

## SYNOD ON THE FAMILY EXPECTATIONS OF A DIOCESAN BISHOP

From October 5<sup>th</sup> to 19<sup>th</sup> 2014, an Episcopal Synod will take place in Rome on the theme: ‘*Pastoral Challenges to the Family in the Context of Evangelisation*’. As part of the preparations for this synod, the Vatican sent a questionnaire to all bishops and interested parties. In spite of the limited time available to respond, the questionnaire was globally well received. A number of initiatives were set in motion here in Belgium. The Belgian bishops distributed the questionnaire to the country’s French and Dutch speaking dioceses and received a total of 1,589 responses from a variety of individuals, groups and services. A group of experts, including five theologians associated with the KU Leuven and the UC Louvain, processed the various responses into a summary report that was then submitted to Rome.<sup>1</sup> The Faculty of Theology and Religious Studies of the KU Leuven also organised a questionnaire focussing on the experience of faith and family in Flanders, the results of which were presented during a one day workshop in Leuven.<sup>2</sup> On the occasion of the said workshop, the Inter-diocesan Service for Family Ministry published a number of expectations and suggestions.<sup>3</sup> In addition, a number of groups and movements – including the Inter-diocesan Pastoral Consultation<sup>4</sup> and the pastoral councils of individual dioceses – organised discussions on the theme of the Synod. Reactions from Belgium were clearly in line with reactions from neighbouring countries.<sup>5</sup> In the meantime, the secretariat of the Episcopal Synod in Rome has published the *Instrumentum Laboris* incorporating all the responses submitted from the five continents.<sup>6</sup>

How do you as a bishop see the forthcoming Synod? I’ve been asked this question many times in the last few months. I’ve tried, on the one hand, to read and understand the responses submitted from Belgium and its neighbours. These responses testify to a broad familiarity with the issues at hand and to a number of significant expectations of the Synod. They stem, moreover, from the primary stakeholders: people of today who are committed to work on their relationship, their marriage, their family in the light of the gospel and in connection with the Church community. On the other hand, I’ve tried to understand how a bishop might best deal with the insights and expectations that live and breathe within that segment of the people of God entrusted

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<sup>1</sup> The Dutch version of the summary report can be found on [www.kerknet.be](http://www.kerknet.be).

<sup>2</sup> On the questionnaire and its processing, see [www.theo.kuleuven.be/enquete-geloof-gezin](http://www.theo.kuleuven.be/enquete-geloof-gezin) (in Dutch).

<sup>3</sup> See [www.gezinspastoraal.be](http://www.gezinspastoraal.be) (in Dutch).

<sup>4</sup> The organ for inter-diocesan consultation within the Church community in Flanders.

<sup>5</sup> The summary of the German episcopal conference is available on [www.dbk.be](http://www.dbk.be); the summary of the French episcopal conference on [www.eglise.catholique.fr](http://www.eglise.catholique.fr).

<sup>6</sup> Synode des Evêques, *Les défis pastoraux de la famille dans le contexte de l'évangélisation, Instrumentum Laboris*; the text was published by the Vatican on June 26<sup>th</sup> 2014 and is intended to serve as a basis for discussion during the Synod (see [www.vatican.va](http://www.vatican.va)).

ed to him. I can't anticipate the Synod and what the assembled bishops will say, together with Pope Francis, about marriage and family. Nevertheless, in the present contribution I would like to formulate a number of personal expectations. I do so in my own name. I also do so as a western European bishop, aware that bishops from other parts of Europe and from other continents might have divergent insights.

My expectations are related to both the Church community and the family. They follow a historical line that begins with the Second Vatican Council and continues to our present day situation. At the same time, I endeavour to maintain a close link between theology and pastoral reality. The connecting thread of my contribution is the Church as '*a home and a school of communion*'.<sup>7</sup>

## 1. Collegiality

I started my priestly formation in 1973, eight years after the end of the Second Vatican Council (1962-1965) and five years after the publication of the encyclical *Humanae Vitae* (1968). Since that time, I have become more and more aware that important questions surrounding relationship, sexuality, marriage and family constitute a very discordant domain within the Church community. Many believers, particularly those belonging to ecclesial organisations and 'centre field' Christians, were no longer able to agree with the dogmatic texts and moral statements coming from Rome. This gulf did not shrink with time, rather it grew ever broader. A succession of documents on sexual, family-related and bio-ethical issues, and with the highest doctrinal authority, was faced with increasing incomprehension and far reaching indifference. In order to avoid mounting tensions, men and women in the 1980s and 1990s opted for the discrete approach. The faithful became less and less inclined to address their personal questions to the Church's bishops, theologians and pastoral workers. The latter, on the other hand, preferred to help people on an individual basis rather than aggravate the already tense climate further with ideological debate. This appeared to be the most viable way to fulfil their task as 'pastors' with efficiency and in good conscience.

The growing gap between the moral teaching of the Church and the moral insights of the faithful is a complex problem and there can be little doubt that several factors have a role to play therein. One of these factors has to do with the way in which the material in question was withdrawn to a large degree from the collegiality of the bishops after the Second Vatican Council and associated almost exclusively with the primacy of the bishop of Rome. An ecclesiological question arose in the midst of an ethical issue surrounding marriage and family life: that of the correct relationship between primacy and collegiality in the Catholic Church. Every debate on the topic of marriage and family since the Second Vatican Council, in whichever direction it was inclined to go, has had to face this ecclesiological question.

During the Second Vatican Council, the bishops endeavoured together with the pope to achieve as high a level of consensus as possible. Every conciliar document was pondered and assessed, written and rewritten, until virtually all of the bishops were able to endorse it. Several texts passed through three sittings of the Council before they were finally approved. Pope Paul

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<sup>7</sup> Pope John Paul II, *Novo Millennio Ineunte*, 2001: 'To make the Church *the home and the school of communion*: that is the great challenge facing us in the millennium which is now beginning, if we wish to be faithful to God's plan and respond to the world's deepest yearnings (43).

VI had to intervene repeatedly to accommodate the remaining sceptics with an adapted wording or an additional footnote. Belgian bishops and theologians worked day and night on the most important Constitutions to integrate the various amendments and produce texts that could meet with the approval of all.<sup>8</sup> The statistics confirm the fact that all the Constitutions and Decrees of Vatican II, even the most difficult, were ultimately endorsed by a virtual consensus. A mere three years after the Council, however, little remained of this sort of collegiality when *Humanae Vitae* was published. The Council had expected the pope to make a decision in relation to ‘*the problem of population, family and birth*’<sup>9</sup>, but it had not expected him to depart in doing so from the collegial quest to achieve the greatest possible consensus. Formally speaking, there can be little doubt that Pope Paul VI made his decision in good faith, with an exceptionally keen awareness of his personal responsibility before God and the Church community. In terms of content, however, his decision ran counter to the advice of the commission of experts he himself had appointed, of the commission of cardinals and bishops who had worked on the topic, of the World Congress of the Laity (1967), of the vast majority of moral theologians, medical doctors and scientists, and of the majority of engaged Catholic families, certainly here in Belgium.

It’s not my place to judge the events of the past or how Pope Paul VI arrived at this decision. What does concern me, however, is the following: the absence of a collegial foundation led immediately to tensions, conflicts and divisions that were never to be resolved. Doors were closed on both sides of the fence that have since remained closed. The doctrinal line of *Humanae Vitae* was transposed, moreover, into a strategic programme that was enforced with a firm hand. Traces of imputation, exclusion and missed opportunities can still be found in the verges of this Church policy.<sup>10</sup>

This discord cannot continue. The bond between the collegiality of the bishops and the primacy of the bishop of Rome that was manifest during the Second Vatican Council must be restored and without delay. It represents the key to a new and better approach to many of the questions facing the Church. In my opinion, it is part of the task of a bishop today to work towards the restoration of the bond between collegiality and papal primacy. It goes without saying that a more collegial approach cannot guarantee solutions to every problem. Collegiality is not the easiest approach. It has the potential to expose new tensions and cause further rifts. Potential differences of opinion and lack of clarity are part and parcel of shared deliberation and decision making. Indeed, the experience of other Churches and Church communities should invite realism in this regard. But I remain convinced that the Catholic Church is in urgent need of a new and steadier platform of collegial dialogue, particularly in the domain of marriage and family life. It is my hope that the forthcoming Synod will contribute thereto.

It is evident from the *Instrumentum Laboris* that the reactions from the different countries and continents on the issue of marriage and family life can vary considerably. The preparatory

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<sup>8</sup> Including Cardinal L.J. Suenens, Msgr. G. Philips, Bishop J.M. Heusschen, Bishop. A.M. Charue, Bishop E.J. De Smedt, Msgr. V. Heylen, Msgr. A. Dondeyne.

<sup>9</sup> Cf. Vatican II, *Gaudium et Spes*, Part II, chapter I, footnote 14.

<sup>10</sup> Missed opportunities for, among other things, a greater shared engagement on the part of bishops and moral theologians, a fruitful debate between Church and science or between Church and society, the establishment of a bond of trust with Christian couples and families, the evangelisation of marriage and family life.

document is honest and transparent in this regard. Africa and Asia have different insights and experiences to those of Europe and North America. There is even evidence of important points of difference between Western and Eastern Europe and North and South America. It makes no sense to deny these differences or disregard them. They have a significance. In spite of the processes of globalisation, many developments and challenges facing our world do not always evolve simultaneously. Bishops are responsible for the portion of the people of God entrusted to them in these different 'time zones'. It is not a solution for them to insist that certain questions do or do not raise problems on the other side of the world. A monolithic collegiality has as little future in the Church as a monolithic primacy. I hope that the episcopal Synod will focus the necessary attention on this regional diversity. On the contribution Episcopal Conferences might make to the correct relationship between primacy and collegiality, Pope Francis wrote that '*this desire has not been fully realized*' and that the '*juridical status of episcopal conferences which would see them as subjects of specific attributions, including genuine doctrinal authority, has not yet been sufficiently elaborated. Excessive centralization, rather than proving helpful, complicates the Church's life and her missionary outreach*'.<sup>11</sup> Perhaps the Synod can charge the Episcopal Conferences with the task of engaging in deeper reflection in the year ahead on the problems of marriage and family life in their own regions with a view to the second sitting of the Synod in October 2015.

## 2. Conscience

As in other countries, the Belgian bishops were faced with a difficult task after the publication of the encyclical *Humanae Vitae*. During the Second Vatican Council, they had contributed intensively to the redaction of the Constitution *Gaudium et Spes*, in particular to the chapter on the *Dignity of Marriage and the Family*.<sup>12</sup> On the request of Pope John XXIII and Pope Paul VI, they were actively involved in various commissions that had reflected on the question of responsible parenthood and family planning. They had deliberated on these issues with moral theologians, scientist and lay organisations. Their personal opinions were known to the public. After the publication of the encyclical, however, they were faced with a divisive choice. As bishops they wanted to maintain their loyalty to the person of Pope Paul VI, with whom they had worked with such intensity and trust during the Council. On the other hand, they were intent on accepting their responsibility as diocesan bishops to the portion of the people of God entrusted to them in the spirit of the Council and in line with its expectations.<sup>13</sup> The Council had instructed them to make the '*joy and hope, grief and anguish of the people of our time*'<sup>14</sup> their own and '*to read the signs of the times and interpret them in the light of the gospel*'.<sup>15</sup> They wanted to exercise their pastoral ministry in line with this new ecclesiological and pastoral hermeneutic. As a result, and sooner than they had expected, they found themselves facing a conflict of loyalty and thus a question of conscience. How could they maintain their bond with the pope and at the same time remain faithful to the Council?

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<sup>11</sup> Pope Francis, *Evangelii Gaudium*, 32.

<sup>12</sup> Vatican II, Constitution *Gaudium et Spes*, Part II, *Some More Urgent Problems*, Chapter I, *The Dignity of Marriage and the Family*, 47-52.

<sup>13</sup> Cf. Vatican II, *Christus Dominus*, Decree on the Pastoral Office of Bishops in the Church, Chapter II, *Bishops in Relation to their Own Churches or Dioceses*, 11.

<sup>14</sup> Vatican II, Constitution *Gaudium et Spes*, 1.

<sup>15</sup> *Ibid.*, 4.

A month after the publication of *Humanae Vitae*, the Belgian bishops issued a joint Declaration, a text that was neither written nor published without due deliberation.<sup>16</sup> The bishops wanted to adhere to the Church's great theological tradition while at the same time entering into constructive dialogue with families and with the culture of their day. A succession of four projects were written and emended. The most important authors of the said Declaration were far from being theological newcomers or libertarians. On the contrary, they were the same individuals who had made a primary contribution to the redaction of Constitutions such as *Lumen Gentium*, *Dei Verbum* and *Gaudium et Spes* during the Council itself, in particular Msgr. G. Philips and Bishop J.M. Heuschen. They were also in close contact with several prominent cardinals who had participated in the Council, including Cardinal L.J. Suenens (Mechelen-Brussels), Cardinal J. Döpfner (Munich), Cardinal B. Alfrink (Utrecht), Cardinal F. König (Vienna), Cardinal J. Heenan (Westminster) and Cardinal G. Colombo (Milan). In short: the Declaration of the Belgian Bishops had its roots in the same circle of individuals who, together with Pope Paul VI, had exercised a leadership role during the Second Vatican Council.

In line with the Catholic tradition and with the Constitution *Gaudium et Spes*,<sup>17</sup> the text of the Belgian bishops introduced personal conscience into the debate: '*Someone, however, who is competent in the matter under consideration and capable of forming a personal and wellfounded judgment – which, necessarily presupposes a sufficient amount of knowledge – may, after a serious examination before God, come to other conclusions on certain points. In such a case he has the right to follow his conviction provided that he remains sincerely disposed to continue his enquiry*'; and elsewhere: '*We must recognise, according to the traditional teaching, that the ultimate practical norm of action is conscience which has been duly enlightened by all the factors presented in Gaudium et Spes (n. 50, par. 2; n. 51, par. 3). Furthermore, we must recognise according to traditional doctrine that the ultimate decision on the desirability of the transmission of new life rests with the parents themselves and they must make this decision in the sight of God*'.<sup>18</sup> Numerous Episcopal Conferences published similar Declarations around the same time, all making an analogous appeal to the judgement of personal conscience.<sup>19</sup>

Classical and cautious as these words concerning conscience may have been, they were not fully appreciated by the supporters of *Humanae Vitae*. On the contrary, they were written off as desertion, as apostasy towards the pope, as a gate to relativism, permissiveness and libertinism, and they were consciously set aside. This represented a turning point in the relationship between Pope Paul VI and the Belgian bishops. An anecdote concerning André-Marie Charue, bishop of Namur, testifies to this. During the Second Vatican Council, a deep bond of mutual respect and trust had grown between Charue and Pope Paul VI. Charue was in fact a traditional bishop to the core. Less than a year after *Humanae Vitae* he was received in audience by the pope: '*who expressed*

<sup>16</sup> L. DECLERCK, *La réaction du cardinal Suenens et de l'épiscopat belge à l'encyclique Humanae Vitae*, *Chronique d'une Déclaration (juillet-décembre 1968)*, in: ETL 84 (2008), p. 1-68.

<sup>17</sup> Cf. Vatican II, Constitution *Gaudium et Spes*, 16: '*In the depths of his conscience, man detects a law which he does not impose upon himself, but which holds him to obedience. Always summoning him to love good and avoid evil, the voice of conscience when necessary speaks to his heart: do this, shun that. For man has in his heart a law written by God; to obey it is the very dignity of man; according to it he will be judged. Conscience is the most secret core and sanctuary of a man. There he is alone with God, Whose voice echoes in his depths*'.

<sup>18</sup> To substantiate their declaration on the relationship between personal conscience and papal statements, the Belgian bishops also referred to the renowned letter written by Cardinal Newman to the Duke of Norfolk; see J.H. Card. Newman, Longmans, London, 1891, V.II, p. 258.

<sup>19</sup> Cf. *Dossier 'Humanae Vitae'. Reacties op de encycliek*, Katholiek Archief, Amersfoort, 1968.

his dissatisfaction with the Declaration of the Belgian Bishops on *Humanae Vitae* in no uncertain terms. He even went as far as to say: ‘And you, Bishop Charue, now that you are aware of all this, would you still sign the Declaration of the Belgian Bishops?’ Charue answered: ‘Yes, Holy Father,’ and started to cry. This bishop, a man of enormous intellect and honesty, suffered under the tragedy with which many Catholic theologians were familiar in those days, torn as they were between their honest attachment to a great humanistic pope and fidelity to their convictions. *Amicus Plato...*<sup>20</sup> Many bishops opted thereafter for silence rather than polemic.

As a consequence of this polarisation, conscience in Church teaching on relationships, sexuality, marriage, and family planning was relegated to the background and manifestly so. It lost its rightful place in healthy moral-theological reflection. In the Apostolic Exhortation *Familiaris Consortio*,<sup>21</sup> the judgement of personal conscience on methods of family planning features rarely if at all. The entire text is grounded in the truth of marriage and reproduction as taught by the Church, linked to the obligation of the faithful to make this truth their own and to comply with it. Based on natural law, certain acts are qualified as ‘good’ or ‘intrinsically evil’, independent of one’s personal surroundings, life experience or life history. According to this methodology, there is little room for an honest and reasoned consideration of values in the light of the gospel and the Catholic tradition as a whole. In the chapters of the *Catechism of the Catholic Church*<sup>22</sup> that deal with the sixth commandment (2331-2400) and the ninth (2514-2533)<sup>23</sup> there is likewise little reference to the judgement of personal conscience. Such lacunae do an injustice to the comprehensiveness of Catholic thought.

What do I expect from the forthcoming Synod? That it will restore conscience to its rightful place in the teaching of the Church in line with *Gaudium et Spes*. Will this solve every problem? Of course not. How one’s conscience ultimately arrives at a responsible decision is far from simple. What is a well-formed conscience? How can it know the law that God ‘has placed in our heart’? How does conscience relate to the teaching authority of the Church, and vice versa; how does the teaching authority of the Church relate to conscience? How can conscience account for the ‘law of gradualness’ and the pedagogy of gradual progress in the growth process none of us can escape?<sup>24</sup> How can conscience practice the virtue of ‘*epikeia*’ or ‘equity’ when the letter and spirit of the law find themselves at odds with one another? For men and women today who attach great importance to the formation of a personal and reasoned judgement of conscience, these are pertinent questions. While I don’t expect the Synod to provide an answer to all of them, I hope nevertheless that it will devote the appropriate attention to them.

### 3. Doctrine

In these last months of preparation for the Synod, I have heard or read the following on numerous occasions: ‘Agreed that the Synod should support greater pastoral flexibility, but it will not be able to touch Church doctrine’. Some create the impression that the Synod will only be free to speak about the applicability of the Church’s teaching and not about its content. In my opinion, however, such an antithesis between ‘pastoral care’ and ‘doctrine’ is inappropriate in both theo-

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<sup>20</sup> Cf. L. DECLERCK, *supra*, p. 58.

<sup>21</sup> Pope John Paul II, Apostolic Exhortation *Familiaris Consortio*, 1981.

<sup>22</sup> *Catechism of the Catholic Church*, Vatican, 1992.

<sup>23</sup> In the said chapters, the *Catechism* deals with all the issues surrounding sexuality, family, fertility and birth control.

<sup>24</sup> Cf. John Paul II, *Familiaris Consortio*, 34.

logical and pastoral terms and it has no foundation in the tradition of the Church. Pastoral care has everything to do with doctrine and doctrine everything to do with pastoral care. Both will have to be dealt with during the Synod if the Church wants to open new avenues towards the evangelisation of marriage and family life in today's society.

What is the teaching of the Church on marriage and family life? Where should we look for it and with whom? Such questions cannot be answered by pointing to one period, one pope, one school of moral theology, one language group, one circle of friends, one ecclesial policy. Every component counts, but no single component can comprise or replace the whole. What a single person says or writes, no matter how authoritative, must always be understood anew in light of the entire Church tradition. From the very outset, the Church has concerned itself with both theological and pastoral questions surrounding relationship, sexuality, family, the domestic church, divorce, new relationships, abuse or inappropriate behaviour. The Hebrew Bible contains chapters full of regulations governing such issues, along with many personal stories. In the gospels, Jesus often has to deal with situations related to marriage and family, and he frequently has something to say about them. Paul writes repeatedly about the topic in his letters to the first Christian communities. The writings of the Church Fathers continue the process, followed by theologians of every age. During and after the Second Vatican Council, this evolution continued unabated at every level of ecclesial life. With their teaching on marriage and family, Pope Paul VI, Pope John Paul II and Pope Benedict XVI have made an important contribution to this development. In short: the teaching of the Catholic Church on marriage and family is to be found in a broad tradition that has acquired new form and new content down through the centuries. This narrative is incomplete. Every new era confronts the Church with new questions and challenges. Time and again it must dare to reread its teaching in the light of the tradition as a whole. What might that mean for today? I would like to bring a number of theological elements to the fore, elements over which the tradition, I believe, has more to say than recent magisterial documents might display. In addition to conscience, I would like to explore natural law, the *sensus fidei* and the complementarity of moral-theological models.

The *Instrumentum Laboris* for the forthcoming Episcopal Synod is very clear: *'In a vast majority of responses and observations, the concept of natural law today turns out to be, in different cultural contexts, highly problematic, if not completely incomprehensible. The expression is understood in a variety of ways, or simply not understood at all. Many bishops' conferences, in many different places, say that, although the spousal aspect of the relationship between man and woman might be generally accepted as an experiential reality, this idea is not interpreted according to a universally given law. Very few responses and observations demonstrated an adequate, popular understanding of the natural law.'*<sup>25</sup> As an observation, this has weight! No moral theologian or believer would deny that there is a deep meaning and intention in the complementarity of man and woman and in their fertility. A purpose is inscribed in their deepest essence that is related to God's plan of creation for humanity and for the world. The Church rightly invites men and women to participate freely and responsibly in the goals of that plan of creation. Within the domain of love, sexuality, marriage and family life, certain patterns are likewise evident that one cannot deny or ignore. The human sciences have provided a multitude of valuable insights in this regard.<sup>26</sup> Nevertheless, a certain system of appeal to 'natural law' in the ethical context of mar-

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<sup>25</sup> *Instrumentum Laboris*, 21.

<sup>26</sup> Such as developmental psychology, sexology, pedagogy and sociology.

riage and family life remains a source of confusion, misunderstanding and resistance. Contemporary men and women are in search of values that can offer their lives meaning and cohesion. They want to be happy and to make others happy. In often complex situations, they want to make a responsible conscience-based decision by weighing up and ordering different values. In this weighing up, they want to account for the intention of their deeds, the proportionality between act and consequence, and for their personal life history and the process of growth they are going through. The result of this weighing up is not established in advance. It differs from one generation to another and from one environment to another. Is it possible to combine such a historically and existentially embedded judgement of conscience with the concept of ‘natural law’? And if so, how? In 2009, the *International Theological Commission* published a document entitled *In Search of a Universal Ethics: A New Look at the Natural Law*.<sup>27</sup> The document speaks among other things of the caution that should be employed when using the concept ‘natural law’ in the process of establishing concrete norms for behaviour: *Natural law [cannot], therefore, be presented as an already established set of rules that impose themselves a priori on the moral subject; rather, it is a source of objective inspiration for the deeply personal process of making a decision*’ (59). The document also underlines the dynamic and historical character of natural law: *We call natural law the foundation of a universal ethic which we seek to draw from the observation of and reflection on our common human nature. It is the moral law inscribed in the heart of human beings and of which humanity becomes ever more aware as it advances in history. This natural law is not at all static in its expression. It does not consist of a list of definitive and immutable precepts. It is a spring of inspiration always flowing forth for the search for an objective foundation for a universal ethic*’ (113). In short: Christian ethics needs more space to judge and decide than a static<sup>28</sup> or apodictic<sup>29</sup> engagement with the concept ‘natural law’ permits. This extra space does not have to be invented, however, since it already exists. We can continue to work with the solid building material provided by our biblical, moral-theological and pastoral-theological tradition.<sup>30</sup>

An additional element from our theological tradition is the *sensus fidei* or the sense of faith of the Christian faithful. Pope Francis writes in *Evangelii Gaudium*: *The Spirit guides [the people] in truth and leads it to salvation. As part of his mysterious love for humanity, God furnishes the totality of the faithful with an instinct of faith – sensus fidei – which helps them to discern what is truly of God. The presence of the Spirit gives Christians a certain connaturality with divine realities, and a wisdom which enables them to grasp those realities intuitively, even when they lack the wherewithal to give them precise expression*.<sup>31</sup> As is also evident from the *Instrumentum Laboris* a majority of believers in most countries and continents endorses the Church’s most important insights and concerns in relation to marriage and family life. We have known for a long time, however, that certain moral-theological concepts or moral commands and prohibitions are no longer shared by a large majority of well-informed and loyal Christians, and in some instances they are rejected. In 2014, the *International Theological Commission* published a document on the

<sup>27</sup> Cf. Commissione Teologica Internazionale, *Alla ricerca di un’etica universale: nuovo sguardo sulla legge naturale*, [www.vatican.va](http://www.vatican.va).

<sup>28</sup> In the sense of: definitive and immutable, detached from historical context and evolution.

<sup>29</sup> In the sense of: posed as authoritative assertion, irrefutable, not open to discussion, necessarily true.

<sup>30</sup> This broadening is also of ecumenical importance. Other Churches and Christian communities find it difficult to accept natural law as a sort of revelation of the will of God. After the publication of *Humanae Vitae*, Karl Barth wrote in a letter to Paul VI dated September 29<sup>th</sup> 1968 that natural law is seen in the Encyclical as a ‘second source of revelation’, something he could not accept (Cf. *Karl Barth e il Concilio Vaticano II. Ad limina apostolorum e altri scritti*, a cura di F. Ferrario e M. Vergotti, Claudiana, 2012, p. 64-65; cf. Archive Willebrands, letter from Barth to Willebrands dated November 20<sup>th</sup> 1968, in: Files, 351-363).

<sup>31</sup> Pope Francis, *Evangelii Gaudium*, 119.

*Sensus fidei in the Life of the Church.*<sup>32</sup> I would like to quote two paragraphs from this document. The first is a paragraph about the role of lay believers in the development of the Church's moral teaching: *'What is less well known, and generally receives less attention, is the role played by the laity with regard to the development of the moral teaching of the Church. It is therefore important to reflect also on the function played by the laity in discerning the Christian understanding of appropriate human behaviour in accordance with the Gospel. In certain areas, the teaching of the Church has developed as a result of lay people discovering the imperatives arising from new situations. The reflection of theologians, and then the judgment of the episcopal magisterium, was based on the Christian experience already clarified by the faithful intuition of lay people'* (73). The second is a paragraph on the potential meaning of a manifest absence of reception: *'Problems arise when the majority of the faithful remain indifferent to doctrinal or moral decisions taken by the magisterium or when they positively reject them. This lack of reception may indicate a weakness or a lack of faith on the part of the people of God, caused by an insufficiently critical embrace of contemporary culture. But in some cases it may indicate that certain decisions have been taken by those in authority without due consideration of the experience and the sensus fidei of the faithful, or without sufficient consultation of the faithful by the magisterium'* (123). The process of 'sufficient consultation of the faithful' does not need to start from scratch. Many important insights and experiences of the people of God have been waiting far too long for closer reflection and more thorough dialogue.

A third element of doctrine than I would like to mention here is related to the development of moral theology in the post-Conciliar period. After *Humanae Vitae* and *Familiaris Consortio*, the 'teaching of the Catholic Church' became almost exclusively associated with a specific moral theological school, built on a particular interpretation of natural law. Representatives of other interpretations of natural law or of other moral theological schools, more specifically the personalistic school, were consigned to the corner as suspicious and to be avoided. The representatives in question were not marginal figures, rather they enjoyed enormous expertise and were considered highly meritorious moral theologians: including Josef Fuchs SJ, Bernhard Häring CSsR and L. Janssens (KU Leuven). They were of the same generation as the most prominent bishops and theologians of the Second Vatican Council and they had often shared the same teachers. They had contributed to the theological foundations of Vatican II and its further evolution in their publications and teaching. The focal point of their moral-theological reflections was the human person and the latter's growth towards greater human dignity in the light of reason and revelation. They were aware of what was humanly possible in fragile and complex circumstances, in which the options are not clear cut. They created space for growth and development in the often turbulent course of our personal human narratives. They took into account the variability of reality and the complexity of truth. Rationality, dialogue, tolerance, compassion and mercy acquired a prominent place in their methodology. But in the years following Vatican II they were pushed to the margins. This church-political development was not good for moral-theological debate within the Church or – and in particular – for evangelisation. In my opinion, the forthcoming Episcopal Synod will contribute little to the evangelisation of marriage and family life if it does not first restore dialogue with the broad moral-theological tradition of the Church. Different moral-theological models have always functioned within the Church. It is only in their complementarity that the said models can do justice to the human intellect's multifaceted search for truth and goodness. What Pope Francis writes in *Evangelii Gaudium* seems important here: *'Differing currents*

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<sup>32</sup> Commissione Teologica Internazionale, *Sensus Fidei nella vita della Chiesa*, [www.vatican.va](http://www.vatican.va).

*of thought in philosophy, theology and pastoral practice, if open to being reconciled by the Spirit in respect and love, can enable the Church to grow, since all of them help to express more clearly the immense riches of God's word. For those who long for a monolithic body of doctrine guarded by all and leaving no room for nuance, this might appear as undesirable and leading to confusion. But in fact such variety serves to bring out and develop different facets of the inexhaustible riches of the Gospel'.<sup>33</sup>*

#### **4. The Church as Travelling Companion**

It goes without saying that I am fortunate to meet people every day who work hard at their marriage and remain faithful to the vows they exchanged in front of the altar: 'I, (name), take you, (name), to be my husband/wife. I promise to be true to you in good times and in bad, in sickness and in health. I will love you and honour you all the days of my life'. This lifetime promise stands at the very heart of their relationship and their family life as its 'solid core' and 'backbone'. It is the most beautiful gift they can receive from one another and from God. Married couples rightly look towards the Church community to help them, encourage them and inspire them. Indeed, a word of genuine appreciation is appropriate here for all those couples who devote themselves to one another and to their family on a daily basis, a devotion that sometimes demands major sacrifices and much personal detachment. Behind every 'ordinary' family life there is always an 'extraordinary' story. When I visit a parish, for example, I always ask if I can make a couple of home visits to families who are dealing with problems or a difficult event. Such encounters are always both moving and profound,<sup>34</sup> and they speak to me about the gospel.

- T has been taking care of his wife at home for ten years. She suffers from Alzheimer's disease, and in order to take care of her he closed his company and now limits his social life to a minimum; they communicate almost exclusively through gestures of tenderness and nearness.
- J and F have four children of their own and two other children adopted from the Third World. To care for such a large family, F gave up her job; their family has become a small international community.
- K is in his mid-eighties; his wife died a number of years ago; now he alone takes care of their son who has Down's syndrome; the son is around sixty and his health is slowly deteriorating.
- L and M have gone through a difficult patch in their relationship; M fell in love with another man and thought about divorce; with the support of friends and a relational therapist they opted once again for one another; they're hoping that their relationship will improve emotionally.
- M's husband left her out of the blue; while she's let go of any hope of a reunion, she still believes in the unique meaning of her marriage and the promise she made; she continues her life as a single mother.

Someone recently – and rightly – pointed out that the Church demands so much attention and understanding for 'extraordinary' situations that the 'ordinary' couples and families have almost come to think of themselves as a forgotten group. Such 'ordinary' couples do indeed deserve better pastoral support and guidance from the Church, also in my own diocese. Their dedication and witness are of great value for the future of our Church community. They have much

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<sup>33</sup> Pope Francis, *Evangelii Gaudium*, 40.

<sup>34</sup> The initials used here are fictitious, but the narratives themselves are largely not.

to teach the Church about what it means to form ‘*a home and school of communion*’ and to continue to work on it.

At the same time, however, I am struck as a bishop by how complex the reality of relationship formation, marriage and family life is today. I hear stories on daily basis of human failure and starting over, of weakness and perseverance, of standing one’s ground in the face of economic and social imperatives, of mutual care in difficult circumstances. These stories are also moving and they also speak to me about the gospel. How can the Church be their travelling companion?

- T is a divorced mother with three teenagers who are about to move on to college education. She doesn’t (yet) live with her new partner, who is also the father of one of the teenagers. T has a part-time job in education. She earns a monthly salary of 1100€ in addition, to 600€ family allowance. Life for T is a struggle. She has no financial reserves and has to bend over backwards to maintain some degree of order in her family life.
- T is a catechist in her parish. She has two children. Her first marriage ran aground and ended in divorce. The parish and pastoral work are very close to her heart. She is one of the most active members of the parish team.
- H and B are both in their seventies and have been married for close to fifty years. They have three children. One daughter broke with them when she was in her early twenties. They know she once had a partner and that she had children. For H and B, the idea that the split with their daughter is unlikely to be mended before they die is an incurable wound and an enduring source of sadness.
- F is in her mid-twenties. She is a graduate, is active in youth work and has participated in World Youth Days. Her boyfriend considers himself a believer but doesn’t really feel at home in the Church. F has a hard time sharing with him what she feels about the gospel and the Church, although she loves him deeply and would like to marry him. She goes to mass alone on Sundays.
- J and K are a same-sex couple, married in a registry office. Their parents have never found their choice a simple one, but at home they’re just as welcome as the other children. J and K appreciate the attitude of their parents and family very much. They have a problem with the attitude of the Church.
- Ships of every kind, some enormous containers, sail in and out of the port of Antwerp on a daily basis manned by crews from Asia, Africa and Eastern Europe. Many are young men, some married, others not. Some sailors, such as those from the Philippines, work with nine month contracts and only see their wives and children after lengthy periods at sea. Whatever contact they have with home is restricted to the internet, webcams and telephone. The *Antwerp Seafarers’ Centre ‘Stella Maris’* offers assistance in this regard.
- A Flemish family has a domestic help, a middle aged woman from Poland. She works in Belgium in order to pay for her children’s university studies and is happy to be able to help them in this way. As a wife and mother, however, she spends months on end away from her own family.
- The B family comes from Armenia and consists of four adults: father, mother and two sons. The family has been living in Belgium for 8 years and are still hoping to become naturalised Belgians one day. The father and the youngest son have Huntington’s disease and the elder son is growing weaker. The mother is under constant stress. For the last three years they have

been receiving support from the Flemish Agency for People with a Handicap. They find it impossible to make ends meet and are dependent on the generosity of ‘social grocery stores’ and charitable organisations distributing food and clothing.

The stories are endless, and I could go on, but that’s not my intention. My aim is to expose the complexity of the evolving context in which relationships, marriage and family life occur today, and the expectations that many still have of the Church as ‘travelling companion’. What are my hopes for the Synod? That it won’t be a Platonic Synod. That it won’t withdraw into the distant safety of doctrinal debate and general norms, but will pay heed to the concrete and complex reality of life. The following powerful passage from Pope Francis should provide a source of inspiration: *I prefer a Church which is bruised, hurting and dirty because it has been out on the streets, rather than a Church which is unhealthy from being confined and from clinging to its own security. I do not want a Church concerned with being at the centre and which then ends by being caught up in a web of obsessions and procedures. If something should rightly disturb us and trouble our consciences, it is the fact that so many of our brothers and sisters are living without the strength, light and consolation born of friendship with Jesus Christ, without a community of faith to support them, without meaning and a goal in life. More than by fear of going astray, my hope is that we will be moved by the fear of remaining shut up within structures which give us a false sense of security, within rules which make us harsh judges, within habits which make us feel safe, while at our door people are starving and Jesus does not tire of saying to us: “Give them something to eat” (Mk 6:37).*<sup>35</sup>

The Church’s relationship with men and women today is not one of symmetry or mutuality. While some often maintain their distance from the Church, they refuse to be written off or ignored by it, and they are not wrong in this regard. The question here focuses on Jesus Christ and the mission he entrusted to the Church. What kind of people did Jesus mix with and in what way? Jesus and his disciples made a refreshing impression on their environment. They were close to people. In contrast to other religious and social groups, they came across as ordinary, simple, down to earth. They did their thing without pretention. At the same time, however, they radiated a clear difference, something that drew admiration; to the joy of many, and to the growing irritation of others. What were the features of the difference they radiated? It included, among other things, the following: they were free and they brought joy; they welcomed the lost and the condemned back into the centre of the circle; they called for compassion and forgiveness; they rejected every use of power and violence; they preferred to take the last place and they believed in the power of love, a love that does not count on reward. They were thus very ‘close’, but also very ‘different’. Jesus, moreover, did not give the community around him an exclusive character. He approached and assembled people around him in several circles. He permitted many nuances between the inner and the outer circle. To use Jesus’ own imagery: sometimes he was a sower, sometimes a shepherd, sometimes a host. In each instance, people stood or sat around him in varying circles. This concentric structure is part of the architecture of the Church as Jesus intended its construction. I hope that the Synod will do sufficient justice to this architecture.

Words like ‘travelling companion’ and ‘fraternity’ should feature with greater clarity in the ecclesial discourse surrounding marriage and family. As Pope Francis observes: *We need to help others to realize that the only way is to learn how to encounter others with the right attitude, which is to accept and esteem them as companions along the way, without interior resistance. Better yet, it means learning to find Jesus in*

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<sup>35</sup> Pope Francis, *Evangelii Gaudium*, 49.

*the faces of others, in their voices, in their pleas. And learning to suffer in the embrace of the crucified Jesus whenever we are unjustly attacked or meet with ingratitude, never tiring of our decision to live in fraternity*'.<sup>36</sup>

## 5. 'Regular' and 'Irregular' Situations

In its standard language, the Church speaks of 'regular' and 'irregular' situations. The distinction between them is based on moral-theological grounds and has consequences for canon law, including the domain of the sacraments. I do not intend to deny the legitimacy of the said distinction here. It remains in everyone's interest that the Church helps people to discern what is in keeping with God's intention for their lives and how they can grow in this regard. Moreover, it is also the Church's task to bring the faithful together in an ordered community with rights and obligations for all. Nevertheless, we must also be extremely cautious in dealing with the distinction between 'regular' and 'irregular'. Reality is often far more complex than a pair of contrasting concepts can embrace: good or bad, true or untrue, correct or incorrect. Such bipolar thinking seldom does justice to the whole story of people's lives and the situations in which they find themselves.

To begin with, regular and irregular situations occur in the majority of Christian families. This mixture of situations, however, does not prevent family members from continuing to support and appreciate one another, and fortunately so. The Church should not underestimate this family-rooted solidarity. As a bishop, I have had to listen to a great deal of irritation in this regard: a brother who is angry because his sister who remarried is no longer being permitted to read during the Eucharist; a father asking for more understanding on behalf of his homosexual son who feels rejected by the Church; a grandmother who can't understand why the pastor refuses to bless the relationship of her granddaughter with a divorced man. People ask questions about the choices and decisions of their relatives, are often saddened by them, would have preferred things to be different, but they do not abandon one another. For the people involved, such solidarity is an important sign of God's fidelity to his people, no matter what happens to them. People in these situations sense that the Church should not lag behind vis-a-vis the support and hospitality they continue to offer one another within the family.

In the same context, I have often been forced to observe how offensive the language of the Church can come across with respect to certain individuals and situations. Those who want to enter into dialogue with others must guard against the use of ethical qualifications that do not square with lived reality and as a result sound extremely humiliating. Many of our Church documents are in urgent need of revision in this regard. When I am engaged in conversation, for example, I cannot use certain formulations found in Church documents without judging my conversation partners unjustly, hurting them profoundly, and giving them a mistaken image of the Church.

- K and P have been married for thirty years and have four children, roughly three times the average number of children in a Belgian family. After the birth of their fourth child they had reached their limit and decided to use birth control to prevent further conceptions. Can we say without nuance of these parents with four children that because of their method of birth control they are falsifying conjugal love, that they have ruptured the essential bond between

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<sup>36</sup> Pope Francis, *Evangelii Gaudium*, 91.

marriage and fertility and that they no longer give themselves to one another completely? Or might we not value their generosity as parents, encourage them in the attention they devote to their relationship and to the further development of a welcoming home for their children?

- A and L did everything they could to have a baby. As L approached her 40<sup>th</sup> the situation became more urgent. Their desire to have a child was genuine and generous, and supported moreover by a deep Christian faith. Medical problems led them to opt for homologous *in vitro* fertilisation. Can we say in general terms of this couple that because of their medical option they open a door to the domination of technology over the destiny of the human person, that their deeds are in conflict with the common dignity of parents and children, and that they see their child as a piece of property? Or might we not try to understand their profound desire to keep love and fertility conjoined, and hope that their desire to have a child will be fulfilled with the help of skilled and meticulous medical experts?
- J and M are both in their mid-twenties and both university graduates; they both have a job and they live together unmarried; they plan to stay together and to start a family. Their parents and entire family, moreover, have confidence in the way they are making their way in life as a couple. Can we say *a priori* of these young people that because they are living together unmarried they have opted for a trial marriage, that human reason points to the unacceptability of their choice and that they are treating one another in a way that runs counter to their personal dignity and against the purpose of love? Or might we not encourage them in the choice they have made for one another in the hope that their relationship might evolve towards civil marriage and sacramental marriage?

There can be little doubt that such situations deserve more respect and a more nuanced evaluation than the language of certain Church documents appears to prescribe. The mechanisms of accusation and exclusion they have the potential to activate, can only block the way to evangelisation. Such language is far from the notions of ‘travelling companion’ and ‘fraternity’. In this regard, the Church needs to learn to speak once again as a mother. To quote Pope Francis: *‘It reminds us that the Church is a mother, and that she preaches in the same way that a mother speaks to her child, knowing that the child trusts that what she is teaching is for his or her benefit, for children know that they are loved. Moreover, a good mother can recognize everything that God is bringing about in her children, she listens to their concerns and learns from them. The spirit of love which reigns in a family guides both mother and child in their conversations; therein they teach and learn, experience correction and grow in appreciation of what is good.’*<sup>37</sup>

Let me also introduce a further consideration on the historicity of our thoughts and deeds, including our thoughts and deeds in the Church. The distinction between ‘regular’ and ‘irregular’ situations is not only related to moral theology and canon law, it also has to do with culture and history. The way people work on their relationship, how and when they decide to have children, how and when they consider a relationship to be ‘indissoluble’; all these matters are human realities characterised by time and culture, background and education, changing insights and emotions. Down through the centuries, every generation of parents has had to face the confusion brought about by the realisation that ‘our children are doing things differently’. Of the seven sacraments, moreover, marriage was the least self-evident. Different from the other sacraments, marriage seals a pre-given human reality: the lifelong union entered into by a man and a

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<sup>37</sup> Pope Francis, *Evangelii Gaudium*, 139.

woman according to the customs of time and culture. Indeed, in the Latin tradition of the Catholic Church it is not the priest who administers the sacrament of marriage; rather those who are entering into marriage mediate the sacrament for one another. It also took until the 12<sup>th</sup> century before marriage was listed definitively as one of the seven sacraments. The question of the point at which a marriage was considered indissoluble was also the subject of long discussion. The genesis and evolution of the dual *'ratum et consummatum'* criterium is particularly instructive on this point.<sup>38</sup> It is not my intention here to question the legitimacy of the said criterium. I simply want to point out where it comes from: not from Revelation or the history of dogma, but from the complex canonical history of the Church. It should thus not be given more or less weight than necessary. Even the 'form' considered essential for entering into a valid sacramental marriage changed repeatedly in the course of the Church's canonical history and was often applied differently. Moreover, the Church has also known more than one variation on the theme of marriage and family life. In addition to the western legal traditions, an eastern canonical tradition emerged – and continues to exist – in relation to the topic. Marriages also took place between people who would nowadays be considered underage, and marriages were likewise arranged with mutual assurances between the heads of the families involved (a practice still evident today in certain regions of the world). From the French Revolution onwards, the introduction of civil marriage (and civil divorce) created a new legal context, one that also applied to Catholics. Since the middle of the last century, couples have had access, for the first time in history, to information concerning fertility and methods of birth control. The problem of overpopulation and the spread of HIV have also complicated the issue. The present day legalisation of civil partnership and marriage between people of the same gender has led to new situations and insights concerning marriage and family life. Add to this the fact that people are living much longer than before, whereby relationships are expected to survive the test of time far beyond those of their predecessors. For others, extended life expectancy makes it possible to enter into a new relationship in their middle age. This ever changing context is not intended in itself to be anti-Christian or anti-Church. It is part and parcel of the historical circumstances in which both the Church and individual believers are expected to exercise their responsibility. It confronts the Church time and again with an important question: how can its teachings and life in its concreteness encounter and question one another in a productive tension? In almost all the responses to Rome's questionnaire, I have read the expectation that the Church would also recognise what is good and valuable in other forms of partnership, forms other than traditional marriage. I consider such a hope to be justified.

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<sup>38</sup> According to Roman law, marriage was established in a private family celebration on the basis of consensus among the parties concerned. According to the Germanic legal tradition, which filled the vacuum left in Europe by the collapse of the Roman Empire and the legal system that went with it, marriage was established by the 'physical appropriation' of the bride, as they affably put it. A marriage according to this tradition was not definitive until it had been physically consummated. Both legal traditions, the Roman and the Germanic, had their supporters among the canonists: the Paris School and the Bologna School. When Rolando Bandinelli was elected pope (Alexander III, 1159-1181), he used the distinction between *'ratum'* and *'consummatum'* to settle the ongoing dispute between the canonists. He joined both schools in a single formula: a sacramental marriage that is validly entered into (*ratum*) and physically consummated cannot be dissolved, not even by the pope. The twofold *'ratum et consummatum'* criterium later found its way into the papal decrees and from there into the Codex of 1917 and the Codex of 1983. Up to the present day, the pope can dissolve a sacramental marriage that has not been consummated as well as a marriage that has not been sacramentally contracted (*Privilegium Paulinum* and *Petrinum*).

## 6. Divorced and Remarried

One of the issues raised in many countries is the problem of divorced people who have remarried and their exclusion from Eucharistic communion. The *Instrumentum Laboris* states in this regard: *'A good number of responses speak of the very many cases, especially in Europe, America and some countries in Africa, where persons clearly ask to receive the Sacraments of Penance and the Eucharist. This happens primarily when their children receive the sacraments. At times, they express a desire to receive Communion to feel "legitimized" by the Church and to eliminate the sense of exclusion or marginalization. In this regard, some recommend considering the practice of some Orthodox Churches, which, in their opinion, opens the way for a second or third marriage of a penitential character [...] Others request clarification as to whether this solution is based on doctrine or is merely a matter of discipline.'*<sup>39</sup> I would like to make three observations in relation to this topic.

The first focuses on the close connection Catholic doctrine currently makes between the sacrament of marriage and the sacrament of the Eucharist. There can be little doubt that both sacraments are related. The sacramental life of the Church is an organic whole in which one sacrament opens or re-opens access to the other. The question can be asked, nevertheless, whether the indissolubility of marriage between a man and a woman can be compared directly with the indissolubility of the bond between Christ and his Church. The 'application' to which Paul refers in his letter to the Ephesians is not an 'identification'.<sup>40</sup> Both 'indissolubilities' have different salvific meanings. They are related to one another as 'sign' and 'signified'. Who Christ is for us and what he did for us continues to transcend all human and ecclesial life. No single 'sign' can adequately represent the 'reality' of his bond of love with humanity and with the Church. Even the most beautiful reflection of Christ's love is characterised by human limitation and sinfulness. The distance between 'sign' and 'signified' thus remains considerable, and for us this is good fortune and a blessing. Our weakness can never undo Jesus' fidelity to the Church. From the indissolubility of his sacrifice on the cross and his love for the Church flows the mercy with which he comes to meet us time after time, particularly in the celebration of the Eucharist.

My second observation has to do with participation in the Eucharist. In the Decree on Ecumenism *Unitatis Redintegratio*, the Second Vatican Council made a distinction between two principles that relate to one another dialectically: participation in the Eucharist 'as a sign of unity' and 'as a means to grace'.<sup>41</sup> Both principles belong together: they point to one another and reinforce one another in a creative tension. I am inclined to see this approach to the Eucharist as meaningful here. According to present teaching and discipline, people who are divorced and remarried are not permitted to receive communion because their new relation following a broken marriage is no longer a 'sign' of the unbroken bond between Christ and the Church. This line of argument clearly has significance. At the same time, however, one should ask the question whether it says all there is to say about the said individuals' spiritual life and about the Eucharist. People who are divorced and remarried also need the Eucharist to grow in union with Christ and

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<sup>39</sup> *Instrumentum Laboris*, 95.

<sup>40</sup> *'This is a great mystery, and I am applying it to Christ and the Church'* (Eph 5,32).

<sup>41</sup> Vatican II, Decree *Unitatis Redintegratio*, 8: *'Yet worship in common (communicatio in sacris) is not to be considered as a means to be used indiscriminately for the restoration of Christian unity. There are two main principles governing the practice of such common worship: first, the bearing witness to the unity of the Church, and second, the sharing in the means of grace. Witness to the unity of the Church very generally forbids common worship to Christians, but the grace to be had from it sometimes commends this practice.'*

the Church community, and to assume their responsibility as Christians in the new situation. The Church cannot simply ignore their spiritual needs and their desire to receive the Eucharist ‘as a means to grace’. We should bear in mind, moreover, that those who find themselves in a ‘regular’ situation also need the Eucharist ‘as a means to grace’. It is not without reason that the final common prayers before communion are: ‘*Lamb of God who takes away the sins of the world, have mercy on us*’ and ‘*Lord, I am not worthy to receive you, but only say the word and I shall be healed*’.<sup>42</sup>

My third observation addresses the question whether the exclusion of people who are divorced and remarried from communion properly reflects the intention of Jesus with respect to the Eucharist. I hope to avoid simplistic answers here, but the question continues to preoccupy me. The Gospel contains so many words and gestures that the Church claims – since the time of the Church Fathers – also have Eucharistic significance. The said words and gestures refer to table communion in the kingdom of God. In order to understand the Eucharist correctly, we have to bear in mind that a large company of publicans and sinners were at table with Jesus (Lk 5,27-30); that Jesus chose this context to say that he had not come for the righteous but for sinners (Lk 5,31-32); that all those who had come from far and near to listen to the word of Jesus were given bread to eat by Jesus and the apostles (Lk 9,10-17); that when you give a banquet you should especially invite the poor, the crippled, the lame, and the blind (Lk 14,12-14); that the compassionate father gave the best banquet possible for his prodigal son, to the irritation of his older brother (Lk 15,11-32); that Jesus washed the feet of his disciples, Peter and Judas included, before the Last Supper, and charged them to follow his example whenever they remembered him (Jn 13,14-17). It is not my intention to use these references as slogans, but I remain convinced that we cannot set them aside and ignore them. There has to be a correlation between the many ‘table-related’ words and gestures of Jesus and his intention for the Eucharist. If Jesus exhibited such openness and compassion around the table community in the kingdom of God, then I am convinced that the Church has serious indications to explore how it can grant access to the Eucharist under certain circumstances to people who are divorced and remarried.

How does the Church deal with ‘irregular’ situations in these and comparable circumstances? A cultural line seems to distinguish Northern and Southern Europe in this regard. Southern Europe tolerates a much greater gulf between reality and norm than Northern Europe. The Roman legal tradition strove in the first instance to create fine laws; whether they were applied or not was a lesser concern. In the South, moreover, I have the impression that what deviates from the ideal cannot and need not be regulated. Preference is given to finding a practical way out at the local level. Northern Europe has difficulties with this. Even matters that are less fine and positive have to be channelled along legal pathways and thereby regulated. As far as we in the north understand things, no one is helped by denial or taboo. On the contrary, it only stimulates the growth of a ‘black market’. In addition, Northern Europe tends to prefer fewer

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<sup>42</sup> Cf. Pope Francis, *Evangelii Gaudium*, 47: ‘*The Eucharist, although it is the fullness of sacramental life, is not a prize for the perfect but a powerful medicine and nourishment for the weak. These convictions have pastoral consequences that we are called to consider with prudence and boldness. Frequently, we act as arbiters of grace rather than its facilitators. But the Church is not a tollhouse; it is the house of the Father, where there is a place for everyone, with all their problems*’; here in *Evangelii Gaudium*, 47, Pope Francis alludes to Saint Ambrose, *De sacramentis*, IV, 6, 28: PL 16, 464; SC 25,87: ‘*I ought always to receive it, that my sins may always be forgiven me. I, who am always sinning, ought always to have a remedy.*’

laws that are *de facto* applied. More than twenty years ago, a group of diocesan bishops in Germany tried to elaborate a theological and pastorally justified arrangement for granting the divorced and remarried access to communion.<sup>43</sup> It is not my intention here to give judgement on the intrinsic value of their proposition. What concerns me nevertheless is the following: when bishops are prevented from offering guidance to their co-workers on how to deal with irregular situations, the said co-workers are rendered directionless. Priests and pastoral workers are not infrequently confronted with irregular situations that require prudential judgements. They are thus correct to turn to their bishops for criteria and for leadership. The absence of such leadership can only lead to greater confusion and a further undermining of the authority of the bishop as ‘pastor’ of the people of God entrusted to him. While it may seem paradoxical, better norms for dealing with irregular situations can only be of benefit to the exercise of leadership within the Church. The legal tradition of the Christian East, with the possibility of exceptional arrangements for the sake of ‘mercy’ or ‘equity’ (*oikonomia; epikeia*), might offer new impetus in this regard.<sup>44</sup> For this reason too I am looking forward to the Synod with hope.

I would like to conclude here with a word from the perspective of the children and grandchildren. Like every other bishop, I regularly visit parishes for the sacrament of confirmation. Most of the confirmands in my diocese are 12 year old children. Many are children of second marriages or new family combinations. On each occasion I am confronted with a large community made up of children, parents, grandparents and other family members. I am well aware that the majority only rarely participate in the Eucharist, but I also know that this celebration is important to them. The child being confirmed brings his or her family together in a celebration that has profound significance, moreover, for the religious connections between successive generations. In addition, such celebrations often represent a rare ‘truce’ in certain families in which mutual frustrations and conflicts are set aside for a moment. When the time comes for communion, a majority of family members spontaneously approach the altar to receive communion. I cannot imagine what it would mean for the children and for their future bond with the Church community if I were to refuse communion at that moment to all parents, grandparents and other family members who find themselves in ‘irregular’ marital situations. It would be fatal for the liturgical celebration, for the relationship between the families in question and the Church community, and primarily for the continued faith development of the children involved. In such circumstances, other theological and pastoral priorities emerge that go beyond the question of sacramental marriage. Such situations call for further reflection on both the teaching and practice of the Church. The *Instrumentum Laboris* rightly alludes to this issue.<sup>45</sup>

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<sup>43</sup> Their proposal contained clear preconditions: that remarried persons genuinely regret the failure of their first marriage, that they continue to respect the obligations that arose in the context of their first marriage, that the restoration of their first relationship is definitively excluded, that commitments stemming from the new civil marriage cannot be revoked without new negligence or debt, that one does one’s honest best to live one’s new civil marriage in a Christian spirit and to raise children in the faith, that one desires to participate in the sacraments as a source of strength in one’s new situation; cf. W. KASPER, *Das Evangelium von der Familie. Die Rede vor dem Konsistorium*, Herder, 2014, p. 65-66.

<sup>44</sup> Cf. *Instrumentum Laboris*, 95.

<sup>45</sup> Cf. *Instrumentum Laboris*, 95 and 153.

## 7. The Proclamation of the Gospel

The forthcoming Synod has been given a complex title: *The Pastoral Challenges of the Family in the Context of Evangelisation*. I find the inclusion of evangelisation in the title very important. Why? Because marriage and family constitute only one domain among others to which the much more extensive question of evangelisation applies. The language, method and sensitivity with which the forthcoming Synod will go about its business are a test case. They can set a new tone for the entire pastoral attitude of the Church. All pastoral domains are interrelated, moreover, and analogous questions arise in each of them. The significance of the forthcoming Synod thus extends far beyond the individual domain of marriage and family.

How does the Church engage the world today and the people who live in it? In the past decades, the leadership of the Church has deployed a predominantly defensive or antithetical model. In contrast to a culture of ‘obscuration’, the Church was expected to radiate ‘the beauty of truth’. The message of the gospel may be unpopular and difficult to grasp, but the Church must present it as it is, unabridged. Surrounded by a world that is becoming ever more alienated from itself, it has to remain a beacon of light and recognition. Take it or leave it. The world can only save itself by a radical return to the eternal truth. Good reasons exist no doubt for this antithetical model. God’s kingdom, after all, does not coincide with the conjunctural developments of the world in which we live. It emanates a power of contrast and a prophetic appeal. The idea that God makes the world ‘new’ implies that God also makes it ‘different’. Jesus and his disciples likewise radiated a witness that contrasted to the world in which they lived. They clearly did not live and behave as others did. And because of that difference, Jesus was to pay a high price, ending on the cross as a man condemned. For Jesus, it finally became a question of ‘all against one’. Church must continue to radiate such a countercurrent witness if it wants to remain faithful to its founder and its mission.

At the same time, this antithetical model demands a high level of caution. Jesus did indeed die ‘all against one’ on the cross, but he did not live his life ‘one against all’. More than any other religious leader, Jesus opened his heart and his arms to people whoever they were and whatever their experience in life. There were no walls or boundaries around his mercy and compassion. He went from village to village to be sure that no sick person would elude him, no leper seek him in vain, no sinner be left without forgiveness. He entered into dialogue with unexpected dialogue partners and accepted invitations to dine with people of questionable character. He wasn’t particular or exclusive in his choice of friends or table companions, not even in his choice of apostles. These are the tracks on which Jesus placed Church. In its relationship with the world and the people who live in it, the Church should exhibit the same openness and compassion as its founder. It can fulfil its mission only via the path of dialogue. It has no other choice, if it wants to maintain its identity and credibility. It is here, I am convinced, that the Church today is struggling with a deficit. We referred above to the *sensus fidei*. If many today sense a deficit in the Church, they will point to how clearly it reflects Jesus Christ. They have a hard time recognising the interaction of Jesus with the men and women he encountered in his day in the interaction of the Church with the men and women it encounters today. They are particularly interested in this regard in the domain of love, relationship, sexuality, marriage and family, and that should come as no surprise. It is the domain that concerns them the most, the domain in which they find the

greatest happiness and sometimes the greatest sorrow. It is in this domain in particular that the Church must step away from its defensive, antithetical stance and seek anew the path of dialogue. It must dare once again to start with ‘life’ and then move on to ‘teaching’. The Church has nothing to lose in this regard. In dialogue with the world it can discover where God is at work here and now, and the challenges with which he is confronting both the Church and the world today.

Pope Francis observes on the topic of the Church and the world: *‘The Christian ideal will always be a summons to overcome suspicion, habitual mistrust, fear of losing our privacy, all the defensive attitudes which today’s world imposes on us [...] Meanwhile, the Gospel tells us constantly to run the risk of a face-to-face encounter with others, with their physical presence which challenges us, with their pain and their pleas, with their joy which infects us in our close and continuous interaction. True faith in the incarnate Son of God is inseparable from self-giving, from membership in the community, from service, from reconciliation with others. The Son of God, by becoming flesh, summoned us to the revolution of tenderness.’*<sup>46</sup>

Evangelisation is first and foremost about the person of Jesus Christ. The relevance people attach to the Church has to do with the way it lives up to the example of Jesus. Pope Francis writes the following on this issue: *‘Jesus’ whole life, his way of dealing with the poor, his actions, his integrity, his simple daily acts of generosity, and finally his complete self-giving, is precious and reveals the mystery of his divine life [...] Moved by his example, we want to enter fully into the fabric of society, sharing the lives of all, listening to their concerns, helping them materially and spiritually in their needs, rejoicing with those who rejoice, weeping with those who weep; arm in arm with others, we are committed to building a new world. But we do so not from a sense of obligation, not as a burdensome duty, but as the result of a personal decision which brings us joy and gives meaning to our lives.’*<sup>47</sup>

## 8. A Synod with a Challenge

The preceding pages may give the impression that my expectations of the Synod are limited to approval and encouragement, as if our Western or Northern European vision of marriage and the family should become the norm for everyone. This is not the case. Marriage and family are not having an easy time in this part of the world. We know this from experience. The number of marriages that don’t survive is extremely high. Young people are hesitant when it comes to marriage, in both the civil and the church contexts. The number of children per family is extremely low (in contrast to new families of overseas origin). The number of suicides is alarmingly high, particularly among the young. Marriage as an institution enjoys little support from the government or from the socio-economic sector. The gulf between rich and poor families is steadily widening. Statistics are available to substantiate all these claims. This does not mean that other parts of the world have no problems or no ‘other’ problems, but we cannot deny our own problems. Without honesty there is little chance of moving forward. Courageous dialogue is better than no dialogue.

The Church and the world of sport have much in common: a coach who calls off the training session as soon as the team start to puff and pant will never lead them to victory in the championship. A good coach shouldn’t be timid or narrow minded; he or she should have the courage to set high standards, even when the team murmur and complain. In this sense, the

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<sup>46</sup> Pope Francis, *Evangelii Gaudium*, 88.

<sup>47</sup> Pope Francis, *Evangelii Gaudium*, 265 and 269.

forthcoming Synod should be free to challenge us rather than pamper us. It should be free to return the ball with firmness. As a matter of fact, we shouldn't wait for others or for a Synod to return the ball, we should have the courage to evaluate ourselves. Nevertheless, I see three trajectories the return ball might follow.

The first trajectory has to do with our standard of living and pattern of values. It is precisely in the prosperous west that the question arises time and again concerning what it is that makes us happy. Now that we have more or less everything that a modern society has to offer, the engine of our sense of well-being starts to sputter. We're more attune to 'what we have' than to 'who we are'. And 'who we are' has everything to do with the relational embeddedness of our lives: our circle of friends, our partner, our marriage, our family both close and extended. I 'am' the friend of, the husband or wife of, the father or mother of, the grandfather or grandmother of, the uncle or aunt of, the grandchild of, the neighbour of... How much relational embeddedness have we relinquished to the productivity and efficiency race, the training and extra training race, the saving and investing race, to being counted, to excelling? The relational cost price of these races is like the Belgian national debt: the instalment plan is a major burden. On this point, the Synod would be right to return the ball. There is so much we have to learn anew and reassess: that the time someone sets aside for his or her partner or family isn't wasted time; that fatherhood makes a man a different person; that motherhood makes a woman a different person; that children and grandchildren renew us and rejuvenate us (in spite of the grey hair they give us); that the extra care family members devote to one another, especially in times of difficulty, are a factor of human excellence and a source of inner peace; that a child can add the very chapter that was missing to the book of our life; that relationships only reveal their deepest secrets when they endure; that God's love and our love meet in the sacrifice we make together. Are we willing to face such challenges?

The second trajectory is that of the Church community. The Church sets high standards and believes in our potential for growth. It believes in the value of marriage, built on a union for life. It insists on the essential bond between love and generous fertility. It considers marriage and the family as a privileged place to find evidence of God's faithful and merciful solidarity with this world. It wants to guide people along that vision, with respect for their unique evolution and growth. It thus invites everyone, whatever the relational or familial situation in which they find themselves, to welcome the Word of God into their lives and to accept their responsibility as Christians. Nevertheless, people find it difficult to fulfil this task under their own steam. They need others with whom they can work together to realise their life project. There can be little doubt that the Church falls short here. Our parish communities struggle to inspire and accompany (young) families in an appropriate way. Couples often feel – rightly or wrongly – that the Church has let them down. There is clearly work to be done in this regard. The *Instrumentum Laboris* states: *Initial support originates in a parish, which is the "family of families". It is the principal centre of a renewed pastoral care which receives and guides people and is animated by sentiments of mercy and tenderness*.<sup>48</sup>

The third trajectory is that of society and the civil authorities. Government policy in a democratic country is determined by what the majority of its citizens think and desire. That policy has largely to do with people's personal rights and freedoms. Governments prefer, moreover,

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<sup>48</sup> *Instrumentum Laboris*, 46.

to deal with individuals and their aspirations. Intermediate social structures, such as the dedication of groups and movements or the well-being of a family, are not their primary concern. Nevertheless, these intermediate structures fulfil an essential role in the creation of a vigorous and dignified society. A country that is set on having a future needs solid families, and especially families with children. What kind of policies do our governments maintain and what kind of priority do such policies give to marriage, family and children? The *Instrumentum Laboris* rightly introduces this opening gambit on the family as ‘social subject’: *Families are not only the subject of protection by the State, but must regain their role as active agents in society. In this regard, the following challenges emerge: the relationship between the family and the workplace; the relationship between the family and education; the relationship between the family and health; the family’s ability to bring generations together so as not to neglect the young and the elderly; the situation of the rights of the family institution and its specific relationships; and the promotion of just laws, such as those that ensure the defense of human life from its conception and those which promote the social goodness of an authentic marriage between a man and a woman* (34). Someone should kick this ball onto the field too!

These observations are not intended to get ahead of the Synod, and even less to teach people a lesson. My primary desire is to call for the necessary openness and debatability. In making remarks and offering suggestions, we must also be able to question and correct ourselves. We have a great deal to learn and to receive from one another, also, and in the first instance, in a Church that is intent on being ‘*a home and a school of communion*’.<sup>49</sup>

## Conclusion

My reflections have turned out to be longer than I had originally planned. As I wrote and read I discovered the complexity of many questions and challenges, at both the pastoral and theological levels. It is clear that all these questions would constitute a far too extensive programme for a single Synod or even two. They invite a process of study and reflection, and in particular a new approach, and that takes time. The Synod would be least beneficial in my opinion if it were to draw a few practical conclusions in haste. It would be better advised to initiate a differentiated process in which as many people as possible consider themselves interested parties: bishops, moral theologians, canonists, pastors, academics and politicians, and particularly the married couples and families who are at the focus of the Synod. It would be strange indeed if the Church as ‘*home and school of communion*’ were to emerge as less patient, considerate and flexible than marriage and family as ‘*home and school of communion*’!

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September 1<sup>st</sup> 2014

*Translated from Dutch by Brian Doyle*

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<sup>49</sup> Cf. *supra*, Pope John Paul II, *Novo Millennio Ineunte*, 43.