

ASIAN
HORIZONS
Vol. 11, No. 1, March 2017
Pages: 133-143

AMORIS LAETITIA: A CONTEXTUAL PERSPECTIVE

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Abstract

The promulgation of *Amoris Laetitia* is hailed as another “bursting in” of the Pentecostal fervour of the Vatican II spirit of *aggiornamento* within the Church universal. Rather than a rupture, AL takes the magisterial teachings further. The Church allows God’s Spirit to guide her through the synods to articulate discerningly the fragmentation of modern society, especially within the conjugal and familial relations. AL offers a mystico-pneumatological approach to married couples in “irregular situation” in which discernment is reinstated as primary to the pastoral process of accompaniment. AL calls on pastors to facilitate the discernment of God’s Spirit in the lives of those in the second marriage and thus enable them to listen to God’s voice in their informed conscience. In this process, a decision is arrived at within the recesses of their hearts and their worshiping communities. God once again lifted up a sundered but reconciled conjugal relation as a mended sacramental sign of God’s infinite mercy and love.

Keywords: Conscience, Contextual, Continuity, Discernment, Gradualness, Mystago-pneumatological, Rupture

The hopeful expectancy before the promulgation and the brewing storm after the release of *Amoris Laetitia* recall the kind of “Pentecostal fervour” of Vatican II. The ensuing doctrinal debate

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about rupture or continuity of *Amoris Laetitia* with the magisterial teachings will continue for decades to come. Noteworthy is the emphatic call of this Apostolic Exhortation (AE) to pay attention to the importance of the particular contexts in all their multilayered complexities. This emphasis on context and complexities is an effort for the church to become a field hospital at the frontline where families confront the modern vicissitudes of life. Moreover the church is called upon to engage in the ministry of practical discernment during the pastoral accompaniment of the families in “irregular situations.”

This paper is a response from different contextual perspectives outside of Rome. The first section of this paper offers a few preliminary remarks to understand the Apostolic Exhortation. The second section offers the portrait of the modern families in AL, 50 as a hermeneutical lens to understand this document. The pastoral accompaniment of the modern families amidst crises calls for a spiritual pathway identified as a personal discernment which will be explained in greater details in the third section. The nexus of rupture and discontinuity of magisterial teachings will be taken up in the fourth section. The final section offers a contextual perspective about the personal concern of Pope Francis amidst the brewing storm of doctrinal continuity.

1. Preliminary Remarks

Not a few of us in Asia view the promulgation of this apostolic exhortation as a “release from” and “removal of” the “magisterial hermeneutical power” from the curial dicasteries. These “curial fiefdom” pride themselves on relentlessly defending an erstwhile euro-centric orthodoxy that is untenably indefensible in a globalized church. Particular contexts and communities with their cultures have to be attended to, as AL emphatically asserts, “each country or region, moreover, can seek solutions better suited to its culture and sensitive to its traditions and local needs. For “cultures are in fact quite diverse and every general principle... needs to be inculturated, if it is to be respected and applied” (AL, 13 & 46). AL further emphasizes, “different communities will have to devise more practical and effective initiatives that respect both the Church’s teaching and local problems and needs” (AL, 199).

Representing the critical perspective of the married within the church, Clifford Longley opines,

Amoris Laetitia speaks the truth of intimate human relationships like no other Catholic document I have ever come across. It hands back to people the right to exercise their own moral judgments, asking their pastors for help when appropriate. It does not leave those pastors in the seat of judgment: they are no longer gatekeepers of the Sacraments, checking the passports of those who apply.¹

Of the Church of Indonesia, Mgr. Ignatius Suharyo, the archbishop of Jakarta, succinctly adds his perspective that bespeaks of the heart of AL, “the foundational attitude is accompaniment, integration, certainly near to whoever is suffering because her/his heart of love is wounded.”²

2. Modern Families: A Hermeneutical Lens

The portrait of the situation of the modern family below is shored up as a hermeneutical lens to understand the pastoral concern undergirding AL:

The responses given in the two pre-synodal consultations spoke of a great variety of situations and the new challenges that they pose. In many cases, parents come home exhausted, not wanting to talk, and many families no longer even share a common meal. Distractions abound, including an addiction to television. This makes it all the more difficult for parents to hand on the faith to their children. Other responses pointed to the effects of severe stress on families, who often seem more caught up with securing their future than with enjoying the present. This is a broader cultural problem, aggravated by fears about steady employment, finances and the future of children (AL, 50).

Modern families, as AL alerts us, are subjected to immense multiple pressures: extreme individualism (AL, 33), a culture of the ephemeral, narcissism, a kind of marital “independence” depriving of the opportunities to grow old gracefully together (AL, 39), hasty confrontation of marital problems leading to failures (AL, 41), alarming decline in population (AL, 42), a culture of loneliness and sense of powerlessness (AL43), economic constraints (AL, 44), scandalous sexual exploitation of children and phenomenon of street children (AL, 45), forced mass migration, involving unaccompanied women and children, extreme poverty that coerces the sale of

¹For more details, see Clifford Longley, “*Amoris Laetitia*: Pope Francis has Created Confusion where we Needed Clarity,” <http://www.thetablet.co.uk/blogs/1/919/0/amoris-laetitia-pope-francis-has-created-confusion-where-we-needed-clarity>, Accessed May 1, 2016.

²His statement in the Indonesian language is “*sikap dasarnya adalah menemani, menintegrasikan, tetap dekat siapapun yang menderita karena cinta yang terluka.*”

children for prostitution and organ trafficking, assisted suicide and euthanasia (AL, 48), alcoholism, drug use, gambling and other addictions (AL, 51), violation of women's rights... use of surrogate mothers and the exploitative commercialization of the female body in the current media culture (AL, 54), the technological revolution that usurps the place of God (AL, 57). The concern of AL is how to make families function again so that the families regain their right role as the sacrament of love.

In the face of the seemingly insurmountable vicissitudes, AL regards the families as the "nearest hospital" (AL, 321) whence both the family and conjugal spirituality requires a "shepherding" in mercy (AL, 322). This "shepherding" calls for tender personal care, guidance and encouragement that makes an indelible mark on the couples and family members who feel lovingly cherished and truly appreciated in their inviolable dignity. Notwithstanding such tender shepherding, the familial and conjugal bond has been shaken and even torn asunder by the raging tempest of our modern and digital world. In the meantime, the number of families in "irregular situations" in all their complexities has increased, posing new pastoral challenges to the church. This emerging challenge calls for a process of pastoral accompaniment and discernment.

3. Accompaniment with Pastoral Discernment

AL has justifiably reinstated that which has been "immorally usurped" by the ordained within the church hierarchy: the place and role of conscience and the activities of the Holy Spirit in the lives of the baptized and particularly the couples (AL, 37).³ Conscience is "'the most secret core and sanctuary of a person' where 'one is alone with God, whose voice echoes in the depths of the heart'" (*Gaudium et Spes*, 16), enabling the couple to listen discerningly "to God and his commandments (cf. *Rom* 2:15)" during the pastoral accompaniment so that they arrive at decisions "profoundly free of subjective caprice and accommodation to prevailing social mores" (AL, 222; cf. see AL, 42, 265, 298, 303). Conscience remains the sacred sanctuary where God encounter the couples, motivate and lead them forward amidst the joys and sorrows of modern life.

³I am most delighted and I am sure many of us in the ordained ministry around the world finds this dose of "self-criticism" (AL, 36) healthily reflected in this stark admission: "We also find it hard to make room for the consciences of the faithful, who very often respond as best they can to the Gospel amid their limitations, and are capable of carrying out their own discernment in complex situations. We have been called to form consciences, not to replace them" (AL, 37).

In lieu of this sacred sanctuary of conscience, AL calls for a process of accompaniment that is responsible, personal and pastoral/practical discernment (AL, 293, 300 & 304) “to help each family to discover the best way to overcome any obstacles it encounters” (AL, 300) even when “no easy recipes” exist (AL, 298). Recognizing the role of the Holy Spirit in the innermost sanctuary of conscience, this pastoral practice needs to operate within a “mystago-pneumatological framework” comprising of four interrelated theological guidelines:

(a) Exercise the logic of the Gospel of mercy for “no one is condemned for ever” (AL, 296 & 298) or presumed excommunicated (AL, 243, 246, 299);

(b) Discern and “understand the divine pedagogy of grace in their lives and offering them assistance so they can reach the fullness of God’s plan for them,” believing that something “is always possible by the power of the Holy Spirit” (AL, 297);

(c) Be “attentive to the goodness which the Holy Spirit sows in the midst of human weakness, a Mother who, while clearly expressing her objective teaching, ‘always does what good she can, even if in the process, her shoes get soiled by the mud of the street’” (AL, 308);

(d) Recourse to the law of gradualness by which the free subject prudentially integrates in her/his total personal and social life the objective demands of the law as God’s gift of definitive and selfless love (AL, 300, cf.295).

The interiorization of this “mystago-pneumatological framework” is indispensable to the practice that manifests the following pastoral etiquette/criteria:

(a) Welcome and guide the couples with patience and discretion like Jesus treated the Samaritan woman (cf. Jn 4:1-26) (AL, 294);

(b) Suspend any harsh judgments so as to be truly attentive to the complexity and empathize with the distress of the couples’ situation (AL, 296);

(c) Reach out to all and assist them to integrate and participate in the ecclesial community and thus experience being touched by the unmerited, unconditional and gratuitous mercy of God for “no one can be condemned forever” (AL, 297);

(d) Distinguish/identify elements/signs of love that lead the couples to fuller/greater openness to the Gospel of marriage (AL, 293) and “respect those signs of love which in some way reflect God’s own love” (AL, 294);

(e) Recognize the root causes in incidences of civil marriage and simply co-habitation such as a general aversion to anything institutional or definitive, lack of security in life, financial burden of marriage celebration, etc. (AL, 294);

(f) Ascertain what is genuinely irreparable in the first union: admission of a sincere effort to save the first marriage, unjust abandonment by the first spouse, a subjective certainty in conscience that the first irreparably broken marriage had never been valid (AL, 298);

(g) Discern the *objective values* that sustains the second union: “proven fidelity, generous self giving, Christian commitment, a consciousness of its irregularity and of the great difficulty of going back without feeling in conscience that one would fall into new sins,” including the value of having entered into “a second union for the sake of upbringing the children” (AL, 298), at the same time embodying dispositions of “humility, discretion and love for the Church and her teaching, in a sincere search for God’s will and a desire to make a more perfect response to it” (AL, 300);

(h) Engage critically the use of the three mitigating factors (AL, 301-303) and three cardinal rules in the process of discernment (AL, 304-306);

Henceforth the role of the ordained, the consecrated and baptized leaders is one of accompanying and discerning God’s Spirit at work in the lives/hearts of the couples. Pastoral leaders need to give space and time to allow God to be God in the lives of the couples, to lead the couples to make their own informed decisions in the light of the Gospel, the Church’s teaching and the guidelines laid down by the bishops (AL, 244) of the local Churches.

4. An Organic Development of Doctrine

At a Vatican press conference to present Pope Francis’ new exhortation on the family, Cardinal Christoph Schönborn spoke of the “the organic development of doctrine,” with continuity in teaching here, but there is also something really new... There’s a real development [of doctrine], not a rupture.”⁴ Schönborn was quick to add, “this new development was in some way “implicit” in no. 84 of

⁴For more details see Gerard O’Connell, “*Amoris Laetitia* Represents an Organic Development of Doctrine, ‘Not a Rupture,’” <http://americamagazine.org/content/dispatches/pope-francis-exhortation-family-organic-development-doctrine>, accessed June 2, 2016.

“*Familiaris Consortio*.”⁵ In the same vein, Cardinal Walter Kasper opined that “Pope Francis has initiated a process of development of the doctrines or the Church teachings [the magisterium].”⁶

Doctrinal development calls for a felt sense of *sentire cum ecclesia* on the part of all who participated in the last two synods. The two synods resembled a *kairos*, a graced moment whence the cardinals, bishops, experts and observers enjoyed a lived ecclesial sense of collegiality and synodality as a constitutive assembly of the Church’s magisterium in union with the Roman Pontiff. Pope Francis’s pontifical presence at the synods and the subsequent citations in *Amoris Laetitia* of the *Relatio Synodi* and *Synodi Finalis* are in actuality tantamount to a papal endorsement of the deliberations at the synods. Can we then posit that these historic collegial synods on marriage and family share a magisterial affinity with the collegial and synodal deliberations at Vatican II, an ecumenical assembly of cardinals, bishops, experts and observers in union with Pope John XXIII and Pope Paul VI?⁷ Mindful of this affinity, it is no surprise that Cardinal Lorenzo Baldisseri, in his intervention, has painstakingly demonstrated the doctrinal continuity of *Amoris Laetitia*, calling attention to its 52 citations from the *Synod Report (Relatio Synodi)* 2014 and 84 from the *Final Report (Relatio Finalis)* 2015.⁸ The real doctrinal continuity is evident from the AL’s deliberate engagement with the corpus of the teachings of the Fathers, the medieval and modern theologians, the previous popes and a few regional episcopal conferences.⁹

⁵O’Connell, “*Amoris Laetitia* Represents an Organic Development of Doctrine...”

⁶Christopher Lamb, “Kasper Says Pope’s Synod Document ‘Changes Everything,’” <http://www.lastampa.it/2016/04/14/vaticaninsider/eng/the-vatican/kasper-says-popes-synod-document-changes-everything-C0q1cP9NUt42mjMlRxiNHL/pagina.html>, accessed June 4, 2016.

⁷Lamb, “Kasper Says Pope’s Synod Document ‘Changes Everything.’” Worth noting are the expressions of endorsement used by Pope Francis acknowledge the relevance of the work undertaken during two years by the Bishops of the whole world with their Churches. These endorsing remarks are “I support” (AL, 297), “I am in agreement with” (AL, 299), “I consider very fitting” (AL, 302). Pope Francis refers explicitly to the Synod or to the Synod Fathers about 20 times.

⁸For more details see, “Cardinal Baldisseri’s Intervention at Presentation of *Amoris Laetitia*,” <https://zenit.org/articles/cardinal-baldisseris-intervention-at-presentation-of-amoris-laetitia/>, accessed June 1, 2016.

⁹According to Cardinal Baldisseri’s intervention at the press conference at the Holy See Office on 8 April, 2016, “the text makes numerous references to the Fathers of the Church (St. Leo the Great and St. Augustine), to medieval and modern theologians (St. Thomas, cited 19 times; St. Dominic, Blessed Jordan of Saxony;

Given the discourse on continuity or rupture, it is noteworthy to mention that what makes possible the doctrinal exploration and apostolic explanation in *Amoris Laetitia* has been the use of the “hermeneutics of mercy” that increasingly permeates all levels of the church universal, regional and local. This “hermeneutics of mercy” is key to the papacy of Pope Francis, his teachings and the interpretation of the corpus of magisterial and theological teachings. Suffice to offer three illustrations. First, *Amoris Laetitia* has cited the International Theological Commission (AL, 305) which explains: “Because of forms of conditioning and mitigating factors, it is possible that in an objective situation of sin – which may not be subjectively culpable, or fully such – a person can be living in God’s grace, can love and can also grow in the life of grace and charity, while receiving the Church’s help to this end.” Second, AL, 305 is reinforced by Footnote 345, in its reference to the Pontifical Council for Legislative Texts entitled *Declaration Concerning the Admission to Holy Communion of Faithful Who are Divorced and Remarried* (24 June 2000), no, 2, which reads, “For this reason a negative judgment about an objective situation does not imply a judgment about the imputability or culpability of the person.” In other words, pastors need to take heed of the counsel of St. Thomas Aquinas in *Summa Theologiae*, I-II, q. 94, art. 4: “Although there is necessity in the general principles, the more we descend to matters of detail, the more frequently we encounter defects...” (AL, 304; cf. 347). Indeed, the pastors must be clear of norms and the person’s state to discern that not everyone is living in a state of sin.

On the basis of this “hermeneutics of mercy,” it can be argued that the exposition of the notions of ‘discernment’ and ‘integration’ in *Amoris Laetitia* represents an organic doctrinal development for the Church’s magisterium under Pope Francis as it was a “developed

Alexander of Hales; St. Ignatius of Loyola, 3 times; St. Robert Bellarmine; St. John of the Cross); to contemporary authors (Joseph Pieper, Antonin Sertillanges, Gabriel Marcel, Erich Fromm, St. Thérèse of Lisieux, Dietrich Bonhoeffer, Jorge Luis Borges, Octavio Paz, Mario Benedetti, Martin Luther King). Among the documents of previous Popes are mentioned, for example: *Casti Connubii* of Pius XI; *Mystici Corpori Christi* of Pius XII; *Humanae Vitae* of Blessed Paul VI (twice directly plus 4 times in other documents cited in the text); the *Catechesis on Human Love* (23 times) and *Familiaris Consortio* (21 times + 6) of St. John Paul II; *Deus Caritas Est* of Benedict XVI (9 times + 1). The Second Vatican Council is well cited (22 times + 6), as is *The Catechism of the Catholic Church* (13 times + 2). Moreover, in addition to the citations of *Evangelii gaudium* (16 + 1), there are 50 citations from Pope Francis’ catecheses on the family at general audiences. Finally, other documents of the Holy See are cited 12 times and documents of Episcopal Conferences 10 times.”

doctrine” in *Familiaris Consortio* under John Paul II.¹⁰ *Familiaris Consortio*, in no. 84 strongly urged, “Pastors must know that, for the sake of truth, they are obliged to exercise careful discernment of situations” and stressed the importance of the “logic of integration” (see AL, 299). But it stopped short of a further doctrinal exploration and apostolic explanation of the possibility of couples in “irregular situations” to regularize their marriage.

However, no. 78 of *Amoris Laetitia* attempts a doctrinal exploration and explanation: “a couple in an irregular union [who] attains a noteworthy stability through a public bond – and is characterized by deep affection, responsibility towards the children and the ability to overcome trials – this can be seen as an opportunity where possible, to lead them to celebrate the sacrament of Matrimony.” This entails celebrating the sacrament of reconciliation and the Eucharist. The doctrinal “way forward” is further explained in Footnote 351 which states,

In certain cases, this can include the help of the sacraments. Hence, “I want to remind priests that the confessional must not be a torture chamber, but rather an encounter with the Lord’s mercy (Apostolic Exhortation *Evangelii Gaudium* [24 November 2013], 44: AAS 105 [2013], 1038). I would also point out that the Eucharist “is not a prize for the perfect, but a powerful medicine and nourishment for the weak” (*ibid.*, 47: 1039).]

Third, *Amoris Laetitia* offers an additional doctrinal “way forward” in Footnote 329. This footnote cites John Paul II’s Apostolic Exhortation, *Familiaris Consortio* (22 November 1981), 84 (AAS 74 [1982], 186), which categorically posits, “This means, in practice, that when for serious reasons, for example, for the children’s upbringing, a man and a woman cannot satisfy the obligation to separate, they ‘take on themselves the duty to live in complete continence, that is, by abstinence from the acts proper to married couples.’”¹¹ As a matter of fact, Footnote 329 states: “In such situations, many people, knowing and accepting the possibility of living “as brothers and sisters” which the Church offers them, point out that if certain expressions of intimacy are lacking, “it often

¹⁰O’Connell, “*Amoris Laetitia* Represents an Organic Development of Doctrine...”

¹¹For more details, see the document of the Congregation for the Doctrine of the Faith, “Letter to the Bishops of the Catholic Church Concerning the Reception of Holy Communion by the Divorced and Remarried Members of the Faithful,” http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_14091994_rec-holy-comm-by-divorced_en.html, accessed June 4, 2016.

happens that faithfulness is endangered and the good of the children suffers.”¹² This contextual knowledge of conjugal impairment averred in this same footnote provides the Church an opportunity for further doctrinal development beyond the “brother and sister” predicament.

5. A Contextual Perspective of Pope Francis

Pope Francis released *Amoris Laetitia* on March 19, 2016. Almost a month later, he gave a press conference on the plane from Greece to Rome on April 6, 2016. When asked if AL contained a “change in discipline that governs access to the sacraments” for Catholics who are divorced and remarried, the Pope replied, “I can say yes, period.”¹³ Many commentators and experts would think that uppermost in the Pope’s mind and heart would be the particular issue of the admission of those in new union to the sacraments, particularly to Holy Communion. But the contrary proves to be true: he was not. In fact Pope Francis has a concern that is bigger than all our concerns as commentators of *Amoris Laetitia*. Many if not all realized how far off the mark we are by what he said:

Don’t you realize that instead the family throughout the world is in crisis? Don’t we realize that the falling birth rate in Europe is enough to make one cry? And the family is the basis of society. Do you not realize that the youth don’t want to marry? Don’t you realize that the fall of the birth rate in Europe is to cry about? Don’t you realize that the lack of work or the little work (available) means that a mother has to get two jobs and the children grow up alone? These are the big problems.¹⁴

Indeed Pope Francis’ contextual concern informs us that his context is arguably different from the rest of the Church and the world. We have to consider the contextual perspective of the “bigger problem” that Pope Francis is personally concerned with as the Bishop of Rome, the head of the Catholic Church and one of the leading religious and moral leaders of religions in the world.

¹²In matters concerning conjugal union, *Amoris Laetitia* adds, “the experience of the broad oriental tradition of a married clergy could also be drawn” (AL, 202).

¹³For more details, see John Henry Westen, “Pope Says Schönborn Interpretation on Communion for Remarried is the Final Word,” <https://www.lifesitenews.com/news/pope-says-schonborn-interpretation-on-communion-for-remarried-is-the-final>, accessed May 31, 2016.

¹⁴See “Full Text of Pope Francis’ in-flight Interview from Lesbos to Rome,” <http://www.catholicnewsagency.com/news/full-text-of-pope-francis-in-flight-interview-from-lesbos-to-rome-97242/>, Accessed June 3, 2016.

Conclusion

Reading the Apostolic Exhortation from the contextual perspective of the modern families is as important as interpreting AL in the light of the “hermeneutics of mercy” and the personal perspective of Pope Francis regarding the bigger concern of the modern families in crises that affect the contemporary generations of youth throughout the world. Reinstating the role of conscience and the activities of God’s Spirit is indispensable to a Church that becomes a field hospital that calls for a personal and practical process of accompaniment and discernment, leading to greater pastoral integration of every family and every baptized member of the Church. The pastoral practice of accompaniment, discernment and integration has become a new way of being Church that enables a global family of graced yet wounded families to become a sacrament of God’s love and mercy in a paradoxical world of being disenchanted yet still enchanted with God.