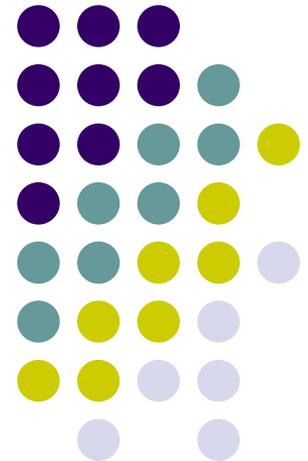


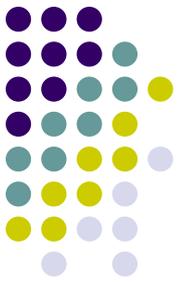
# What would the Catholic Church know about Marriage and Family?

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Fr Kevin McGovern,  
Caroline Chisholm Centre for Health Ethics:  
SVPHM Mission and Ethics Twilight Seminar,  
16 June 2015



# Overview

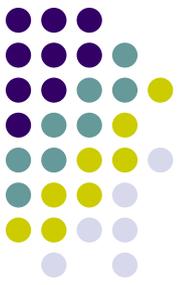


## A. Foundations

1. Catholic Teaching about Sex
2. Catholic Teaching about Marriage
3. Catholic Teaching about Family
4. An Introduction to Synods

## B. 2014 & 2015 Synods

# 1. Catholic Teaching about: Sex



## Natural Law

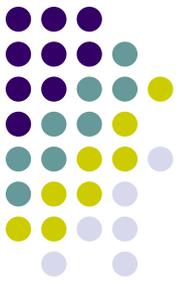
### Human Faculty

- Speech
- Sexual Intercourse

### Purpose

- Communicate truth
- Procreation ('life')
- Express and deepen exclusive and faithful love ('love')

# 1. Catholic Teaching about Sex (cont'd)



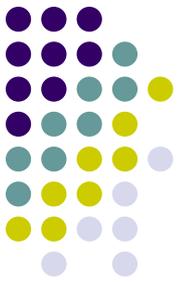
## NO to:

- sex outside marriage (including casual sex and prostitution)
- contraception
- direct abortion
- *in vitro* fertilisation (IVF)
- surrogacy
- sterilisation (tubal ligation or vasectomy)
- homosexual sex

## YES to:

- sex within marriage, open to procreation and expressing exclusive and faithful love
- responsible parenthood
- regulation of birth through Natural Family Planning (including natural means of helping infertile couples to conceive)

# Some History



## i. **1917 Code of Canon Law**

- canon 1013, 1: “The primary end of marriage is procreation; its secondary end is mutual help and the allaying of concupiscence.”

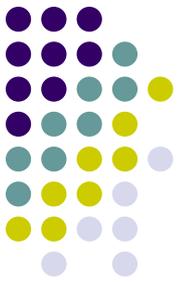
## ii. **Vatican II’s *Gaudium et Spes - Pastoral Constitution on the Church in the Modern World* (1965)**

- #49: sexual intercourse expresses and deepens married love.
- #50: sexual intercourse is about procreation.

## iii. **Paul VI’s *Humanae Vitae* (1968)**

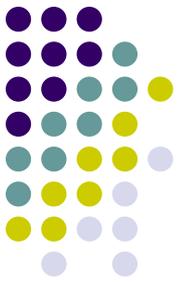
- #13: there is an “inseparable connection... between the two meanings of the marital act: the unitive meaning and the procreative meaning.”

# Calls for Reform



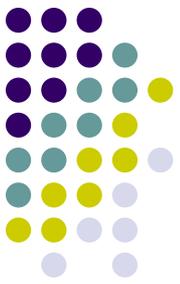
- Dr Jack Dominian, “Sexual Intercourse and Interpersonal Love,” *Let’s Make Love: The Meaning of Sexual Intercourse*:
  - 1) **Sustaining**
    - Availability, Communication, Demonstration of Affection, Affirmation, Resolution of Conflict
  - 2) **Healing**
    - “[A] good marriage achieves more in healing than all the therapy that takes place in psychotherapy.” (p. 77)
  - 3) **Growth**
    - “[W]e become less egotistic.... even becoming lovingly altruistic and generous.” (p. 77)
    - We become more and more comfortable with our sexuality. (p. 79)
    - We appreciate more and more that our sexual love communicates divine love. (p. 79)

# Calls for Reform (cont'd)

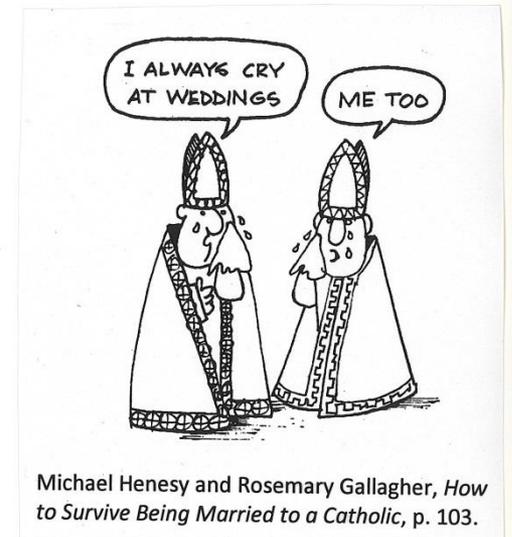


- Dr Jack Dominian, *Let's Make Love: The Meaning of Sexual Intercourse*:
  - “[P]rocreation is neither the primary nor principal reason for coitus. Its principal reason is its enhancement of love...” (p. 63)
  - “I see the Church transferring its focus from procreation to an education for personal love.” (p. 84)
  - “All this does not mean that procreation is not important.” (p. 83)
- KMcG: The fact that there are calls for reform does not mean that these calls will be quickly heeded. In my opinion, there is little prospect of significant reform in the short or medium term.

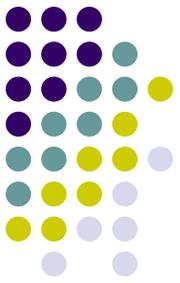
## 2. Catholic Teaching about: Marriage



- The marriage of two baptised Christians is a Sacrament:
  - it's a **sign** of God's love
  - it's a **channel** of God's love

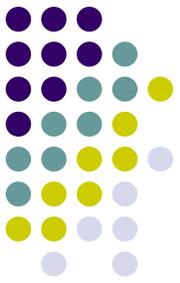


# A Sign of God's Love



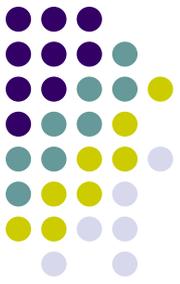
Michael Henesy and Rosemary Gallagher, *How to Survive Being Married to a Catholic*, p. 104.

# A Channel of God's Love

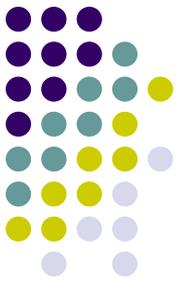


- Jesus said, “I am the vine; and you are the branches...” (John 15:5)
  - I am the vine whose very sap is love.
  - Because I am the vine and you are the branches, the sap which is my love flows through you.
  - Your sap is my sap. Your love is my love.
  - You are channels of my love.
  - For who can really tell where the vine ends and where the branches begin?

# Guiding Beliefs and Daily Practices

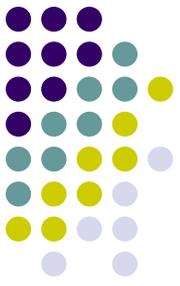


- Policy and Procedures
- Principles and Guidelines
- Guiding Beliefs and Daily Practices
  - try to really talk together every day
  - try as soon as you can to have difficult conversations
  - please make time for spirituality and religion
  - *What daily practices would you recommend?*



Michael Henesy and Rosemary Gallagher, *How to Survive Being Married to a Catholic*, p. 105.

# 3. Catholic Teaching about: Family

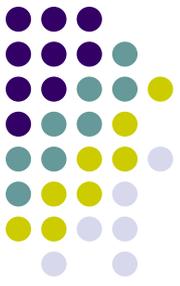


- Guiding Principle
  - The family is the domestic church.
- Daily Practices

from Mitch and Kathy Finley's *Building Christian Families*:

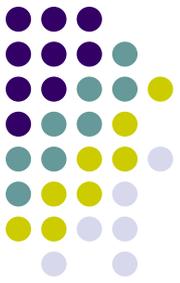
  - Spending time together, e.g. evening meal, Family Night, family meetings
  - Christian service
  - Family prayer
    - Grace before the evening meal
    - Night prayers at bedtime
  - *What daily practices would you recommend?*

# 4. An Introduction to: Synods



- At the end of Vatican II, Synods were established by Paul VI's Apostolic Letter *Apostolica Sollicitudo* (15 September 1965).
- Procedures are spelt out in an *Ordo* published on 8 December 1966 and revised on 24 June 1969.
- some tension between papal primacy and episcopal collegiality
  - Ordinary General Assemblies (every 3 or so years)
  - Extraordinary General Assemblies (to address an important issue)
  - Special Assemblies (regional gatherings)

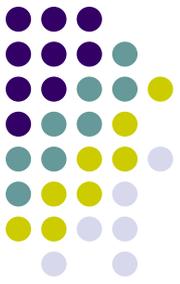
# Ordinary General Assemblies



Year	Topic
1967	Dangers to the Faith, Revision of Canon Law, Seminaries, Mixed Marriage
1971	Priesthood, Justice
1974	Evangelisation
1977	Catechesis
1980	Family
1983	Penance
1987	Laity

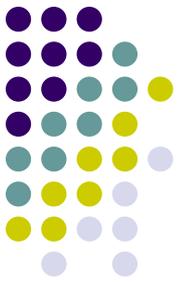
Year	Topic
1990	Priestly Formation
1994	Religious Life
2001	Bishops
2005	Eucharist
2008	The Word of God
2012	New Evangelisation
2015	Family

# Extraordinary General Assemblies



Year	Topic
1969	Collegiality
1985	Vatican II
2014	Family

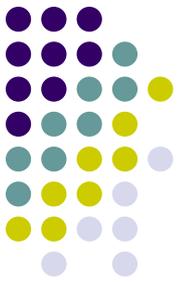
# Special Assemblies



Year	Region
1980	The Netherlands
1991	Europe
1994	Africa
1995	Lebanon
1997	The Americas

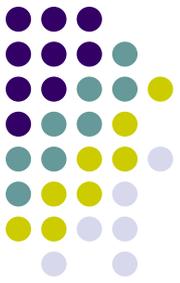
Year	Region
1998	Asia
1998	Oceania
1999	Europe
2009	Africa
2010	The Middle East

# The Process of Synods



*may include:*

- *Lineamenta* ('outline' with questions to answer)
- consultation around the world
- *Instrumentum Laboris* ('working document')
- 2 to 3 week meeting of bishops who put forward *propositiones* ('propositions')
- at the start, *Relatio ante disceptationem* ('report before the debate')
- about midway, *Relatio post disceptationem* ('report after the debate')
- at the end, *Relatio Synodi* ('Synod Report') with a list of agreed Propositions
- The pope may prepare a post-Synodal Apostolic Exhortation.



# Overview of this Session

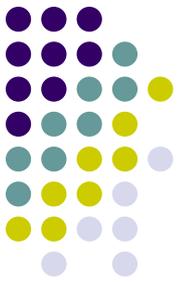
## 2014 Synod

1. Overview
2. *Relatio post disceptationem* (RpD) & *Relatio Synodi* (RS)

## Towards 2015 Synod

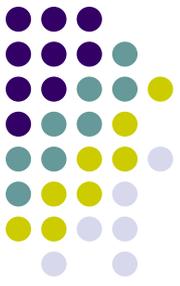
1. *Lineamenta*
2. Scholarly work on controversies
3. Discussion

# Overview of 2014 Synod



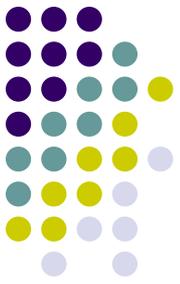
- Saturday 4 October to Sunday 19 October 2014
- 253 participants (including Archbishop Denis Hart, and Ron and Mavis Pirola from Sydney)
- Each working session began with an ‘Intervention’ from a married couple.
- In the first week, there were 180 other (four minute) Interventions working through the *Instrumentum Laboris*, and 96 more (three minute) Interventions in the evenings.
- Controversy followed the presentation of the RpD on Monday 13 October.

# *Relatio post disceptationem & Relatio Synodi*



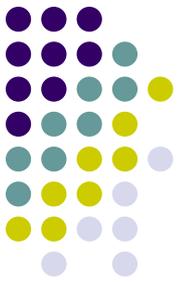
- RpD = 58 Propositions in about 6,000 words
- RS = 62 Propositions in about 8,500 words
- Both have three parts, which follow the pattern of See, Judge and Act:
  - See = the current reality of marriage and family
  - Judge = the Church's vision of marriage and family
  - Act = how to move from the current reality towards the vision
- In both documents, the primary focus is on communicating the Church's vision of marriage and family, helping couples prepare for marriage, and supporting couples both in the initial years of their marriage and at times of crisis.

# Civil Marriages and Living Together



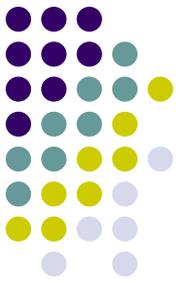
- RpD headed this section ‘Positive aspects of civil unions and cohabitation.’
- RS changed this to ‘Pastoral care for couples civilly married or living together.’
- Both encouraged “sensitivity to the positive aspects of civilly celebrated marriages and, with obvious differences, cohabitation.”
  - This proposition did not achieve the required two-thirds majority: 112 for, 64 against, 7 abstentions (61%)
- Both said: “All these situations require a constructive approach, seeking to transform them into opportunities that can lead to the fullness of marriage and family in conformity with the Gospel.”

# Divorced and Civilly Remarried



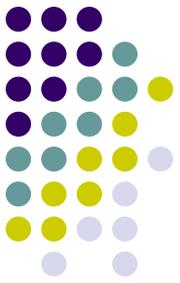
- RpD & RS both reported differing views at the Synod: “Various synod fathers insisted on maintaining the present discipline.... Others proposed a more individualised approach, permitting access in certain situations and with certain well-defined conditions, primarily in irreversible situations and those involving moral obligations to children... Access might take place if preceded by a penitential practice, determined by the diocesan bishop.” (RS, #52)
  - This proposition did not achieve the required two-thirds majority: 104 for, 74 against, 5 abstentions (58%)

# Homosexual Unions



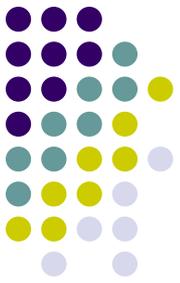
- RpD: “Homosexuals have gifts and qualities to offer the Christian community. Are we capable of providing for these people, guaranteeing them a place of fellowship in our communities? Oftentimes, they want to encounter a Church which offers them a welcoming home.” (RpD, #50)
- RS removed this, and replaced it with: “[M]en and women with a homosexual tendency ought to be received with respect and sensitivity.” (RS, #55)

# Homosexual Unions (cont'd)



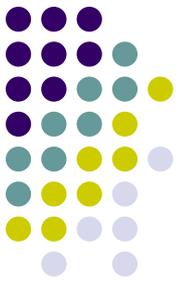
- RpD: “Without denying the moral problems associated with homosexual unions, there are instances where mutual assistance to the point of sacrifice is a valuable support in the life of these persons.” (RpD, #52)
- RpD (cont'd): “[T]he Church affirms that unions between people of the same sex cannot be considered on the same level as marriage between man and woman.” (RpD, #51)
- RS removed the first quote, and replaced the second quote with: “There are absolutely no grounds for considering homosexual unions to be in any way similar or even remotely analogous to God’s plan for marriage and family.” (RS, #55)
  - This proposition did not achieve the required two-thirds majority: 118 for, 62 against, 3 abstentions (64%)

# Towards the 2015 Synod



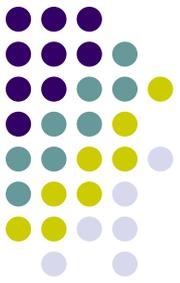
- The *Lineamenta* for the 2015 Synod began with the Synod Report from the 2014 Synod (including at the request of Pope Francis the three paragraphs that did not get two-thirds support). This was followed by 46 questions.
- This was circulated in Australia in late December 2014, with submissions due mid-February 2015. Based on these submissions, the Australian bishops sent their submission to the Synod secretariat in the Vatican mid-April 2015.
- The Synod secretariat are now drawing on the submissions received from around the world to prepare the *Instrumentum Laboris* for the 2015 Synod. The Council of the Synod discussed these submissions with Pope Francis on 25-26 May 2015.

# Towards the 2015 Synod



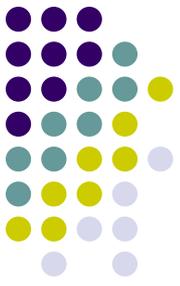
- The 2015 Synod will run from Monday 4 October to Sunday 25 October 2015.
- The representatives of the Australian Catholic Bishops Conference are Archbishop Mark Coleridge of Brisbane and Bishop Eugene Hurley of Darwin.
- The *Instrumentum Laboris* MIGHT be released in June 2015.
- The 2015 Synod will be considerably larger than the 2014 Synod.
- Pope Francis has asked the Church to use the year between Synods to address the issues raised by the 2014 Synod. This includes scholarly work on the controversial topics.

# Frank Moloney SDB



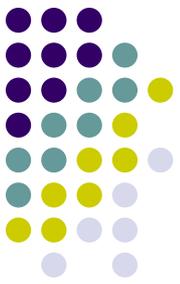
- Francis J. Moloney, *A Broken Body for a Broken People: Divorce, Remarriage and the Eucharist* Third Edition (2015):
  - The Eucharist is God's gift to broken people.
  - We should exclude from the Eucharist those who do not believe in it.
  - Those who believe in the Eucharist, particularly those who seek it in their brokenness, should not be excluded from it.
  - Jesus of Nazareth opposed divorce: "Anyone who divorces his wife and marries another commits adultery." (Mark 10:11; Luke 16:18)
  - Matthew added an exception: "Anyone who divorces his wife *except on the ground of unchastity* [*porneia*'] makes her an adulteress." (Matthew 5:32)
  - Paul added another exception for believers with an unbelieving spouse: "if the unbelieving partner separates... in such a case the [believing partner] is not bound [and may marry another]." (I Corinthians 7:15)
  - The early church knew that it had authority to apply the teaching of Jesus to new situations. We should recognise that we have the same authority.

# My Contribution



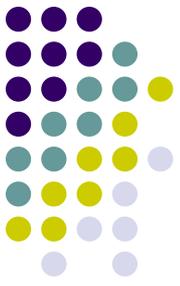
- Law of Respect for Subjectively Good Faith
  - articulated by St Aphonus Ligouri, patron saint of moral theologians and confessors
  - Pontifical Council for the Family's *Vademecum for Confessors Concerning Some Aspects of the Conjugal Life* (1997): "The principle, according to which it is preferable to let penitents remain in good faith in cases of error due to subjectively invincible ignorance, is certainly to be considered always valid, even in cases of conjugal chastity." (#8)
  - Bernard Häring: "One should never try to impose what the other person cannot sincerely internalise, except the case of preventing grave injury to a third party."

# How discernment would work



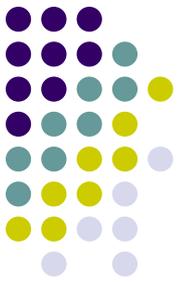
- i. The Church representative encourages someone who is divorced and civilly remarried to seek to have the previous marriage annulled by the Church's Marriage Tribunal.
- ii. If no, does the person believe they did wrong by remarrying?
- iii. If no, is there any suggestion of injury to a third party?
  - Is restoration of the first marriage impossible?
  - If there were serious failures in the collapse of the first marriage, has the person acknowledged them, repented, and learnt from their mistakes?
  - Are any obligations from the first marriage (e.g. child support, ongoing contact with one's children) being met?
  - Is the second marriage loving, stable and enduring?
- iv. If yes to all four of these questions, is there any risk of scandal if this person receives Communion? How might this risk be minimised?
- v. The remarried person then makes his or her own informed and conscientious decision about receiving Communion.

# Support for this Approach



- ACBC, *The Application of Humanae Vitae* (September 1974):
  - “Using... psychological insight, pastoral care and human understanding... [a good confessor] will appreciate that at this stage of spiritual growth the penitent may be incapable of accepting this teaching fully and in practice. Indeed at times—and this is in accordance with the teaching of sound moral theology—he may leave such a person in good faith.... While admitting such a person to the sacraments... he will encourage him [or her] to keep his [or her] attitudes under review in the light of the Church’s teaching...”
- Cardinal Christoph Schönborn:
  - At the 2015 Synod, “I expect a clear word on the responsibility of the conscience. For me that is the decisive message. The responsibility of the individual conscience – a mature conscience which is also respected by the Church.... I will never question a person’s decision of conscience, even if he or she has remarried.”

# Discussion



- You have listened attentively and patiently. I thank you!
  - Is there anything you want to ask about?
  - What comment(s) would you like to make?
  - What suggestions would you make to help the Church communicate its vision of marriage and family?