

The Apostolic Exhortation *Amoris laetitia*: a theological critique

The apostolic exhortation *Amoris laetitia*, issued by Pope Francis on March 19th 2016 and addressed to bishops, priests, deacons, consecrated persons, Christian married couples, and all the lay faithful, has caused grief and confusion to many Catholics on account of its apparent disagreement with a number of teachings of the Catholic Church on faith and morals. This situation poses a grave danger to souls. Since, as St. Thomas Aquinas teaches, inferiors are bound to correct their superiors publicly when there is an imminent danger to the faith (*Summa Theologiae*, IIa IIae q. 33 a. 4 ad 2; a. 7 co.), and the Catholic faithful have the right and at times the duty, in keeping with their knowledge, competence, and position, to make known their views on matters which concern the good of the Church (Latin Code of Canon Law, Can. 212, §3), Catholic theologians have a strict duty to speak out against the apparent errors in the document. This statement on *Amoris laetitia* is intended to fulfil that duty, and to assist the hierarchy of the Church in addressing this situation.

The authority of *Amoris laetitia*

The official character of *Amoris laetitia* enables it to pose a grave danger to the faith and morals of Catholics. Although an apostolic exhortation pertains normally or principally to the purely pastoral governing power, nevertheless, on account of the inter-connection of the powers of teaching and of government, it also pertains indirectly to the magisterial power. It can also contain directly magisterial passages, which are then clearly indicated as being such. This was the case for previous apostolic exhortations such as *Evangelii nuntiandi*, *Familiaris consortio*, and *Reconciliatio et poenitentia*.

There is no obstacle as such to the Pope's using an apostolic exhortation to teach infallibly on faith and morals, but no infallible teaching is contained in *Amoris laetitia*, since none of its statements satisfy the strict requirements for an infallible definition. It is thus a non-infallible exercise of the papal magisterium.

Some commentators have asserted that the document does not contain magisterial teaching as such, but only the personal reflections of the Pope on the subjects it addresses. This assertion if true would not remove the danger to faith and morals posed by the document. If the Supreme Pontiff expresses a personal opinion in a magisterial document, this expression of opinion implicitly presents the opinion in question as one that it is legitimate for Catholics to hold. As a result, many Catholics will come to believe that the opinion is indeed compatible with Catholic faith and morals. Some Catholics out of respect for a judgment expressed by the Supreme Pontiff will come to believe that the opinion is not only permissible but true. If the opinion in question is not in fact compatible with Catholic faith or morals, these Catholics will thus reject the faith and moral teaching of the Catholic Church as it applies to this opinion. If the opinion relates to questions of morals, the practical result for the actions of Catholics will be the same whether they come to hold that the opinion is legitimate or actually true. An opinion on moral questions that is in truth legitimate for the Supreme Pontiff to hold is one that it is legitimate for Catholics to follow. Belief in the legitimacy of a moral position will thus lead Catholics to believe that it is legitimate to act as if it is true. If there is a strong motivation to act in this way, as there is with the questions being addressed here for the faithful to whose situations these questions are pertinent, most Catholics will act accordingly. This is an important factor in an evaluation of *Amoris laetitia*, because that document addresses concrete moral questions.

It is however not the case that *Amoris laetitia* is intended to do no more than express the personal views of the Pope. The document contains statements about the personal positions of the current Holy Father, but such statements are not incompatible with these positions being presented as teachings of the Church by the document. Much of the document consists of straightforward assertoric and imperative statements that make no reference to the personal views of the Holy Father, and that thus have the form of magisterial teachings. This form will cause Catholics to believe that these statements are not simply permissible, but are teachings of the authentic magisterium which call for religious submission of mind and will; teachings to which they must yield not a respectful silence accompanied by inner disagreement, but actual inner assent.¹

The dangers of *Amoris laetitia*

The following analysis does not deny or question the personal faith of Pope Francis. It is not justifiable or legitimate to deny the faith of any author on the basis of a single text, and this is especially true in the case of the Supreme Pontiff. There are further reasons why the text of *Amoris laetitia* cannot be used as a sufficient reason for holding that the Pope has fallen into heresy. The document is extremely long, and it is probable that much of its original text was produced by an author or authors who are not Pope Francis, as is normal with papal documents. Those statements in it that on the face of them contradict the faith could be due to simple error on Pope Francis's part, rather than to a voluntary rejection of the faith.

When it comes to the document itself, however, there is no doubt that it constitutes a grave danger to Catholic faith and morals. It contains many statements whose vagueness or ambiguity permit interpretations that are contrary to faith or morals, or that suggest a claim that is contrary to faith and morals without actually stating it. It also contains statements whose natural meaning would seem to be contrary to faith or morals.

The statements made by *Amoris laetitia* are not expressed with scientific accuracy. This can be advantageous for the very small proportion of Catholics who have a scientific training in theology, because such Catholics will be able to discern that the assertions of *Amoris laetitia* do not demand their religious submission of mind and will, or even a respectful silence in regard to them. Accurate formulation and proper legal form are needed in order to make a magisterial utterance binding in this fashion, and these are for the most part lacking in the document. It is however harmful for the vast majority of Catholics who do not have a theological training and are not well informed about Catholic teachings on the topics that the apostolic exhortation discusses. The lack of precision in the document's statements makes it easier to interpret them as contradicting the real teachings of the Catholic Church and of divine revelation, and as justifying or requiring the abandonment of these teachings by Catholics in theory and in practice. Some cardinals, bishops, and priests, betraying their duty to Jesus Christ and to the care of souls, are already offering interpretations of this sort.

The problem with *Amoris laetitia* is not that it has imposed legally binding rules that are intrinsically unjust or authoritatively taught binding teachings that are false. The document does not have the authority to promulgate unjust laws or to require assent to false teachings, because the Pope does not have the power to do these things. The problem with the document is that it can mislead Catholics into believing what is false and doing what is forbidden by divine law. The document is formulated in terms that are not legally or theologically exact, but this does not matter for the evaluation of its contents, because the most precise formulation

¹ Cf. Lucien Choupin, *Valeur des décisions doctrinales et disciplinaires du Saint-Siège*, 2nd ed. (Paris: Beauchesne, 1913), pp. 52-55; and A.-M. Aubry, *Obéir ou assentir ? De la « soumission religieuse » au magistère simplement authentique*, Paris, DDB, collection « Sed Contra », 2015. .

cannot give legal and doctrinal status to decrees that are contrary to divine law and divine revelation. What is important about the document is the damaging effect it can have on the belief and moral life of Catholics. The character of this effect will be determined by the meaning that most Catholics will take it to have, not by its meaning when evaluated by precise theological criteria, and it is this meaning that will be addressed here. The propositions of *Amoris laetitia* that require censure must thus be condemned in the sense that the average reader is liable to attribute to their words. The average reader here is understood to be one who is not trying to twist the words of the document in any direction, but who will take the natural or the immediate impression of the meaning of the words to be correct.

It is acknowledged that some of the censured propositions are contradicted elsewhere in the document, and that *Amoris laetitia* contains many valuable teachings. Some of the passages of *Amoris laetitia* make an important contribution to the defence and preaching of the faith. The criticism of *Amoris laetitia* offered here permits these valuable elements to have their true effect, by distinguishing them from the problematic elements in the document and neutralising the threat to the faith posed by them.

For the sake of theological clarity and justice, this criticism of the harmful parts of *Amoris laetitia* will take the form of a theological censure of the individual passages that are deficient. These censures are to be understood in the sense traditionally held by the Church,² and are applied to the passages *prout iacent*, as they lie. The propositions censured are so damaging that a complete listing of the censures that apply to them is not attempted. Most if not all of them fall under the censures of *aequivoca*, *ambigua*, *obscura*, *praesumptuosa*, *anxia*, *dubia*, *captiosa*, *male sonans*, *piarum aurium offensiva*, as well as the ones listed. The censures list i) the censures that bear upon the content of the statements censured, and ii) those that bear upon the damaging effects of the statements. The censures are not intended to be an exhaustive list of the errors that *Amoris laetitia* on a plausible reading contains; they seek to identify the worst threats to Catholic faith and morals in the document. The propositions censured are divided into those that are heretical and those that fall under a lesser censure. Heretical propositions, censured as ‘haeretica’, are ones that contradict propositions that are contained in divine revelation and are defined with a solemn judgment as divinely revealed truths either by the Roman Pontiff when he speaks ‘ex cathedra,’ or by the College of Bishops gathered in council, or infallibly proposed for belief by the ordinary and universal Magisterium. The propositions that fall under a lesser censure than heresy are included as posing an especially grave danger to faith and morals.

The censures of these propositions are not censures of administrative, legislative or doctrinal acts of the Supreme Pontiff, since the propositions censured do not and cannot constitute such acts. The censures are the subject of a filial request to the Supreme Pontiff, which asks him to make a definitive and final juridical and doctrinal act condemning the propositions censured.

Finally, some of the theologians who are signatories to this letter reserve the right to make minor adjustments to some of the censures attached to some of the propositions: their signatures should be taken as indicating their belief that all the propositions should be censured, and a general agreement with the censures here proposed.

² See H. Quilliet, ‘Censures doctrinales’, DTC II, 2101-2113, and the Sacred Congregation for the Doctrine of the Faith, ‘Doctrinal commentary on the concluding formula of the *Professio fidei*’, June 29th, 1998.

Theological censures of propositions drawn from the Apostolic Exhortation *Amoris laetitia*

A). Heretical propositions.

1).

AL 83; 'The Church ... firmly rejects the death penalty'.

If understood as meaning that the death penalty is always and everywhere unjust in itself and therefore cannot ever be rightly inflicted by the state:

i). *Haeretica, sacrae Scripturae contraria.*

ii). *Perniciosa.*

Gen. 9:6³: "Whoever sheds the blood of man, by man shall his blood be shed; for God made man in his own image."

See also: Lev. 20-1; Deut. 13, 21-22; Matt. 15:4; Mk. 7:10; Jn. 19:11; Rom. 13:4; Heb. 10:28; Innocent I, Letter to Exsuperius, PL 120: 499A-B; Innocent III, Profession of Faith prescribed for the Waldensians, DH 795⁴; Pius V, Catechism of the Council of Trent, commentary on the 5th commandment; Pope Pius XII, Address to the First International Congress of Histopathology of the Nervous System, AAS 44 (1952): 787; John Paul II, *Catechism of the Catholic Church*, 2267.

2).

AL 156; 'Every form of sexual submission must be clearly rejected.'

If understood not simply as denying that a wife owes servile obedience to her husband or that the husband has authority over his wife that is the same as parental authority, but as also denying that the husband has any form of authority over his wife, or as denying that the wife has any duty to obey the legitimate commands of her husband in virtue of his authority as husband:

i). *Haeretica, sacrae Scripturae contraria.*

ii). *Prava, perniciosa.*

Eph. 5:24: "As the Church is subject to Christ, so also let wives be to their husbands in all things."

See also: 1 Cor. 11:3; Col. 3:18; Tit. 2:3-5; 1 Pet. 3:1-5; Pius V, Catechism of the Council of Trent, commentary on the sacrament of matrimony; Leo XIII, *Arcanum*, ASS 12 (1879): 389; Pius XI, *Casti connubii*, AAS 22 (1930): 549 (DH 3708-09); John XXIII, *Ad Petri cathedram*, AAS 51 (1959): 509-10.

3).

AL 159; 'Saint Paul recommended virginity because he expected Jesus' imminent return and he wanted everyone to concentrate only on spreading the Gospel: "the appointed time has grown very short" (1 Cor 7:29). . . . Rather than speak absolutely of the superiority of virginity, it should be enough to point out that the different states of life complement one another, and consequently that some can be more perfect in one way and others in another.'

³ Scriptural references are taken from the Vulgate or from the neo-Vulgate.

⁴ All references to Denzinger are taken from the 43rd edition.

Understood as denying that a virginal state of life consecrated to Christ is superior considered in itself to the state of Christian marriage:

- i). *Haeretica, sacrae Scripturae contraria.*
- ii). *Perniciosa, suspensiva gravis resolutionis.*

Council of Trent, Session 24, canon 10: “If anyone says that the married state surpasses that of virginity or celibacy, and that it is not better and more blessed to remain in virginity or celibacy than to be united in matrimony, let him be anathema” (DH 1810).

See also: Mt. 19: 12, 21; 1 Cor. 7:7-8, 38; 2 Thess. 2:1-2; Apoc. 14:4; Council of Florence, *Decree for the Jacobites*, DH 1353; Pius X, Response of the Biblical Commission, DH 3629; Pius XII *Sacra virginitas*, AAS 46 (1954): 174; 2nd Vatican Council, *Decree Optatam totius*, 10.

4).

AL 295: ‘Saint John Paul II proposed the so-called “law of gradualness” in the knowledge that the human being “knows, loves and accomplishes moral good by different stages of growth”. This is not a “gradualness of law” but rather a gradualness in the prudential exercise of free acts on the part of subjects who are not in a position to understand, appreciate, or fully carry out the objective demands of the law.’

AL 301: ‘It is [sic] can no longer simply be said that all those in any “irregular” situation are living in a state of mortal sin and are deprived of sanctifying grace. More is involved here than mere ignorance of the rule. A subject may know full well the rule, yet have great difficulty in understanding “its inherent values”, or be in a concrete situation which does not allow him or her to act differently and decide otherwise without further sin.’

Understood as meaning that a justified person has not the strength with God’s grace to carry out the objective demands of the divine law, as though any of the commandments of God are impossible for the justified; or as meaning that God’s grace, when it produces justification in an individual, does not invariably and of its nature produce conversion from all serious sin, or is not sufficient for conversion from all serious sin:

- i). *Haeretica, sacrae Scripturae contraria.*
- ii). *Impia, blasphema.*

Council of Trent, session 6, canon 18: “If anyone says that the commandments of God are impossible to observe even for a man who is justified and established in grace, let him be anathema” (DH 1568).

See also: Gen. 4:7; Deut. 30:11-19; Ecclesiasticus 15: 11-22; Mk. 8:38; Lk. 9:26; Heb. 10:26-29; 1 Jn. 5:17; Zosimus, 15th (or 16th) Synod of Carthage, canon 3 on grace, DH 225; Felix III, 2nd Synod of Orange, DH 397; Council of Trent, Session 5, canon 5; Session 6, canons 18-20, 22, 27 and 29; Pius V, Bull *Ex omnibus afflictionibus*, On the errors of Michael du Bay, 54, (DH 1954); Innocent X, Constitution *Cum occasione*, On the errors of Cornelius Jansen, 1 (DH 2001); Clement XI, Constitution *Unigenitus*, On the errors of Pasquier Quesnel, 71 (DH 2471); John Paul II, Apostolic Exhortation *Reconciliatio et paenitentia* 17: AAS 77 (1985): 222; *Veritatis splendor* 65-70: AAS 85 (1993): 1185-89 (DH 4964-67).

5).

AL 297; ‘No one can be condemned for ever, because that is not the logic of the Gospel!’

If understood as meaning that no human being can or will be condemned to eternal punishment in hell:

- i). *Haeretica, sacrae Scripturae contraria.*
- ii). *Scandalosa, perniciososa.*

Matt. 25: 46: “These shall go into everlasting punishment: but the just, into life everlasting”

See also: Mt. 7:22-23; Lk. 16: 26; Jn. 17:12; Apoc. 20:10; 16th Synod of Toledo (DH 574); 4th Lateran Council, DH 801; Benedict XII, Constitution *Benedictus Deus*, DH 1002; Council of Florence, decree *Laetentur caeli*, DH 1306; John Paul II, Letter of the Congregation for the Doctrine of the Faith, *Recentiores episcoporum*, AAS 71 (1979): 941; *Catechism of the Catholic Church*, 1033-37.

6).

AL 299: ‘I am in agreement with the many Synod Fathers who observed that “the baptized who are divorced and civilly remarried need to be more fully integrated into Christian communities in the variety of ways possible, while avoiding any occasion of scandal. The logic of integration is the key to their pastoral care, a care which would allow them not only to realize that they belong to the Church as the body of Christ, but also to know that they can have a joyful and fruitful experience in it. They are baptized; they are brothers and sisters; the Holy Spirit pours into their hearts gifts and talents for the good of all. ... Such persons need to feel not as excommunicated members of the Church, but instead as living members, able to live and grow in the Church and experience her as a mother who welcomes them always, who takes care of them with affection and encourages them along the path of life and the Gospel”.’

If understood as meaning that the divorced and civilly remarried who choose their situation with full knowledge and full consent of the will are not in a state of serious sin, and that they can receive sanctifying grace and grow in charity:

- i). *Haeretica, sacrae Scripturae contraria.*
- ii). *Scandalosa, prava, perversa.*

Mk. 10:11-12: “Whosoever shall put away his wife and marry another, committeth adultery against her. And if the wife shall put away her husband, and be married to another, she committeth adultery”.

See also: Ex. 20:14; Mt. 5:32, 19:9; Lk. 16:18; 1 Cor. 7: 10-11; Heb. 10:26-29; Council of Trent, Session 6, canons 19-21, 27 (DH 1569-71, 1577); Session 24, canons 5 and 7 (DH 1805, 1807); Innocent XI, Condemned propositions of the ‘Laxists’, 62-63 (DH 2162-63); Alexander VIII, Decree of the Holy Office on ‘Philosophical Sin’, DH 2291; John Paul II, *Veritatis splendor*, 65-70: AAS 85 (1993): 1185-89 (DH 4964-67).

7).

AL 301: ‘It is [sic] can no longer simply be said that all those in any “irregular” situation are living in a state of mortal sin and are deprived of sanctifying grace. More is involved here than mere ignorance of the rule. A subject may know full well the rule, yet have great difficulty in understanding “its inherent values”, or be in a concrete situation which does not allow him or her to act differently and decide otherwise without further sin.’

Understood as meaning that a Catholic believer can have full knowledge of a divine law and voluntarily choose to break it in a serious matter, but not be in a state of mortal sin as a result of this action:

- i). *Haeretica, sacrae Scripturae contraria.*
- ii). *Prava, perversa.*

Council of Trent, session 6, canon 20: “If anyone says that a justified man, however perfect he

may be, is not bound to observe the commandments of God and of the Church but is bound only to believe, as if the Gospel were merely an absolute promise of eternal life without the condition that the commandments be observed, let him be anathema” (DH 1570).

See also: Mk. 8:38; Lk. 9:26; Heb. 10:26-29; 1 Jn. 5:17; Council of Trent, session 6, canons 19 and 27; Clement XI, Constitution *Unigenitus*, On the errors of Pasquier Quesnel, 71 (DH 2471); John Paul II, Apostolic Exhortation *Reconciliatio et paenitentia* 17: AAS 77 (1985): 222; *Veritatis splendor*, 65-70: AAS 85 (1993): 1185-89 (DH 4964-67).

8).

AL 301: ‘It is [sic] can no longer simply be said that all those in any “irregular” situation are living in a state of mortal sin and are deprived of sanctifying grace. More is involved here than mere ignorance of the rule. A subject may know full well the rule, yet have great difficulty in understanding its inherent values, or be in a concrete situation which does not allow him or her to act differently and decide otherwise without further sin.’

Understood as saying that a person with full knowledge of a divine law can sin by choosing to obey that law:

i). *Haeretica, sacrae Scripturae contraria.*

ii). *Prava, perversa.*

Ps. 18:8: “The law of the Lord is unspotted, converting souls.”

See also: Ecclesiasticus 15:21; Council of Trent, session 6, canon 20; Clement XI, Constitution *Unigenitus*, On the errors of Pasquier Quesnel, 71 (DH 2471); Leo XIII, *Libertas praestantissimum*, ASS 20 (1887-88): 598 (DH 3248); John Paul II, *Veritatis splendor*, 40: AAS 85 (1993): 1165 (DH 4953).

9).

AL 303: ‘Conscience can do more than recognize that a given situation does not correspond objectively to the overall demands of the Gospel. It can also recognize with sincerity and honesty what for now is the most generous response which can be given to God, and come to see with a certain moral security that it is what God himself is asking amid the concrete complexity of one’s limits, while yet not fully the objective ideal.’

Understood as meaning that conscience can truly judge that actions condemned by the Gospel, and in particular, sexual acts between Catholics who have civilly remarried following divorce, can sometimes be morally right or requested or commanded by God:

i). *Haeretica, sacrae Scripturae contraria.*

ii). *Scandalosa, prava, perversa, pernicioso, impia, blasphema.*

Council of Trent, session 6, canon 21: “If anyone says that Jesus Christ was given by God to men as a redeemer in whom they are to trust but not also as a lawgiver whom they are bound to obey, let him be anathema” (DH 1571).

Council of Trent, session 24, canon 2: “If anyone says that it is lawful for Christians to have several wives at the same time, and that this is not forbidden by any divine law, let him be anathema” (DH 1802).

Council of Trent, session 24, canon 5: “If anyone says that the marriage bond can be dissolved because of heresy or difficulties in cohabitation or because of the wilful absence of one of the spouses, let him be anathema” (DH 1805)

Council of Trent, session 24, canon 7: “If anyone says that the Church is in error for having taught and for still teaching that in accordance with the evangelical and apostolic doctrine, the marriage bond cannot be dissolved because of adultery on the part of one of the spouses and that neither of the two, not even the innocent one who has given no cause for infidelity, can contract another marriage during the lifetime of the other, and that the husband who dismisses an adulterous wife and marries again and the wife who dismisses and adulterous husband and married again are both guilty of adultery, let him be anathema” (DH 1807).

See also: Ps. 5:5; Ps. 18:8-9; Ecclesiasticus 15:21; Heb. 10:26-29; Jas. 1:13; 1 Jn. 3:7; Innocent XI, Condemned propositions of the ‘Laxists’, 62-63 (DH 2162-63); Clement XI, Constitution *Unigenitus*, On the errors of Pasquier Quesnel, 71 (DH 2471); Leo XIII, encyclical letter *Libertas praestantissimum*, ASS 20 (1887-88): 598 (DH 3248); Pius XII, Decree of the Holy Office on situation ethics, DH 3918; 2nd Vatican Council, Pastoral Constitution *Gaudium et spes*, 16; John Paul II, *Veritatis splendor*, 54: AAS 85 (1993): 1177; Catechism of the Catholic Church, 1786-87.

10).

AL 304: ‘I earnestly ask that we always recall a teaching of Saint Thomas Aquinas and learn to incorporate it in our pastoral discernment: “Although there is necessity in the general principles, the more we descend to matters of detail, the more frequently we encounter defects... In matters of action, truth or practical rectitude is not the same for all, as to matters of detail, but only as to the general principles; and where there is the same rectitude in matters of detail, it is not equally known to all... The principle will be found to fail, according as we descend further into detail”. It is true that general rules set forth a good which can never be disregarded or neglected, but in their formulation they cannot provide absolutely for all particular situations.’

Understood as meaning that moral principles and moral truths contained in divine revelation and in the natural law do not include negative prohibitions that absolutely forbid particular kinds of action under any and all circumstances:

- i). *Haeretica, sacrae Scripturae contraria.*
- ii). *Scandalosa, prava, perversa.*

John Paul II, *Veritatis splendor* 115: “Each of us knows how important is the teaching which represents the central theme of this Encyclical and which is today being restated with the authority of the Successor of Peter. Each of us can see the seriousness of what is involved, not only for individuals but also for the whole of society, with the reaffirmation of the universality and immutability of the moral commandments, particularly those which prohibit always and without exception intrinsically evil acts” (DH 4971).

See also: Rom. 3:8; 1 Cor. 6: 9-10; Gal. 5: 19-21; Apoc. 22:15; 4th Lateran Council, chapter 22 (DH 815); Council of Constance, Bull *Inter cunctas*, 14 (DH 1254); Paul VI, *Humanae vitae*, 14: AAS 60 (1968) 490-91. John Paul II, *Veritatis splendor*, 83: AAS 85 (1993): 1199 (DH 4970).

11).

AL 308: ‘I understand those who prefer a more rigorous pastoral care which leaves no room for confusion. But I sincerely believe that Jesus wants a Church 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”.’

If understood as meaning that Our Lord Jesus Christ wills that the Church abandon her perennial discipline of refusing the Eucharist to the divorced and remarried and of refusing absolution to the divorced and remarried who do not express contrition for their state of life and a firm purpose of amendment with regard to it:

i). *Haeretica, sacrae Scripturae contraria.*

ii). *Scandalosa, prava, perversa, impia, blasphema.*

1 Cor. 11:27: “Whosoever shall eat this bread, or drink the chalice of the Lord unworthily, shall be guilty of the body and of the blood of the Lord.”

Familiaris consortio, 84: “Reconciliation in the sacrament of Penance, which would open the way to the Eucharist, can only be granted to those who, repenting of having broken the sign of the Covenant and of fidelity to Christ, are sincerely ready to undertake a way of life that is no longer in contradiction to the indissolubility of marriage. This means, in practice, that when, for serious reasons, such as for example 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’.”

2nd Lateran Council, canon 20: “Because there is one thing that conspicuously causes great disturbance to holy Church, namely false penance, we warn our brothers in the episcopate, and priests, not to allow the souls of the laity to be deceived or dragged off to hell by false penances. It is certain that a penance is false when many sins are disregarded and a penance is performed for one only, or when it is done for one sin in such a way that the penitent does not renounce another” (DH 717).

See also: Mt. 7:6; Mt. 22: 11-13; 1 Cor. 11:28-30; Heb. 13:8; Council of Trent, session 14, Decree on Penance, cap. 4; Council of Trent, session 13, Decree on the most holy Eucharist (DH 1646-47); Innocent XI, Condemned propositions of the ‘Laxists’, 60-63 (DH 2160-63); John Paul II, Catechism of the Catholic Church, 1385, 1451, 1490

B. Propositions falling under lesser censures

12).

AL 295: ‘Saint John Paul II proposed the so-called “law of gradualness” in the knowledge that the human being “knows, loves and accomplishes moral good by different stages of growth”. This is not a “gradualness of law” but rather a gradualness in the prudential exercise of free acts on the part of subjects who are not in a position to understand, appreciate, or fully carry out the objective demands of the law.’

If understood as meaning that free acts that do not fully carry out the objective demands of divine law can be morally good:

i). *Erronea in fide.*

ii). *Scandalosa, prava.*

1 Jn. 3: 4: “Whosoever committeth sin, committeth also iniquity; and sin is iniquity.”

See also: Leo XIII, *Libertas praestantissimum*, ASS 20 (1887-88): 598 (DH 3248); John Paul II, *Veritatis splendor*, 40: AAS 85 (1993): 1165 (DH 4953).

13).

AL 296; “There are two ways of thinking which recur throughout the Church’s history: casting off and reinstating. The Church’s way, from the time of the Council of Jerusalem, has always been the way of Jesus, the way of mercy and reinstatement. The way of the Church is not to condemn anyone for ever.”

AL 297; ‘No one can be condemned for ever, because that is not the logic of the Gospel!’

Understood as meaning that in circumstances where an offender does not cease to commit an offence the Church does not have the power or the right to inflict punishments or condemnations without later remitting them or lifting them, or that the Church does not have the power or the right to condemn and anathematise individuals after their death:

i). *Erronea in fide*.

ii). *Scandalosa, pernicioso, derogans praxi sive usui et disciplinae Ecclesiae*.

1983 Code of Canon Law, can. 1358: “The remission of a censure cannot be granted except to an offender whose contempt has been purged”.

3rd Council of Constantinople, Condemnation of the Monothelites and of Pope Honorius I: “As to these self-same men whose impious teachings we have rejected, we have also judged it necessary to banish their names from the holy Church of God, that is, the name of Sergius, who began to write about this impious doctrine, of Cyrus of Alexandria, of Pyrrhus, of Paul and of Peter and of those who have presided on the throne of this God-protected city, and the same for those who have been like-minded. Then also (the name) of Theodore who was bishop of Pharan. All these aforementioned persons were mentioned by Agatho, the most holy and thrice-blessed pope of elder Rome, in his letter to the . . . emperor, and rejected by him as having thought in a way contrary to our orthodox faith; and we determine that they are also subject to anathema. Along with these we have seen fit to banish from the holy Church of God and to anathematize also Honorius, the former pope of the elder Rome” (DH 550).

See also: 2nd Council of Constantinople, canons 11-12; Lateran Synod, canon 18 (DH 518-20); Leo II, letter *Regi regum*, DH 563; 4th Council of Constantinople, canon 11; Council of Florence, Decree for the Jacobites DH 1339-1346; Benedict XV, 1917 Code of Canon Law, canons 855, 2214, 2241:1 and 2257; John Paul II, 1983 Code of Canon Law, canons 915 and 1311; Code of Canon Law for Eastern Churches, canon 1424:1.

14).

AL 298: ‘The divorced who have entered a new union, for example, can find themselves in a variety of situations, which should not be pigeonholed or fit into overly rigid classifications leaving no room for a suitable personal and pastoral discernment. One thing is a second union consolidated over time, with new children, 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.’

If understood as meaning that persons who are civilly married to someone other than their true spouse can show Christian virtue by being sexually faithful to their civil partner:

i). *Erronea in fide*.

ii). *Scandalosa*.

1 Cor. 7:10-11: “To them that are married, not I but the Lord commandeth, that the wife depart not from her husband; and if she depart, that she remain unmarried, or be reconciled to her husband. And let not the husband put away his wife.”

See also: Gen. 2: 21; Mal. 2:15-16; Mt. 5:32, 19:9; Mk. 10:11-12; Lk. 16:18; Heb. 13:4; Letter *Quam laudabiliter* of Leo I, DH 283; Letter *Regressus ad nos* of Leo I, DH 311-14; Letter *Gaudemus in Domino* of Innocent III, DH 777-79; 2nd Council of Lyons, *Profession of Faith of Emperor Michael Palaeologus* (DH 860); Council of Trent, Session 24 canons 5, 7; Pius VI, Rescript. ad Episc. Agriens., 11th July 1789; *Arcanum*, ASS 12 (1879-80): 388-94; Pius XI, *Casti connubii*, AAS 22 (1930): 546-50 (cf. Dz 3706-10); John Paul II, Apostolic Exhortation *Familiaris consortio*, 19, 80-81, 84: AAS 74 (1982) 92-149; Catechism of the Catholic Church, 1643-49.

15).

AL 298: “The Church acknowledges situations “where, for serious reasons, such as the children’s upbringing, a man and woman cannot satisfy the obligation to separate”. [footnote 329] 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 happens that faithfulness is endangered and the good of the children suffers”.’ {N.B. The last clause in double quotation marks misleadingly applies to divorced and civilly married couples a statement of Vatican Council II, *Gaudium et Spes*, 51, that refers only to validly married couples.}

Understood as endorsing claims that divorced and civilly remarried couples have an obligation of sexual faithfulness to each other rather than to their true spouses, or that their living 'as brother and sister' could be either a culpable occasion of sin against that supposed obligation, or a culpable cause of harm to their children:

i) *Erronea in fide.*

ii) *Scandalosa, prava, perversa.*

Ecclesiasticus 15:21: “He hath commanded no man to do wickedly, and he hath given no man licence to sin.”

See also: Rom. 3:8, 8: 28; 1 Thess. 4:7; Jas. 1:13-14; John Paul II, *Veritatis splendor*, 79-83: AAS 85 (1993): 1197-99 (cf. DH 4969-70).

16).

AL 300: ‘Since “the degree of responsibility is not equal in all cases”, the consequences or effects of a rule need not necessarily always be the same. [footnote 336] This is also the case with regard to sacramental discipline, since discernment can recognize that in a particular situation no grave fault exists.’

AL 305: ‘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. [footnote 351] 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”. I would also point out that the Eucharist “is not a prize for the perfect, but a powerful medicine and nourishment for the weak”.’

Understood as saying that absence of grave fault due to diminished responsibility can permit admission to the Eucharist in the cases of divorced and civilly remarried persons who do not separate, nor undertake to live in perfect continence, but remain in an objective state of adultery and bigamy:

- i). *Erronea in fide, falsa.*
- ii). *Scandalosa.*

John Paul II, *Familiaris consortio* 84: “The Church reaffirms her practice, which is based upon Sacred Scripture, of not admitting to Eucharistic Communion divorced persons who have remarried. They are unable to be admitted thereto from the fact that their state and condition of life objectively contradict that union of love between Christ and the Church which is signified and effected by the Eucharist. Besides this, there is another special pastoral reason: if these people were admitted to the Eucharist, the faithful would be led into error and confusion regarding the Church's teaching about the indissolubility of marriage. Reconciliation in the sacrament of Penance, which would open the way to the Eucharist, can only be granted to those who, repenting of having broken the sign of the Covenant and of fidelity to Christ, are sincerely ready to undertake a way of life that is no longer in contradiction to the indissolubility of marriage. This means, in practice, that when, for serious reasons, such as for example 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’.”

1 Jn. 2:20: “You have the unction from the Holy One, and know all things”.

See also Ez. 3:17; Mt. 28:20; 1 Cor. 11:27-29; Eph. 5:30-32; 2nd Lateran Council, DH 717; Paul V, *Rituale Romanum*, 49; Benedict XIV, Confirmation of the Synod of the Maronites; Encyclical letter *Ex omnibus*; Benedict XV, 1917 Code of Canon Law, canon 855; John Paul II, 1983 Code of Canon Law, canon 915; Congregation for the Doctrine of the Faith, Letter to bishops of the Catholic Church concerning the reception of Eucharistic communion by those faithful who after a divorce have entered a new marriage, AAS 86 (1994): 974-79; Code of Canon Law for Eastern Churches, canon 712; Catechism of the Catholic Church, 1650, 2390; Congregation for the Doctrine of the Faith, Concerning Some Objections to the Church's Teaching on the Reception of Holy Communion by Divorced and Remarried Members of the Faithful, in “Documenti e Studi”, *On the Pastoral Care of the Divorced and Remarried*, Vatican City 1998, pp. 20-29; Pontifical Council for Legislative Texts (PCLT), “Declaration Concerning the Admission to Holy Communion of Faithful who are Divorced and Remarried”, on-line at http://www.vatican.va/roman_curia/pontifical_councils/intrptxt/documents/rc_pc_intrptxt_doc_20000706_declaration_en.html; Benedict XVI, Apostolic Exhortation *Sacramentum caritatis* 29: AAS 99 (2007), 128-29.

17).

AL 298: ‘The divorced who have entered a new union, for example, can find themselves in a variety of situations, which should not be pigeonholed or fit into overly rigid classifications leaving no room for a suitable personal and pastoral discernment. One thing is a second union consolidated over time, with new children, 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.’

If understood as meaning that the divorced and remarried can either sin or culpably expose themselves to the occasion of sin by abstaining from sexual relations in accordance with the perennial teaching and discipline of the Church:

- i). *Temeraria, falsa.*
- ii). *Scandalosa, prava, derogans praxi et disciplinae Ecclesiae.*

Ecclesiasticus 15:16: “If thou wilt keep the commandments and perform acceptable fidelity for ever, they shall preserve thee.”

See also: 1 Cor. 7:11, 10:13; John Paul II, *Veritatis splendor*, 102-03: AAS 85 (1993): 1213-14; Apostolic Exhortation, *Familiaris consortio*, 84, AAS 74 (1982) 92-149; Catechism of the Catholic Church, 1650; Benedict XVI, Apostolic Exhortation *Sacramentum caritatis* 99 (2007), 128-29.

18).

AL 298: ‘There are also the cases of those who made every effort to save their first marriage and were unjustly abandoned, or of “those who have entered into a second union for the sake of the children’s upbringing, and are sometimes subjectively certain in conscience that their previous and irreparably broken marriage had never been valid”.’

If understood as meaning that subjective certainty in conscience about the invalidity of a previous marriage is sufficient on its own to excuse from guilt or legal penalty those who contract a new marriage when their previous marriage is recognised as valid by the Church:

i). *Temeraria, falsa.*

ii). *Scandalosa.*

Council of Trent, Session 24, canon 12: “If anyone says that matrimonial cases do not belong to ecclesiastical judges, let him be anathema” (DH 1812).

See also: Leo XIII, *Arcanum*, ASS 12 (1879), 393; John Paul II, 1983 Code of Canon Law, canons 1059-60, 1085.

19).

AL 311: ‘The teaching of moral theology should not fail to incorporate these considerations.’

Understood as meaning that the teaching of moral theology in the Catholic Church should present as probable or true any of the propositions censured above:

i). *Falsa.*

ii). *Scandalosa, prava, perversa, pernicioso.*

Matt. 5:19: “He therefore that shall break one of these least commandments, and shall so teach men, shall be called least in the kingdom of heaven.”

See also: Is. 5:20; Mt. 28:20; 1 Tim. 6:20; Jas. 3:1; Pius IX, Bull *Ineffabilis Deus*, DH 2802; 1st Vatican Council, Constitution *Dei Filius*, cap. 4 (DH 3020); Pius X, Motu Proprio *Sacrorum antistitum*, DH 3541; 1st Vatican Council, Constitution *Dei Filius*, cap. 4 (DH 3020); Congregation for the Doctrine of the Faith, *Iusiurandum fidelitatis in suscipiendo officio nomine ecclesiae exercendo*, AAS 81 (1989): 106; Congregation for the Doctrine of the Faith, *Donum veritatis*, On the ecclesial vocation of the theologian, AAS 82 (1990): 1559; John Paul II, *Veritatis splendor*, 115-16: AAS 85 (1993): 1223-24; Benedict XVI, Congregation for the Doctrine of the Faith, Notification on the Works of Father Jon Sobrino SJ, 2 (DH 5107).

The propositions censured above have been condemned in many previous magisterial documents. It is urgently necessary that their condemnation be repeated by the Supreme Pontiff in a definitive and final manner and that it be authoritatively stated that *Amoris laetitia* does not require any of them to be believed or considered as possibly true.