio Spadaro, *My Door Is Always Open: A Conversation on Faith, Hope and the Church in a Time of Change* (London: Bloomsbury, 2014), PDF e-book chap. 2.
the first place. As Bernard Lonergan⁴ notes, the theological functional speciality of communication, the ever-new experience of proclaiming the Good News, is grounded in the radical decision of falling in love with God (foundations), its judgment as truth (dogmatics) and the ongoing effort to understand it (systematics) in our particular context. In turn, as communication event that is itself context-bound, it becomes the material for the ongoing retrieval, purification and crafting of Tradition through the functional specialties of research, interpretation, history and dialectic. Thus, while new efforts at communicating the Good News constantly sharpen our articulation of the Truth, the dazzling light of the experience of the Gospel and our ongoing attempts at putting it in words challenge our pastoral communication to be ever more transparent.

That is why in our tradition pastoral care and theology, while two distinct languages, are not only complementary, but inseparable: a renewed pastoral practice can only be built on a renewed theology.

A Return to an Ontological Theology of Marriage

As a watershed in recent Church history, the Second Vatican Council also inaugurated a renewed theology of marriage grounded in its radically fresh theology of the Christian life.⁵ As the Lineamenta notes, this theology of marriage has also continued to be developed by the Magisterium in subsequent years (Lineamenta, nos. 16-19). Like much of the theology of Vatican II, which was influenced by a return to the sources in a post-Christian world, this renewed theology of marriage seeks to retrieve the original sense of sacramentality in the Church as the in-breaking of the power of the Holy Spirit, who at Pentecost descends on all flesh to recreate the world. Beyond the natural revelation of the divine in all created things, as mysteria, the Church’s sacraments are true manifestations of the Divine actualizing the transformation of the world as the New Creation.

⁵ Gaudium et Spes, nos. 48-50 notes how natural marriage finds its perfection in the sacrament of marriage. Following a brief theology of the sacrament of marriage in Lumen Gentium, no. 41, par. 5 puts it thus: Married couples and Christian parents should follow their own proper path (to holiness) by faithful love. They should sustain one another in grace throughout the entire length of their lives. They should imbue their offspring, lovingly welcomed as God’s gift, with Christian doctrine and the evangelical virtues. In this manner, they offer all men the example of unwavering and generous love; in this way they build up the brotherhood of charity; in so doing, they stand as the witnesses and cooperators in the fruitfulness of Holy Mother Church; by such lives, they are a sign and a participation in that very love, with which Christ loved His Bride and for which He delivered Himself up for her.”
Christian marriage in particular reveals a new way of human relating empowered by grace. This goes beyond the bond of natural marriage on which a home is built and through which human society is perpetuated. A foundation of a “domestic church” (Lumen Gentium [LG], no. 11), the couple’s mutual self-offering and generative love witness God’s own being as kenotic love that is also inherently pleroma, fullness, life. As Pope Benedict eloquently put it, “marriage based on an exclusive and definitive love becomes the icon of the relationship between God and his people and vice versa. God’s way of loving becomes the measure of human love,” (Deus Caritas Est, no. 11; Lineamenta, no. 18, our emphasis). Christian marriage is a sacrament and thus foundational to the life of the Church, precisely because it reveals in exclusive relationships what the Eucharist actuates in the Church at large: becoming as communion in imitation of God’s triune koinonia.

This retrieved and renewed sacramental theology of marriage not only perfects and transcends the natural understanding of marriage, but also goes beyond the more canonical bent in the understanding of marriage in the Church of the last centuries. Indeed, in line with Lumen Gentium’s call for the universal “holiness of the people of God” (LG, no. 40) that goes beyond the manualists’ emphasis on not committing sins, Vatican II’s theology of marriage demands greater authenticity.

When St Augustine insisted “Let these nuptial blessings be the objects of our love – offspring, fidelity, the sacramental bond. ... Let these nuptial blessings be praised in marriage by him who wishes to extol the nuptial institution,” (On Marriage and Concupiscence, 1:19), he did not intend the bona to be mere

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6 The celebrated Orthodox sacramental theologian Alexander Schmemann notes how the development of Scholastic sacramental theology contrasted with the earlier Patristic understanding of the mysteria. Patristic theology was profoundly symbolic and grammarian/exegetical. Its theology of mysteria was thus in continuation with natural theology as analogical, even if it emphasized the profound supra-natural reality of the sacraments through their being rooted in the liturgy: the radical revelation of the Kingdom in the world. Hence, the emerging understanding of particular mysteria was an exegesis of the particular ritual in its relation to the Divine Liturgy. Scholastic sacramental theology, however, by being inherently dialectical rather than exegetical, seeks to understand what the sacrament “is” in distinction to what it “is not.” Thus, there is an increased emphasis on the sacramental “sign” in distinction to (and from) the liturgical context, and the symbolic nature of creation as a whole. This is particularly so for marriage and holy orders, which lose their original meaning in relation to the Eucharist as symbol par excellence of Christian life. This dialectical emphasis is even more sharpened as the language of canon law is increasingly utilized in the sacramental theology of the manuals. See Alexander Schmemann, For the Life of the World: Sacraments and Orthodoxy (Crestwood, NY: St. Vladimir’s Seminary Press, 1973), 136-145.

7 Augustine of Hippo, “De nuptiis et concupiscencia,” trans. Peter Holmes and Robert Ernest
obligations or “technical” specifications for fulfilling a Christian marriage; he was rather affirming that the blessings of (Christian) life, fidelity and indissolubility are the extraordinary fruits of a life-long bond of mutually self-giving love in the power of the Holy Spirit. Similarly, today the emphasis shifts to how the couple’s love flourishes to truly embody Divine love, thus enabling the “goods of Christian marriage” to shine forth, first and foremost as signs of divine grace rather than mere human effort.

Ironically, however, this retrieved understanding of sacramentality raises the stakes of what it means to live a Christian marriage at a point in our history where we are being confronted by new challenges, not just to Christian living, but to “human” natural living, in particular for family life. By definition, secularity denies the presence of the divine in our midst, it seeks transcendence only through human effort, and as we become increasingly cynical, we tend to seek solace in mere immediate pleasure, rather than in true long-term fulfillment. That explains why Christian marriage as an inherently life-giving, faithful and permanent mutual self-offering, is such a profound sign of contradiction in today’s world.

Wallis, rev. Benjamin B. Warfield, in *The Nicene and Post-Nicene Fathers of the Christian Church*, First Series, ed. Philip Schaff (Buffalo, NY: Christian Literature Publishing Co., 1887), 5:258-308, http://www.newadvent.org/fathers/15071.htm. In chap. 23 Augustine elaborates: “If now we interrogate, so to speak, those goods of marriage to which we have often referred, and inquire how it is that sin could possibly have been propagated from them to infants, we shall get this answer from the first of them – the work of procreation of offspring: ‘My happiness would in paradise have been greater if sin had not been committed. For to me belongs that blessing of almighty God: “Be fruitful, and multiply” (Gn 1:29). For accomplishing this good work, various members were created suited to each sex; these members were, of course, in existence before sin, but they were not objects of shame.’ This will be the answer of the second good – the fidelity of chastity: ‘If sin had not been committed, what in paradise could have been more secure than myself, when there was no lust of my own to spur me, none of another to tempt me?’ And then this will be the answer of the sacramental bond of marriage, – the third good: ‘Of me was that word spoken in paradise before the entrance of sin: “A man shall leave his father and his mother, and shall cleave unto his wife; and they two shall become one flesh, “ (Gn 2:24).’ This, the apostle applies to the case of Christ and of the Church, and calls it then ‘a great sacrament.’ What, then, in Christ and in the Church is great, in the instances of each married pair it is but very small, but even then it is the sacrament of an inseparable union. What now is there in these three blessings of marriage out of which the bond of sin could pass over to posterity? Absolutely nothing. And in these blessings it is certain that the goodness of matrimony is entirely comprised; and even now good wedlock consists of these same blessings.” [Our emphasis].

The emphasis on perpetuating Christian life and not mere human or biological life is important in view of the understanding of Christian marriage as birthing the “domestic church.” It is not sufficient for Christian parents to bear children or even to raise them as good citizens. Christian marriage demands forming new members of the Church to baptism and a life of holiness.
Nevertheless, both in view of the new cultural challenges to married life and the emerging theology of Christian marriage, it follows that we should ask even more decisively whether and to what extent our pastoral praxis has changed in equally significant ways. How faithful is our pastoral praxis to the renewed sacramental understanding of Christian marriage? How persuasive is it in view of the contemporary challenges even to natural marriage? Is it responding effectively to the difficult situations arising, not only between the married faithful, but also among those on the margins and beyond? Are we as Church still offering to the best of our ability the “word of eternal life,” or does our ministry deserve the terrible words Jesus reserved to the scribes and Pharisees of his time (Mt 23)? If it is truly to reflect the New Life inaugurated by the Good News itself, our word, the communication of the Good News, must always be a word of enlightenment, of healing and, above all, a word of abundant life.

A Pastoral Language that is too Dialectical

In our opinion, a good way to start answering these vital questions is to study the language of the texts we normally use. In particular, it is evident that the more recent attempts at developing a pastoral language for family ministry contrast quite sharply with earlier attempts, including with some texts from St John Paul II’s *Familiaris Consortio* (*FC*) that for these past thirty years has been considered as an adequate basis of our pastoral position. If we are being called to change the language we use, we cannot avoid looking at such texts critically, though not disrespectfully.

John Paul’s document on marriage and the family dedicates one of its last sections, paragraphs 79-84, to “Pastoral Action in Certain Irregular Situations.” While the very term “irregular” betrays an understanding of marriage and family life that is dependent on juridical standards that offer clear-cut criteria of what is “regular” or not, what *Familiaris Consortio* says on the phenomenon of trial marriages in the second of these paragraphs (*FC*, no. 80), serves as a very good example of what we are trying to describe:

A first example of an *irregular* situation is provided by what are called “trial marriages,” which many people today would like to justify by attributing a certain

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9 Ontological, rather than juridical, criteria of sacramentality, on the other hand, would tend to ask how “real” or truly reflective of divine being is human becoming; that is, an ontological understanding of the sacrament of marriage would tend to emphasize whether, and to what extent, is the relationship between husband and wife truly revealing of the nature of God in-breaking into the world after the Christ Event. This mode of reflecting is inherently symbolic and analogical rather than dialectical and logical.
value to them. But human reason leads one to see that they are unacceptable, by showing the unconvincing nature of carrying out an “experiment” with human beings, whose dignity demands that they should be always and solely the term of a self-giving love without limitations of time or of any other circumstance. [Our emphasis].

This is a formulation that claims that such trial marriages are against natural law, whose precepts are understood as being practically self-evident.

The Church, for her part, cannot admit such a kind of union, for further and original reasons which derive from faith. For, in the first place, the gift of the body in the sexual relationship is a real symbol of the giving of the whole person: such a giving, moreover, in the present state of things cannot take place with full truth without the concourse of the love of charity, given by Christ. In the second place, marriage between two baptized persons is a real symbol of the union of Christ and the Church, which is not a temporary or “trial” union but one which is eternally faithful. Therefore between two baptized persons there can exist only an indissoluble marriage. [Our emphasis].

Here the appeal is to faith and to the fact, described here again as obvious, that marriage between Christians is necessarily sacramental and therefore indissoluble, as a symbol of Christ’s everlasting love for the Church.10

While Familiaris Consortio is correct in emphasizing the shortcomings of so-called “trial marriages” both from the perspective of reason and even more so for Christian couples called to live their relationship “sacramentally” and not only “naturally,” it still contrasts sharply with what the final Synod document says in paragraph 41: “A new element in today’s pastoral activity is a sensitivity to the positive aspects of civilly celebrated marriages and, with obvious differences, cohabitation.” Here, the emphasis is decidedly not on noting limitations, but rather on seeking to discern and then to affirm “seeds of goodness” present even in the midst of human weakness.

10 It seems quite paradoxical that, further down in the paragraph, we find a statement that such choices are ultimately based on one’s upbringing. This raises not only questions of a pastoral nature but also normative ones, regarding the degree of moral responsibility which such choices entail: “Such a situation cannot usually be overcome unless the human person, from childhood, with the help of Christ’s grace and without fear, has been trained to dominate concupiscence from the beginning, and to establish relationships of genuine love with other people. This cannot be secured without a true education in genuine love and in the right use of sexuality, such as to introduce the human person in every aspect, and therefore the bodily aspect too, into the fullness of the mystery of Christ,” St John Paul II, Apostolic Exhortation “Familiaris Consortio” on the Role of the Christian Family in the Modern World, no. 80, http://w2.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_19811122_familiaris-consortio.html.
These contrasting emphases make it obvious that the language we use to talk about marriage and its normative aspects (and hence our pastoral response) is embedded in:

a) our sacramental theology, which, notwithstanding all the recent attempts at revision, remains, in our opinion, excessively influenced by certain canonical provisions;

b) our understanding of natural law and its precepts; and

c) our own cultural experience of marriage and, more to the point, the way we interpret it. In Niebuhr’s classic formulation, our ethical and pastoral responses are shaped by the way we understand the relationship between “Christ and culture.”

In these exciting times, as we are asked once more to look boldly for new wine to put into new wineskins, we do well to remember that in the West, the great synthesis of theology, natural law and culture took place around the beginning of the second millennium. It was also then that, through the influence of Scholastic theology and jurisprudence, Roman Catholic sacramental theology started assuming its form. In medieval times, when culture was basically European and more easily assumed to be Christian, it was very easy to proclaim that every marriage must be sacramental and therefore indissoluble, since marriage was practically always between the baptized – even if that marriage was seldom lived any differently from the natural bond between husband and wife.

Indeed, the special “earthed” character of marriage, the fact that the sacrament is called to perfect a natural bond, means that its theology needs to be all the time confronted by the way it is being understood, communicated and lived out in particular circumstances, perhaps more than for any other sacrament. The understanding of marriage as a sacrament can all too easily become conflated with cultural practices, rather than challenge them (e.g. western patriarchal biases have tended to encourage women more than men to remain faithful to adulterous spouses, whether for the sake of their children or for economic reasons). The contrary can also occur, when the distinguishing features of the sacrament – love that is mutually self-offering, untainted by narcissism – can be very easily misunderstood or diluted because the culture is resistant to conversion. Now that western culture is much more pluralistic, and when our Church is aware of being a truly global Church, the challenges for our language of marriage are truly formidable.


12 Thus, some members of the Synod felt that the issues on the agenda were mostly coming
At the same time, we cannot afford to have a theology of marriage that is out of touch with today's concrete pastoral reality, or that is led by – rather than shaping – canonical requirements that because of their dialectical nature, can often be exercised too inflexibly. Indeed, sometimes one suspects that part of the reason we as Church seem burdened by a crisis of the family, is precisely because our canonical, rather than properly sacramental, understanding of marriage, carries more weight in the formulation of our pastoral response. Would the same familial crisis be treated differently if an ontological understanding of marriage that presumes the ongoing formation of the couple to a life of holiness shapes our pastoral response, rather than a more rigid canonical understanding of marriage where the emphasis is on fulfilling obligations? Could it be, for instance, that the difficulty we find to discuss in depth the affirmation that every marriage between the baptized is indissoluble arises out of canonical rather than properly theological reasons?

We are not experts on the theology of marriage or the pastoral care of families, yet we cannot but notice how the renewed theology of marriage formulated by Vatican II did not really produce the radical pastoral changes it was expected to, possibly because canon law and jurisprudence did not adjust to this new vision, and found it very difficult to move forward. Thus it often appears that our theology has become a secondary source of our pastoral practice, and not its real basis.  

Moving Forward:
Translating Theological Language into Pastoral Practice

We suspect that part of the reason that the renewed sacramental theology of marriage has not had, thus far, sufficient impact in replacing more traditional canonical formulations, or even in forming our couples and families successfully, is precisely because it has not been communicated effectively. And the reason it is still not being communicated effectively is because, as an inherently analogical and symbolic language, it is foreign to our mindset that for centuries has been shaped more dialectically. This dialectical mindset is in fact evident in the way we understand the other two important factors in the formulation of our pastoral response to families we highlighted earlier.

13 This is not to deny that we do need a canonical language of marriage in the Church, especially since marriage remains also a fundamental social reality. However, our point is that that canonical requirements are necessary but not sufficient conditions for a truly sacramental marriage.
As we seek to translate theological language to pastoral language, we must consider, first of all, what is reasonable, and therefore natural law, and secondly, how to speak to the audience in its context, and therefore, culture. Yet, as we will see, the way we have understood natural law itself in these past centuries, and our very stance vis-à-vis culture, have also been mostly dialectical. Once more, it was the wisdom of the Council Fathers that inaugurated a new appreciation for culture, and their call for a renewal of moral theology by going back to the sources has led to the retrieving of the more ancient, robust and theological understandings of natural law.

Thus, as we consider our pastoral language for communicating the Gospel of the Family both *ad intra* and *ad extra* we propose that we should:

a. revisit our understanding of natural law and its precepts;

b. be mindful of how we interpret the multiform relation between the Gospel and culture. True and effective pastoral practice can only be based on our understanding of Truth, on our theology. But how that truth is to be proclaimed in particular pastoral contexts always requires discernment.

**Natural Law**

There is no doubt that natural law is one of the Church’s favourite tools in formulating its moral teachings. Yet, as the 2014 questionnaire very clearly showed, nowadays this concept raises formidable communication problems, not to mention its bad press. In an increasingly globalized culture, even if we accept the existence and value of human reason, there is no common conception of what it means to live reasonably, so it is no longer necessarily effective to argue that “reason” dictates universal moral norms. Thus, it requires much more rhetorical skill on the part of the Church to persuade on the basis of natural law – whether we are talking of contraception, same-sex marriage or bioethics – something which the Church does not seem to have been doing too well.

Yet we believe that it is still our best available way forward, and that some basic insights from its classical versions, before its ius-naturalistic turn, can be extremely relevant and helpful in our present predicament. In particular, the

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15 As recently as 2009, the International Theological Commission produced a strong *apologia* for natural law, promoting it as the key to a universal ethic. This document attests quite clearly
way it was appropriated and utilised in high casuistry to deal with radically new cultural situations has much that we could emulate today. One of the most important contributions to moral method made by the classical casuists, in particular before the shift to low casuistry, was that they tried hard to ensure that pastoral practice in concrete situations was always based on moral principles that were clearly part of a tradition and were totally accessible to reason.16

Natural law reasoning in the Catholic tradition inevitably takes us back to Aquinas, even if it was well-known and practised since the time of the Fathers. Writing in what we like to imagine as very homogenous times,17 Aquinas understands natural law theologically as the human participation in the eternal law according to our nature (Summa Theologiae [STh] I-II 90.2) – a nature he portrays through our having inclinations that reflect our particular being as


16 Unlike low casuistry that saw itself as a “science” applying fixed theoretical principles to concrete cases, high casuistry was fundamentally analogical and rhetorical in its approach, as it compared new and difficult cases to tried and tested ones. High casuistry’s moral taxonomies were thus a true method of “practical reasoning,” seeking to grasp accurately the essential moral characteristics of a situation. See Albert R. Jonsen and Stephen Toulmin, The Abuse of Casuistry (Oakland, CA: University of California Press, 1988).

17 As Josef Pieper notes however, this assumption of homogeneity is anything but true. The thirteenth century was characterised by an increasing awareness that Christianity, “European” culture and the medieval social order were under threat. The Mongols were encroaching upon Europe from the East, the Crusaders had ravaged Constantinople, the western Germanic Emperor was in a deep feud with the Papacy and in the universities a “war” was being fought against the Mendicant orders as well as novel currents of “Aristotelianism” influenced by Muslim and Jewish philosophy. The brilliance of Aquinas was precisely his ability to reconcile the seemingly irreconcilable both in his thought as well as in his life. He was born in Italy but of Germanic descent. His first exposure to Aristotle was in a “secularist” context—the emperor’s university in Naples. Notwithstanding his family’s strong resistance, he became a Dominican and was exposed to traditional Neo-Platonist thought through his mentor Albert the Great. Most importantly, he crafted the Summa Theologiae (STh) as a corrective to a pragmatist bent in the formation of priests that focused on the hearing of confession. It is also in this magnum opus that the scriptural revealed theology of the Fathers comes together most cohesively with the “worldly” philosophy of Aristotle that appealed so much to the western mindset. In the centuries to come, however, his well-crafted synthesis would be systematically fragmented. Most crucially, his Secunda Pars, and in particular the Secunda Secundae, will increasingly justify—rather than correct—what will become an even wider disconnect between sacra doctrina and “moral theology.” This is precisely the crux of the renewal to moral theology called for by Optatam Totius, no. 16 in our times. See Josef Pieper, Guide to Thomas Aquinas, rev. 3rd ed. (San Francisco: Ignatius Press, 1991).
embodied rational creatures (STh I-II 92.4). For this reason, apart from the first principle of practical reason – do good and avoid evil – Aquinas notes that the rule of reason dictates three kinds of precepts that are quite self-evident and thus, generally known to all: precepts on the level we share with all substances, which focus on the preservation of being; precepts on the level we share with all living things, which focus on the perpetuation of the species and the raising of the young; and precepts that properly pertain to our being rational, and thus that focus on our desire for ultimate truth which we pursue in community and society.

Aquinas is strongly aware, however, that while on this general level, a secondary principle “is true for the majority of cases, but it may happen in a particular case that it would be injurious, and therefore unreasonable.” Moreover, “this principle will be found to fail the more, according as we descend further into detail. ... Because the greater the number of conditions added, the greater the number of ways in which the principle may fail” (STh I-II 94.4, our emphasis). Hence, more complex or tertiary precepts are not only less generalizable to all concrete situations, but tend to be discernible only to the wise.

Thus, for Aquinas and the classical tradition before him, acting rationally – which is really what natural law is and dictates – necessarily depends on becoming wise, that is, on acquiring moral and intellectual virtues to enable the ordering of our appetites and the proper discernment of what would be the right action in every circumstance. But since many, in fact, do not acquire such virtues – Aquinas would contend that no one can be perfectly virtuous without the infused virtues as the gift of grace – the majority necessitate positive law for corrective and pedagogical reasons. Thus such tertiary (often even secondary) precepts are formulated by the wise as “human law” (STh I-II 95.2) to enable the smooth running of society. Needless to say however, the more concrete the level of decision-making, the more the precepts are relative to the cultural situation and even then, possibly ripe for controversy.19

18 Aquinas elaborates further on the precepts (“content”) of natural law when he discusses whether change is possible in the natural law: “A change in the natural law may be understood in two ways. First, by way of addition. In this sense, nothing hinders the natural law from being changed: since many things for the benefit of human life have been added over and above the natural law, both by the Divine law and by human laws [i.e. positive law]. Secondly, a change in the natural law may be understood by way of subtraction, so that what previously was according to the natural law, ceases to be so. In this sense, the natural law is altogether unchangeable in its first principles: but in its secondary principles, which, as we have said, are certain detailed proximate conclusions drawn from the first principles, the natural law is not changed so that what it prescribes be not right in most cases. But it may be changed in some particular cases of rare occurrence, through some special causes hindering the observance of such precepts, as stated above,” (STh I-II 94.5), (our emphasis).

19 Even, God, the original Pedagogue, orders Divine Law to reflect these “three grades” of
More than four centuries later, at the peak of the Scholastic revival of the sixteenth century, Francisco Suárez repeats the three level theory of precepts, but takes it forward in significant ways. Suárez lived in an infinitely more complex world than Aquinas, in a world that was experiencing pluralism in a degree never felt before. The sixteenth century world was a cauldron of new life, raising new questions on all levels, and theology struggled to come to terms with this new situation. Suárez is often seen as the best representative of the new mode of thinking and of a renewed Scholasticism.

Moreover, after centuries of Nominalist attention to the concrete case, Suárez asserts that while the first two levels of precepts are practically self-evident,\(^{20}\) the third level precepts deserve the greatest attention, for it is at this very concrete level that the real decisions take place: this is the place where natural law is really put into practice, *exercetur*.\(^{21}\) It does not really help if a law that claims to be a higher criterion for other laws remains only on the level of general principles. Moreover, his strictly analytical style leads him to rule out dispensations from this third level, even by God himself: there is no place for *epikeia* of natural law precepts. Yet his system is certainly not an inflexible one: in the same chapter where he argues for the immutability of the natural law precepts, he insists that if we really believe that natural law is written in the human rational nature, it is fundamentally an unwritten law, the *lex indícta*. Therefore, we have to accept that all our written formulations are nothing but approximations, whose truth

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\(^{20}\) For Suárez too “Do good and avoid evil,” “Do unto others what you would like them to do to you” are examples of the first level of precepts, while the ten commandments would belong to the second order.

\(^{21}\) Suárez’s theory of natural law is set out in Book 2 of *De Legibus ac Deo Legislatore* (DL), and his views on the content of natural law are found mostly in chapter 7 of this book. The best available edition is found in *Corpus Hispanorum de Pace* (CHP), vol. 13-14 (Madrid: Consejo Superior de Investigaciones Científicas, 1974). The above quote is found in DL 2:7.7 (CHP 13:117).
and validity cannot be assumed, but will only be discovered when confronted with the reality of each concrete case.\footnote{22}

Most of this flexible, discerning attitude seems to have been swept away by the ius naturalist theories that simply claimed that all natural law precepts are by their very nature universal and immutable.

The last decades have shown a marked interest in a return to the more theological vision of the natural law we have been outlining, and we would like to propose this could be a reasonable way to take in our radically pluralistic times: a vision of natural law that instead of being an inflexible structure of immutable and universally valid precepts becomes a complex and flexible system that seems well suited to deal with new and intricate situations.

This does not mean we are condemned to some kind of theological pensiero debole, but that we are invited to a humbler search for the truth of each particular and concrete case, in the light of the higher and universal principles, and in the knowledge that our generalizations are liable to be imprecise.

As we uphold the ideal of marriage and the family, we are called to be humbler in our normative claims, yet bolder in our quest for pastoral/normative solutions to particular situations in cultural and social contexts that are enormously distanced from the world in which our present vision of marriage, especially in its canonical formulation, was first put together.

Put in another way, as we seek to read the signs of the times from multiple points of view, as we take human sciences and their insights more seriously, we can move more boldly towards a morality of discernment, where we recognize that natural law precepts may require reformulation in different cultural situations. This quest by practical reason for the true answer in concrete situations remains based on the reasonableness, and hence the truth, of the more general levels of natural law precepts.

This implies that we need to insist more on the first two levels of precepts and invite others to grow in their appropriation, not just as “laws” to be obeyed, but as truly desirable ways of flourishing to a fully “human” life. As the present interest in virtue ethics takes a more prominent part in our moral theological reflection, it must also shape more decidedly our concrete pastoral practice. An emphasis on forming good persons through virtues like faithfulness and truth saying, justice and real respect of the other person, keeping of promises, and motivating

to prudent action, mercy and compassion, must be the backbone of our family ministry. It would also prepare us to work better, harder and more imaginatively as we seek to bring the family to the centre of our efforts at evangelization.

**Culture**

Contrary to the view that all precepts which derive from natural law are valid always, everywhere and with no exception, a retrieval of natural law as *recta ratio* demands, in particular for difficult cases, paying attention to the concreteness of the situation, understanding it in its complexity, and judging correctly which are its most salient moral aspects, in order to arrive at a truly prudent decision. This is not mere situationalism, but rather the recognition that the context (properly “circumstances,” or quite literally, what “stands around”) can change the meaning of a situation or event and thus, potentially, its moral character. Thus, a morality of discernment, rather than just obligation, cannot ignore the context in which today’s complex pastoral and social realities are emerging.

The most pervasive – in the dual sense of both “extensive” and “inescapable” – context in which difficult situations arise, is the “cultural” ground that shapes not only our “mentality,” but our very sensory and spiritual sensibilities. It is this cradle for the family and its actions – often taken for granted – that requires most attention as we seek both to form the faithful to a Christic existence, and to proclaim the Good News to all men and women.

Culture is properly the fruit of human creativity and prowess, as we seek to actualize our deepest yearnings and inclinations. These yearnings are not simply biological needs, but also the properly human, spiritual needs of creating society that facilitate the search for truth. In turn, human accomplishments, from tools to ideas, from methods of social organization to artistic pursuits, recreate the very context in which our sensibilities are shaped: whether, that is, the social practices we learn to take for granted, or the assumptions we appropriate about the “good life” we ultimately crave. As the ancient Greeks wisely recognized, culture, or *paideia*, is human accomplishments and formation rolled into one.

It is undeniable therefore, that as every culture responds to fundamental human desires, it manifests aspects that are essentially good about human becoming. Yet, precisely because our desires are also corrupted by sin, culture also reveals and perpetuates our brokenness. Thus, every culture is marked by signs of the flourishing of authentic human life, but also by death. Until the *eschaton*, these two necessarily coexist and the wisdom granted by the Holy Spirit to the Christian is precisely that of distinguishing between them, not just through our reason, but also through the eyes of faith. As the Holy Spirit, “Lord and giver of life,” who is recreating the world in our midst, gives us eyes to see more clearly,
the Christian is called to recognize the hidden ways in which the Spirit is already working, but also to confront the marks of death.

This fundamental principle of discernment is valid not just for culture at large, but also in its particularities: each distinctive event or human interaction is properly moral precisely because it contributes (or could contribute) to the flourishing or otherwise of social and cultural existence. Thus, contemplation and discernment demand a true judgment of the situation, not simply as good or evil, but as properly graced or sinful. Indeed, since the Spirit works not only in hiddenness, but through our weakness, no sin can extinguish the presence of the Spirit of Christ who conquers all. The Christian holds on to the hope of God’s Kingdom already in-breaking the world to transform it even – indeed especially – in brokenness, weakness and sin.

Yet how we understand grace working in sin, how we interpret the relation between Christ and the world, underlies our stance as Church in and to the world, and indeed even our pastoral practice. In his now-classic *Christ and Culture*, H. Richard Niebuhr notes five key stances that Christians have tended to assume towards culture at large and towards “sinners desired to be saved by Christ” more specifically.

First, the two stances on opposite ends of the spectrum: a radical opposition and, possibly even condemnation of culture and its sinfulness (in Tertullian for instance); and the other extreme where culture and Gospel are practically understood to be one and the same thing (as in the case of Abelard). Ironically the two approaches can coexist in the same ecclesiology. Thus, the nineteenth century Catholic contra-Modernist stance, while seeing Modernism as opposed to the Gospel, equated its own efforts at creating a Catholic culture with the manifestation of the Kingdom on earth.

Three other more nuanced stances, however, lie between these extremes. The typically Thomist stance of grace perfecting nature tends to emphasize how Christ is “above culture” while seemingly minimizing the reality of sin. The more Lutheran approach, on the other hand, is much more dialectical, as a sharp awareness of sin accentuates the acknowledgement of Christ’s mercy. Thus sin and grace coexist precisely to highlight the contrast between them.

The fifth stance is the one that is both strongly aware of the reality of sin, but also of the power of grace to heal and transform it. Niebuhr associates this stance with Augustine and the Fourth Gospel, but a more recent example of this understanding of culture as being called to transformation in Christ is the ecclesiology of Vatican II, which in Pope Francis’ pontificate seems to be taking on a new urgency as the Church is being called to study more attentively concrete pastoral challenges.
In fact, the introduction to the third set of questions of the *Lineamenta* that focus specifically on how to approach contemporary pastoral challenges to the family, makes it a point to emphasize:

In examining part III of the *Relatio Synodi*, it is important to be guided by the pastoral approach initiated at the Extraordinary Synod which is grounded in Vatican II and the Magisterium of Pope Francis. The episcopal conferences have the responsibility to continue to examine this part thoroughly and seek the involvement, in the most opportune manner possible, of all levels of the local Church, thus providing concrete instances from their specific situations. Every effort should be made not to begin anew, but to continue on the path undertaken in the Extraordinary Synod as a point of departure. [Our emphasis].

This seems to imply not only that local churches need to seek the most appropriate pastoral solutions for their particular context, but also that there is a specific “approach” or method, considered superior to others, through which to “examine” the challenges in the first place. In fact, it seems fair to say that this approach, “grounded in Vatican II and the Magisterium of Pope Francis,” assumes a particular stance through which to interpret the relation between the Gospel and culture, with the preferred approach being neither condemnatory nor lax, but rather one that takes sin seriously without accepting it with resignation, as a matter of fact. Hence, it would seem that, in line with the transformational vision of Vatican II, local churches are being asked to boldly seek the healing of the effects of sin and the personal conversion of the sinner through trusting collaboration with grace, wherever the Holy Spirit is recognized as being already “blowing.”

It also seems likely that this “transformational” approach that characterizes Pope Francis’ Petrine ministry is also grounded in a distinct spirituality. We would like to suggest that Pope Francis’ particular way of witnessing Christ, both in words and gestures, cannot be separated from his identity as a Jesuit and his long formation in a distinctly Ignatian way of contemplating God’s presence in the world.

We also believe that the Ignatian “sensibility” that the Pope is inviting the whole Church to appropriate today is necessary, not just in view of the complex issues facing the world but precisely because of the complicated challenges of leadership, authority, unity-in-diversity, identity in a post-Christian world etc., that the global Church itself is confronting *ad intra*. In other words, the problem of crafting a new language to communicate the Gospel of the Family is not unlike the deeper challenge of how to exercise Christ’s office of king, prophet and priest fittingly, in a Church that while seeking to serve an increasingly complex world, is itself in transition.
An Ignatian Attitude to the World for our Family Ministry

What are the salient Ignatian features animating this Papacy that can also be appropriated for a more effective family ministry in today’s Church and world? In his conversations with Antonio Spadaro, editor of La Civiltà Cattolica published simultaneously by Jesuit publications all over the world in 2013, Pope Francis himself highlights three key attitudes: discernment, openness to be surprised by the Spirit, and the magis. The three also presuppose a more fundamental stance and are animated by it: “I am a sinner.” We will consider each of these spiritual gifts in turn, in order to show how they can be a solid foundation for a new pastoral language in the Church – in particular for family ministry.

What is perhaps most remarkable about the interview is Pope Francis’ answer to Spadaro’s very first question, “Who is Jorge Mario Bergoglio?” – an intimate and humble: “I am a sinner... who is looked upon by the Lord.” Just like Caravaggio’s apostle in The Calling of Matthew, Bergoglio feels unworthy of the Lord’s gaze. Yet just like Matthew called by the Lord, when still a young man of seventeen, Bergoglio also personally experienced his heart being touched by divine mercy calling him to the priesthood. This is the inspiration behind his motto from Bede’s Sermon on Matthew chapter 9, miserando atque eligendo, “commiserating and selecting,” or quite literally in Latin (ablative gerunds) “by showing compassion and by choosing,” which recalls both Bergoglio’s calling, and his mission of exercising mercy and making choices and decisions.

It is this profound sense of divine mercy while fully conscious of one’s sinfulness, this extraordinary experience of redemption and love through the awareness of being broken, that Francis desires to share most with his flock. It is this radical conversion experience which animates his tireless call for mercy in our pastoral praxis, for truly being with our sheep to the extent of taking on their smell, as we seek to be the Spirit’s instruments to touch people’s hearts.

Yet, as Spadaro notes, miserando atque eligendo does not just capture the Pope’s personal spirituality. It is also a clear sign of how Bergoglio’s personal identity, and increasingly his Petrine ministry, has been shaped by his Jesuit formation. The second decree issued by the 1974 Thirty-Second General Congregation of the Society of Jesus – which Bergoglio attended – started with the question:

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23 Magis, roughly translated means “the more,” a profound and a deeply personal Jesuit concept for doing more, being more and achieving more than originally thought possible.

24 Pope Francis and Spadaro, My Door is Always Open, 38.

25 Ibid., 63.

26 In the interview itself the Pope stresses: “The ministers of the Church must be ministers of mercy above all,” ibid., 106.
“What does it mean to be a Jesuit?” And the resolute answer was: “It is to know that one is a sinner, yet called to be a companion of Jesus, as Ignatius was.”

The example of Ignatius of Loyola looms high for Francis. Thus, it should come as no surprise that the attitude – and pastoral language – he intends for the Church is influenced by Ignatian “mysticism.” He specifically notes that the Ignatian emphasis on “discernment in the Lord” guides his government of the church, precisely because it “redeems the necessary ambiguity of life and helps us find the most appropriate means, which do not always coincide with what looks great and strong.” This insight is particularly important for pastoral issues of the family, that tend to be steeped in ambiguity, and where the family members facing difficult situations inevitably desire first and foremost “redemption,” healing and solace. Moreover, the Pope’s own example of a discerning attitude proves, time and time again, to be the wisest approach for complex pastoral situations: “I am always wary of the first decision, that is, the first thing that comes to my mind if I have to make a decision. This is usually the wrong thing. I have to wait and assess, looking deep into myself, taking the necessary time.”

Discernment presupposes not just its own rhythm, but also its particular language. The Pope recognizes how this language is essential to the identity of the Jesuit, but also vital for the Church confronting new challenges:

Only in narrative form do you discern, not in a philosophical or theological explanation, which allows you rather to discuss. The style of the Society [of Jesus] is not shaped by discussion, but by discernment, which of course presupposes discussion as part of the process. The mystical dimension of discernment never defines its edges and does not complete the thought. The Jesuit must be a person whose thought is incomplete, in the sense of open-ended thinking.

Narrative, rather than discussion, allows various nuances of experience, feeling and thought to emerge. Unlike dialectical thinking oriented to argumentation, it focuses on what is truly human in the experience, and thus recognizes that the pondering of an event cannot be extinguished, but must be revisited over and over again to tease out new truths. Hence, narrative demands interpretation and reinterpretation: as Paul Ricoeur puts it, a “first naïveté” after undergoing critical

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27 Quoted in ibid., 61.
28 When speaking about the Society of Jesus, Francis clarified: “The instrumentality of the Society must not be functional, but mystical: what matters is not efficiency but mystery,” ibid., 81.
29 Ibid., 46.
30 Ibid.
31 Ibid.
32 Ibid., 49.
reflection, only leads to a “second naïveté.” For the same reason, stories and discernment demand patient accompaniment and not mere quick-fix solutions. Through accompaniment rather than mere guiding or managing problem situations, there is also the necessary space opened for the transformational work of the Spirit.

This explains why an attitude of discernment necessarily implies “open-ended thinking,” where the Jesuit companions are conscious of being led by Christ and his Spirit – and not by their ego. Open-ended thinking, the capacity to be surprised by the Spirit, is “an inward attitude” that compels to be “inwardly open to dialogue, to encounter, to find God wherever He can be found and not only within boundaries that are narrow or at least well defined and fenced off. Above all, the companion does not fear ambiguity in life and faces it with courage.”

This is clearly based on the Ignatian fundamental insight/belief that God can truly be found “in all things.” As the Pope writes: “God is hidden in what is small and in what is growing, even if we are not capable of seeing it.”

Spadaro notes that this attitude of openness guides the Pope even as he is seeking reform in the Church: “The Pope has a clear idea of context, of the starting situation. However, the road that he seeks to travel is truly open for him; it is not contained in a road map written a priori: the path opens up as one travels it.” It is also apparent in the Pope’s desire for dialogue on family ministry in the Church. As he stressed in his greeting to the Synod Fathers, two criteria were necessary for a true synodality, where the Spirit is allowed to lead: “Speaking with parrhesia” – “to say all that, in the Lord, one feels the need to say: without polite deference, without hesitation” – and “listening with humility.”

We cannot simply assume that we have all the answers, that we have extinguished the Gospel of the Family. Rather, the new situations we are confronted by urge us to reread, reponder and, as the Spirit guides us, reinterpret the Truth the Church has been entrusted with.

Thus, the point of a renewed language for our pastoral praxis, is not to accompany with mercy at the expense of Truth, but rather to be companions of those entrusted to our care for the sake of proclaiming and witnessing Truth. The magis that characterizes the Ignatian spiritual path, the attitude of

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33 Ibid., 76.

34 J.M. Bergoglio, Scegliere la vita: Proposte per tempi difficili (Milan: Bompiani, 2013), 78.

35 Pope Francis and Spadaro, My Door is Always Open, 80.

unceasingly seeking what makes for greater love and service must inspire the Church’s pastoral praxis. In his ministry, Jesus did not only heal body and soul, or merely refrain from condemning public sinners: he also moved the sinner to conversion, commanding, “sin no more.” The most difficult of our family pastoral dilemmas – in particular the care of the divorced and remarried – presents precisely this challenge for the Church. What does it really mean to receive the gift of conversion, to seek to sin no more, to become holy in such an “irregular” situation? The Pope offers some insight:

We must always consider the person. Here we enter into the mystery of the human being. In life, God accompanies people, and we must accompany them, starting from their particular situation. It is necessary to accompany them with mercy. When that happens, the Holy Spirit inspires the priest to say the right thing. This is also the beauty of Confession: evaluating each case individually and being able to discern what is the best thing to do for a person who seeks God and his grace. The confessional is not a torture chamber, but the place in which the Lord’s mercy motivates us to do better. [Our emphasis].

Conclusion

Our starting point was that a new pastoral language for family ministry demands more than carefully crafted rhetoric to make long held truths or assumptions more palatable to today’s families. Rather, because what the Church is called to communicate is a “Gospel” of the family, a Truth that in being transcending is never extinguished, the transparent communication of Truth in our pastoral praxis demands Truth’s ongoing search and rearticulation through the functional specialties of dogmatics and systematics. Hence, a new pastoral language for the family can only emerge from a renewed sacramental theology of marriage. However, it seems that while the Second Vatican Council retrieved an ontological understanding of the sacrament of marriage, a more canonical bent seems to continue to shape much of our pastoral discourse, in particular for the more controversial “irregular” situations. This seeming confusion between theology and praxis is perhaps at the heart of the “language” difficulties in the Church today.

We believe that we need a better translation of theological language to pastoral practice. We have argued that because marriage is first of all a natural reality, such a translation would require a reflection on what is to be reasonably expected of marital relationality in today’s cultural context. This presupposes not only the

37 Pope Francis and Spadaro, *My Door is Always Open*, 111.
recovery of an understanding of natural law as *recta ratio* – already happening in the Church today – but, more importantly, the exercise of practical reason to discern wisely the morality of particular pastoral situations. In this way, precepts serve not only to judge and correct, but more crucially, to guide and accompany in a process of growth to maturity.

Such careful evaluation of the concrete particular is even more important for sacramental marriage, whose end goes beyond natural flourishing, but is the graced witness of God’s love in the domestic church. As we accompany couples, spouses and families, we should continuously seek to discern the presence of the Holy Spirit, who binds them, thus urging them to build on what is good, as they aspire to more perfect holiness. This presupposes the three Ignatian attitudes of discernment, openness to be surprised by the Spirit and the *magis* that, through his example, Pope Francis seems to be urging all ministers in the Church to embrace more boldly. An attitude of mercy and kindness together with the humble recognition that we are all sinners redeemed in Christ must inspire our ministry and guide or accompaniment – allowing us to proclaim with persuasion the Gospel of the Family.

For, in the end, the Gospel of the Family cannot really be communicated in words but only witnessed in the flesh. Since the Truth we proclaim is a becoming like Christ, the Gospel of the Family is truly persuasive when it is palpable in the shared lives of those, who graced in the Eucharist, become a living witness of God’s self-offering love. This in-breaking of God’s love in human lives is what brings true joy – a joy that is as unique in its expression as the families and individual men and women that it touches. The new language we seek is ultimately already being written in human lives touched by grace. As Church, we are not just called to speak this language, but also to listen and understand it, as the in-breaking of the Kingdom continues to happen in our midst. Until the *eschaton*, this symbolic manifestation will always remain provisional and opaque. But this should not discourage us. Even in the most difficult situations or the darkest of sin, the Holy Spirit continues to labour silently, bringing about the transformation to holiness and the revelation of *koinonia* in our human relationships.

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