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# Law as Gift at the Basis of *Humanae vitae* and *Veritatis splendor*

## La ley como don, base de *Humanae vitae* y *Veritatis splendor*

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**Janet E. SMITH**

Sacred Heart Major Seminary  
Detroit, MI, USA  
ID ORCID 0000-0002-5938-8340  
profjanetsmith@gmail.com

**Resumen:** Muchos pensaron que *Veritatis splendor* (que ahora ha cumplido 25 años) fue escrita para defender a *Humanae vitae* (que ahora ha cumplido 50 años). Ciertamente es verdad que el disenso con HV fue un impulso para el desarrollo del ahora abandonado sistema del proporcionalismo, que fue el impulso para *Veritatis splendor*. *Veritatis splendor* trató de refutar la afirmación del proporcionalismo de que no existen normas morales universales, objetivas y absolutas. Este artículo se centra en otro rasgo importante de la «ley» compartido por *Veritatis splendor* y *Humanae vitae*: la visión de que la ley es un don de Dios que merece obediencia puesto que adherirse a ella es un medio para que el ser humano logre la verdadera libertad y perfeccione su naturaleza.

**Palabras clave:** *Humanae vitae*, *Veritatis splendor*, *Amoris laetitia*, Normas morales universales.

**Abstract:** Many believed that *Veritatis splendor* (now 25 years old) was written to defend *Humanae vitae* (now 50 years old). It is certainly true that the dissent from HV was the impetus for the development of the now abandoned moral system of proportionalism, which was the impetus for *Veritatis splendor*. *Veritatis splendor* sought to refute the claim of proportionalism that there are no universal objective absolute moral norms. This essay focuses on another important feature of «law» shared by *Veritatis splendor* and *Humanae vitae*: the view that law is a gift from God and something that deserves obedience since abiding by it is a means for human beings to achieve true freedom and to fulfill their nature.

**Keywords:** *Humanae vitae*, *Veritatis splendor*, *Amoris laetitia*, Universal Moral Laws.

There is fittingness to the fact that the 50th year anniversary of *Humanae vitae* and the 25th year anniversary of *Veritatis splendor* coincide. After all *Veritatis splendor* was composed to demonstrate that proportionalism, the mode of moral analysis that drove the dissent from *Humane vitae* and dominated the widespread dissent from the Church's moral teaching especially on sexual issues in the subsequent decades, was fundamentally incompatible with the principles of Catholic moral theology (cfr. VS 4, 5). At the time that *Veritatis splendor* was promulgated, many believed it was intended primarily to defend the teaching of *Humanae vitae*, although contraception is mentioned only once in the document (cfr. VS 45).

The purpose of *Veritatis splendor* was to show the centrality of universal objective absolute moral norms to Christian morality. At the same time it was directed to showing that Christian morality is not a morality of «laws» but a morality of gift and freedom. This essay seeks to demonstrate that both *Humanae vitae* and *Veritatis splendor* are not in the least «legalistic» documents. They certainly do not subscribe to a view, such as that of Ockham, that moral laws are dictates of a capricious God. In Ockham's view, a view Father Servais Pinckaers and others claim dominated Catholic moral theology for decades and decades, held that actions are wrong solely because God deems them to be wrong. The Thomistic tradition embraced by the Church, on the other hand, holds that actions are wrong because they violate the natures that God has made<sup>1</sup>. In the view of Ockham, an agent would not necessarily be doing good by choosing the good in accord with his nature; rather the agent does good only by obeying the will of God. *Humanae vitae* and *Veritatis splendor* hold to the view that living in accord with the nature that God created is good and that doing that good is doing what is in accord with God's will. There is no tension between seeking the goods coordinate with one's nature and doing's God's will. And conversely acting in accord with God's will is doing what will benefit one's nature.

Even more so, both documents are rooted in the truth that for the Christians «all is gift». A key difference between philosophical natural law and Christian natural law is that philosophical natural law is based on the central Aristotelian claim that everything has an end; that that end is good,

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<sup>1</sup> PINCKAERS, S., OP, *The Sources of Christian Ethics*, trans. Sr. Mary Thomas Noble, OP, Washington, DC: The Catholic University of America Press, 1995.

and that man acts well when he acts to achieve the natural good. To do so is to live rationally and is only good common sense. The Christian certainly subscribes to that truth but, understanding all of reality to be a gift from a benevolent God to mankind, a God who wills only what is good for human persons, the Christian knows that to act in accord with the law is much more than good common sense: it is also to be grateful and reverential to God, the source of all goods, the giver of all gifts. In fact, the Christian God is a God who desires to unite with human persons, through their union with his Son. Jesus' entire life was a gift, and thus human persons must become gifts to unite with Jesus and when they unite with Jesus, they become one with God.

The most recent challenges to *Humanae vitae* are made from several angles, one of them precisely from a differing view of the role of law in moral decision-making. In this 50th year anniversary of *Humanae vitae*, those who reject its teachings, no longer utilize proportionalism –at its heart a rejection of the existence of universal objective absolute moral norms– but instead have recalibrated the role of such norms in the role of decision-making. This recalibration is based upon an interpretation of some passages of *Amoris laetitia* that suggest that universal objective absolute moral norms can be seen as an impediment to good moral decision-making since they can be perceived as or operate as external impositions on individual freedom. I am not suggesting here that the interpreters hold to Ockham's view of law but their response to the law is one compatible with Ockham's view –the view that laws are arbitrary and imposed from the outside rather than being intrinsic to human nature. Whatever view of law they have, they do to seem to think that appeal to the law is often disadvantageous for directing moral decision-making. Indeed, they find that laws are often not applicable to the complexities of various situations in life and that it is wrong to insist that these «ideals» be imposed upon agents discerning difficult moral decisions. It is this understanding of law that they find in *Amoris laetitia* and bring to their reading of *Humanae vitae*.

This essay seeks to show that those who would use *Amoris laetitia* to argue that Catholics may sometimes use contraception, are reading it in such a way that their conclusions conflict with the view of law in *Humanae vitae* and *Veritatis splendor*.

Here I will look at the current challenge to *Humanae vitae* made by some interpreters of *Amoris laetitia* in respect to the question of universal objective

absolute moral norms<sup>2</sup>. I shall show how those challenges are incompatible with the understanding of objective moral norms as set forth in *Veritatis splendor*. Finally I will show that although *Veritatis splendor* succeeds *Humanae vitae* by some twenty-five years, the understanding of moral principles articulated in *Veritatis splendor* are present in *Humanae vitae*.

Father Professor Maurizio Chiodi, a member of the Pontifical Academy for life, uses *Amoris laetitia* to argue that *Humanae vitae* is losing force and indeed is a source of embarrassment to bishops<sup>3</sup>. He notes that *Amoris laetitia* is relatively silent about *Humanae vitae* since it mentions it only six times. But it is not those mentions that serve as the basis of his challenges to *Humanae vitae*; rather it is what he understands *Amoris laetitia* to say about conscience, norms and discernment.

Chiodi mentions two elements in *Amoris laetitia* that assist in rereading *Humanae vitae* in light of *Amoris laetitia*: «1) the objective relevance of the extenuating circumstances, and 2) the subjective responsibility of the conscience and the constitutive relationship between the norm and discernment». In his discussion of these elements Chiodi interprets *Amoris laetitia* as teaching that discernment cannot be a matter of applying a rigid objective normative system to a «situation» for that is not a creative act; rather the agent needs to draw upon the experiences and values of his or her life and should not in the first place be applying a «norm» but should be guided by his or her values which allows for free action and self-fulfillment. The employment of the conscience is not a matter of being conscious of an objective truth, nor is it a faculty that applies the moral law to a concrete situation; rather is a judgment that flows from the «self», from one's own personal narrative or history.

<sup>2</sup> In addition to the essays by Chiodi and Cupich cited below, see PAGLIA, V., *From Humanae vitae to Amoris laetitia*, on his blog Vincenzo Paglia, May 16, 2018 (online at: <http://www.vincenzopaglia.it/index.php/from-humanae-vitae-to-amoris-laetitia.html>; accessed Oct. 10, 2018). A report that Cardinal Walter Kasper claimed that Francis' refusal to affirm the central teaching of *Humanae vitae* in *Amoris laetitia* may indicate that Francis approves of contraception can be found at LAURANCE, L., *Cardinal Kasper: Pope's silence on contraception in Amoris may mean approval*, March 15, 2018 (online at <https://www.lifesitenews.com/news/cardinal-kasper-makes-contraception-proposal-the-popes-silence-may-mean-go>; accessed Oct. 10, 2018).

<sup>3</sup> CHIODI, M., «Rileggere *Humanae vitae* alla luce di *Amoris laetitia*», *Noi Famiglia & Vita* (attachment of the daily Italian Episcopal conference «Avvenire»), 28 January, 2018 (available on line at <http://magister.blogautore.espresso.repubblica.it/2018/01/28/rileggere-humanae-vitae-alla-luce-di-amoris-laetitia/>; accessed Oct. 10, 2018). A slightly different version of this talk is reported on in the article MONTAGNA, D., «New Academy for Life members uses Amoris to say some circumstances “require” contraception», *Life Site News*, Jan. 8, 2018 (<https://www.lifesitenews.com/news/new-academy-for-life-member-uses-amoris-to-say-some-circumstances-require-c>; accessed Oct. 10, 2018).

Chiodi states that what is true about *Humanae vitae* is that it recalls that there is an inseparable link between sexuality and generation<sup>4</sup>. But he does not believe that use of natural methods is the only moral means of birth control. Since use of natural methods requires discernment of what amounts to moral and responsible use of it, he concludes that other techniques should also be permitted and should not need to be subject to a discernment based on the syllogistical-deductive application of a norm. Chiodi finds in *Amoris laetitia* a flexibility concerning universal objective absolute moral norms that would permit couples in conscience to use contraception<sup>5</sup>.

While my purpose here is not to refute Chiodi's interpretation of *Amoris laetitia* or to argue against his understanding of the role of absolute moral laws in decision making, a brief analysis of Chiodi's references to natural methods of family planning to justify use of contraception may serve to help us understand his view of law. Chiodi seems to think that moral decision-making is either a matter of inflexible automatic application of a law to a situation that allows for no use of prudence or discernment, or that moral decision-making is a matter of discernment in accord with one's personally appropriated values rather than an obedience to law. Thus in his view, since use of natural methods of family planning requires discernment of the responsible use of it, this would mean that the couple is not simply applying an absolute norm in a syllogistic deductive way. But in fact, they are allowing an absolute norm to guide their decision –they are declining to use contraception. Absolute moral norms absolutely rule out behavior forbidden by them. Positive precepts such as «use only natural methods when there are serious reasons to limit family size», as all positive precepts, require by their very nature an exercise of prudence in discernment. So there seem to be serious difficulties with his use of the permission to use natural methods as a justification for using contraception.

Cardinal Blaise Cupich finds a «paradigm shift» in *Amoris laetitia* that means, «rejecting an authoritarian or paternalistic way of dealing with people

<sup>4</sup> It seems significant to this reader that the link spoken of here is not precisely that spoken of in *Humanae vitae*, that between union and procreation but between sexuality and generation.

<sup>5</sup> For responses to Chiodi, see MONTAGNA, D., «Professor rebukes new Academy for Life member's "disastrous" approval of contraception», *Life Site News*, Jan 10, 2018 (online at: <https://www.lifesitenews.com/news/professor-rebukes-new-academy-for-life-members-disastrous-approval-of-contr>; accessed Oct. 10, 2018). GAGLIARDUCCI, A., «Analysis: Overturning *Humanae vitae*'s teaching, a "crime against the Church"», *Catholic News Agency*, Mar 9, 2018 (online at <https://www.catholicnewsagency.com/news/analysis-overturning-humanae-vitae-teaching-a-crime-against-the-church-17847>; accessed Oct. 10, 2018).

that lays down the law, that pretends to have all the answers, or easy answers to complex problems, that suggests that general rules will seamlessly bring immediate clarity or that the teachings of our tradition can preemptively be applied to the particular challenges confronting couples and families. In its place a new direction will be required, one that envisions ministry as accompaniment, an accompaniment, which we will see, is marked by a deep respect for the conscience of the faithful»<sup>6</sup>. He notes several times that the «ideal» of marriage proposed by the Church is not to be abandoned by this revolution in Catholic moral theology, a revolution that privileges the judgment of the conscience over the application of a law or rule. He claims that the result of this hermeneutical shift is not «relativism, or an arbitrary application of the doctrinal law, but an authentic receptivity to God's self-revelation in the concrete realities of family life and to the work of the Holy Spirit in the consciences of the faithful. As pastoral discernment attends to the reality of a situation, the conscience based Christian moral life does not focus primarily on the automatic application of universal precepts. Rather, it is continually immersed in the concrete situations which give vital context to our moral choices. Here the Holy Father makes a unique contribution to understanding the role of conscience in the discernment process».

While Cupich does not speak directly about *Humanae vitae*, the principles he finds in *Amoris laetitia* would certainly permit what Chiodi concludes—the use of contraception—should couples in conscience discern that the concrete circumstances of their life require it.

In another essay I have explained how many interpreters of *Amoris laetitia* advance a view of conscience radically at odds with that taught by the Church traditionally and reiterated in such magisterial documents as the Catechism and *Veritatis splendor*<sup>7</sup>. Interpreters of *Amoris laetitia* find a view of

<sup>6</sup> CUPICH, B., «Pope Francis' Revolution of Mercy: al as a New Paradigm of Catholicity», *Vatican Insider Documents*, Feb. 2, 2018 (online at <http://www.lastampa.it/2018/02/09/vaticaninsider/eng/documents/pope-francis-revolution-of-mercy-amoris-laetitia-as-a-new-paradigm-of-catholicity-skMox0IKtoX5szfKH6QgrL/pagina.html>; accessed Oct. 10, 2018). For a response to Cupich see, MELCHISCHYROS, B., «The Decipherment of Cupich», *First Things*, Feb. 20, 2018 (online at <https://www.firstthings.com/web-exclusives/2018/02/the-decipherment-of-cupich>, accessed Oct. 10, 2018).

<sup>7</sup> See my essay SMITH, J. E., «New Challenges to *Humanae vitae*: Conscience and Discernment», forthcoming in NOTARE, T. (ed.), *Humanae vitae, 50 Years Later, Embracing God's Vision for Marriage, Love, and Life. A Compendium*, Washington, DC: The Catholic University of America Press, 2018.

conscience there that is akin to that of Fr. Bernard Häring, who understood the conscience in psychological terms as a person's very self, not as the repository of natural law and moral norms: «Conscience has to do with man's total selfhood as a moral agent. The intellectual, volitional and emotional dynamics are not separated; they mutually compenetrates in the very depth where the person is person to himself»<sup>8</sup>. That self (also called the «heart») is constituted most basically by the moral values to which one has committed one's self through one's life choices<sup>9</sup>. Such a view of conscience tends to understand law or norms as threats to authenticity and autonomy, whereas in *Humanae vitae* and *Veritatis splendor* laws and norms are understood to be fully compatible with full human dignity and in fact essential to good moral decision-making and authentic freedom.

Here it is not my intent to discuss how interpreters of *Amoris laetitia* view the role of law in moral decision-making. But it is useful to note that they claim that *Amoris laetitia* portrays laws and rules as obstacles to freedom or as means of casting negative judgments on people, a view that they share. These interpreters who view law as obstacles to authentic human decision-making fail to acknowledge that laws can be means to advancement in the moral life and that obeying laws, even those we do not accept or understand, is an essential element in the moral life. In *Humanae vitae* and *Veritatis splendor*, on the other hand, law is seen as a gift, as something ennobling of the human person, something that promotes and preserves dignity and brings true freedom.

#### LAW AS GIFT IN *HUMANAE VITAE*

The prohibition against the use of contraception in *Humanae vitae* is not based on the need for human beings, the «servile servants of God», to abjectly obey his will. Rather, as we shall see, *Humanae vitae* is based on the notions that life is a gift and love is a gift and that marriage is an institution that enables human beings to unite those gifts in a particularly spectacular way.

Although there is much talk of law in *Humanae vitae*, the laws of nature and the natural law, the appeal to law is not as an externally imposed limitation but as something intrinsically good because it is a guide to rightly orde-

<sup>8</sup> HÄRING, B., *Free and Faithful in Christ: Moral Theology for Clergy and Laity, Volume 1: General Moral Theology*, New York: The Seabury Press, 1978, 235.

<sup>9</sup> HÄRING, B., *Free and Faithful in Christ*, 90, 93, 259.

red being and moral actions which are perfective of the human person. Indeed, the first sentence in *Humanae vitae* set a remarkable tone:

«God has entrusted spouses with the extremely important mission [*gravissimum munus*] of transmitting human life. In fulfilling this mission spouses freely and consciously [*consciam*] render a service [*opera*] to God, the Creator. This service has always been a source of great joy, although the joys are, at times, accompanied by not a few difficulties and sufferings»<sup>10</sup>.

The description of the begetting of new human life as «transmitting human life» is clearly very different from «propagating the species». Spouses are not seen as just members of another animal species for whom sexual intercourse is a matter of reproduction. Rather spouses are seen as participants with God in the extremely important task of bringing forth new human souls –which is spoken of as a «service» to God. The fact that they do so «freely and consciously» shows that the act is fully human –it is not a blind obedience to the forces of nature but a free and conscious recognition of the magnitude of what the act of sexual intercourse is designed to accomplish.

Elsewhere I have written about the richness of the word «*munus*» and the concepts it conveys<sup>11</sup>. The word «*munus*» appears frequently in the documents of Vatican II, especially in the subtitles and when speaking of the specific callings of individuals and groups. My study of the word found the following:

«One primary reference of the word is to the triple *munera* of Christ as priest, prophet, and king<sup>12</sup>. Christians, in their various callings, participate in these *munera*; they do so by fulfilling other *munera* specifically entrusted to them. For instance, Mary's *munus* (role) is being the Mother of God (LG 53 and 56), which also confers on her a maternal *munus* (duty) towards all men (LG 60). Christ gave Peter several *munera*: for instance, Peter was given the *munus* (power) of binding and loosing, as well as the *grande munus* (special duty) of spreading the Chris-

<sup>10</sup> The translations of *Humanae vitae* are from my translation, most recently available as Chapter 2 in SMITH, J. E., *Self-Gift: Essays on Humanae vitae and the Thought of John Paul II*, Steubenville, OH: Emmaus Academic, 2018, 17-38.

<sup>11</sup> Most recently available: SMITH, J. E., «The Munus of Transmitting Human Life: A New Approach to *Humanae vitae*», in *Self-Gift: Essays on Humanae*, 1-16.

<sup>12</sup> VATICAN COUNCIL II, Dogmatic Constitution *Lumen gentium* (hereafter referred to in text as LG) § 8.



tian name –which was also granted to the Apostles–. The Apostles were assigned the munera (duties) of “giving witness to the gospel, to the ministration of the Holy Spirit and of justice for God’s glory” (LG 21). To help them fulfill these munera they were granted a special outpouring of the Holy Spirit (LG 21). By virtue of his munus (office), the Roman Pontiff has “full, supreme, and universal power” in the Church (LG 22). Also by virtue of his munus (office), the pope is endowed with infallibility (LG 43). Through their episcopal consecration, Bishops have the munus (office) of preaching and teaching (LG 21). The laity, too, sharing in the priestly, prophetic, and kingly munus of Christ, have their own mission *missio*; they are particularly called *vocantur* to the munus (proper function) of “working, like leaven, for the sanctification of the world from within, and especially so by the witness of their lives”<sup>13</sup>.

We can see that the word «*munus*» does not apply simply to «tasks» or «duties». Indeed, it can legitimately be translated as variously as «gift», «wealth and riches», «honor», «reward», «responsibility», «task» or «duty» and is often translated in Church documents (somewhat lamely in my view) as «role» or «task». Words such as «duty», «task», and «role» diminish the grandeur conveyed by «*munus*». «Duty» and «task» are often used of unpleasant demands and «role» suggests too much simply a «position» one has rather than something deeply rooted in a vocation. In ancient times «*munus*» was sometimes used to refer to an «office» or «assignment» bestowed upon someone who could be trusted to perform and who was ennobled by performing it. It is very important to note that *Humanae vitae* does not begin with a scholastic description of the ends of marriage, but speaks of the close union between God and the spouses working together on a very elevated shared act of creation. The prohibition of contraception is nested in this understanding of the conjugal «*munus*» wherein spouses are co-creators with God, wherein spouses perform a «service» for God.

This is not to suggest that the teaching of *Humanae vitae* is not rooted in natural law. Section 4 of *Humanae vitae* states very straightforwardly that the Church has competence to interpret natural law as well as scripture, and notes the necessity of complying with natural law for salvation: «natural law, [as well as revealed law], declares the will of God; [thus] faithful compliance with

<sup>13</sup> SMITH, J. E., *Self-Gift: Essays on Humanae vitae*, 3.

natural law is necessary for eternal salvation». But when the document lays out the doctrinal principle that undergird the Church's teaching, it makes it clear that it is in no way employing a view of natural law often erroneously attributed to the Church—a view that it is biological laws wherein the genital organs are ordained to begetting new life—that shapes the Church's teaching. Rather, the Church's teaching is based upon the nature of the human person—«the whole person and the whole mission [*munus*] to which human beings have been called will be taken into account, for this [mission] pertains not only to the natural and earthly existence of human beings but also to their supernatural and eternal existence»— (HV 7).

It must be continually stressed that the teaching of *Humanae vitae* is based not on the laws of nature but on the nature of the human person, who is not just a physical being but a spiritual being, called to a supernatural end. Begetting new human life has a value in reference to that end, as well as to the natural end.

Many people find a tension between the fact that spousal intercourse is directed towards the expression of love between spouses and that it also is directed to the begetting of new life. *Humanae vitae* finds no such tension and in fact finds the two «meanings» to be inseparable (HV 12). Indeed, section 8 explicitly makes clear that human marriage is not a result of the «blind forces» of nature but was established by God so that «He might achieve His own design of love through human beings», love which is connected to the transmitting of human life. Indeed, section 10 states: «If we consider biological processes first, conscious parenthood [*paternitas conscia*] means that one knows and honors the responsibilities [*munerum*] involved in these processes». To speak of biological processes as having «missions/gifts/riches/duties» shows that the concept of «munus» permeates the document—all is gift and all is ordained to achieving good—. Human persons are capable of recognizing the gifts in nature and acting in accord with the nature of those gifts.

#### CONSCIOUS PARENTHOOD

The concept of «conscious parenthood» is also embedded in the «*munus*» of spouses. Elsewhere I have written about the concept of «conscious parenthood» which is the subject of section 10 of *Humanae vitae*<sup>14</sup>. It expands

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<sup>14</sup> Most recently available in SMITH, J. E., «Conscious Parenthood», in *Self-Gift: Essays on Humanae vitae*, 187-214.

upon the understanding that the end of the human sexual act is not achieved simply through the reproducing of another member of the human species, but includes the responsibility of the spouses to be good parents to their children. *Humanae vitae* states:

«The mission [*munus*] of conscious parenthood [*paternitatis consciae*] requires that spouses recognize their duties toward God, toward themselves, toward the family, and toward human society, as they maintain a correct set of priorities and that “they must accommodate their behavior to the plan of God the Creator, a plan made manifest both by the very nature of marriage and its acts and also by the constant teaching of the Church”» (HV 10).

The admonition that spouses must abide by the plan of God, is in no way portrayed as the need for the spouses to sacrifice their autonomy and to submit to externally imposed laws. Rather, the entire proceeding passage maintains that «marital love requires that spouses be fully aware of their mission [*munus*] of conscious parenthood [*paternitatem consciam*]».

While reference to God’s laws is frequent in *Humanae vitae*, the laws are seen primarily to be gifts: «Thus, anyone who uses God’s gift [of marital love] and cancels, if only in part, the significance and the purpose of this gift, is rebelling against either the male or female nature and against their most intimate relationship and for this reason, then, he is defying the plan and holy will of God. On the other hand, the one who uses the gift of marital love in accord with the laws of generation, acknowledges that he is not the lord of the sources of life, but rather the minister of a plan initiated by the Creator» (HV 13).

Moreover living in accord with the objective truth of marriage and sexuality not only serves to «populate God’s kingdom» but it also redounds to the benefit of the spouses: when speaking of marital love as «fruitful» *Humanae vitae* (quoting *Gaudium et Spes* [GS]) speaks of children as being «the supreme gift of marriage, a gift that contributes immensely to the good of the parents themselves» (HV 9). As with all activity that corresponds to God’s will, the agent benefits as well as any other beneficiaries of the action.

Thus the text of *Humanae vitae* simply is incompatible with the view of laws as something that is externally imposed; the ability of human beings to participate in the bringing into existence new human beings with immortal souls is not simply an «animal» act but is way that human beings participate with God in his creative act.

LAW IN *VERITATIS SPENDOR*

It is quite remarkable that *Amoris laetitia* makes no reference to *Veritatis splendor*. While many find a conflict between *Veritatis splendor*'s arguments that there are universal objective, absolute moral norms and *Amoris laetitia*<sup>15</sup>, some theologians argue that *Veritatis splendor* has been interpreted too narrowly. The remarks on the 25th anniversary of *Veritatis splendor* of Archbishop Rino Fisichella indicate the views of some of the interpreters of *Amoris laetitia* towards *Veritatis splendor*<sup>16</sup>. In spite of the insistence in *Veritatis splendor* that there are universal objective absolute moral norms, Fisichella states: «when we speak about the truth, we must always have a dynamic concept. The truth is not a “fixistic” [Italian: *fixista*] dimension. The truth, for the Christian, is first of all that living Word that the Lord has left us».

He goes on to suggest that as we come to know Jesus more fully and truly we may discover that our notions of what is absolute may «develop»: «the dimension of truth opens to a personal encounter: it is the truth of the Gospel, it is the truth represented by the person of Jesus Christ. All that is the content that Jesus wanted to transmit to His disciples, and that comes from the Apostles to us, is a truth that opens up more and more to a discovery of the mystery that has been revealed. There are some fundamental points that remain as we would split as milestones in the dogmatic and moral teaching of the Church. These are elements that remain in their immutability. Obviously, all this then requires from the theologians –as the encyclical *Veritatis splendor* also supports– a great work of interpretation. The immutable norm is based on the truth of the Gospel. That principle of instance that is inserted, remains in its validity, in its criterion of judgment, which must, however, be continuously opened through the discovery of the truth of the Word of God»<sup>17</sup>. Fisichella finds no break between *Veritatis splendor* and *Amoris laetitia* but does believe there has been a «development» of doctrine that preserves some elements of the law but which is also «continuously opened through the discovery of the truth of the Word of God».

<sup>15</sup> For an argument that there is an insuperable conflict between *Amoris laetitia* and *Veritatis splendor*, see BRUGGER, E. C., «*Amoris laetitia* vs. *Veritatis splendor*: You Say You Want a Revolution», *National Catholic Register*, April 7, 2018 (online at <http://www.ncregister.com/daily-news/amoris-laetitia-contra-veritatis-splendor-you-say-you-want-a-revolution>; accessed on Oct. 21, 2018).

<sup>16</sup> LOMONACO, A., «Abp Fisichella reflects on 25 years of *Veritatis splendor*», *Vatican News*, August 6, 2018 (online at <https://www.vaticannews.va/en/church/news/2018-08/veritatis-splendor-anniversary-fisichella.html>; accessed Oct. 22, 2018).

<sup>17</sup> *Ibid.*

The intent here is not to discuss or resolve the question of the compatibility between *Amoris laetitia* and *Veritatis splendor* but to note that *Veritatis splendor* shares the view of *Humanae vitae* that law is no kind of unwelcome imposition of external «rules» but a gift from a loving God. The scope of this paper does not permit reviewing all the passages of *Veritatis splendor* that speak of the law as gift and as a source of freedom for persons. Rather, reference will be made to several key passages that capture themes that permeate the encyclical.

*Veritatis splendor* speaks of both the Old Law and the New Law as gifts of love, as gifts of Jesus and insists that although it is demanding to fulfill the dictates of the law, grace makes that possible and doing so, again, is not confining by liberating. The passage below is long but it does knit together they key themes:

«In the same chapter of Matthew's Gospel (19:3-10), Jesus, interpreting the Mosaic Law on marriage, rejects the right to divorce, appealing to a "beginning" more fundamental and more authoritative than the Law of Moses: God's original plan for mankind, a plan which man after sin has no longer been able to live up to: "For your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so" (Mt 19:8). Jesus' appeal to the "beginning" dismays the disciples, who remark: "If such is the case of a man with his wife, it is not expedient to marry" (Mt 19:10). And Jesus, referring specifically to the charism of celibacy "for the Kingdom of Heaven" (Mt 19:12), but stating a general rule, indicates the new and surprising possibility opened up to man by God's grace. "He said to them: 'Not everyone can accept this saying, but only those to whom it is given'" (Mt 19:11).

»To imitate and live out the love of Christ is not possible for man by his own strength alone. He becomes capable of this love only by virtue of a gift received. As the Lord Jesus receives the love of his Father, so he in turn freely communicates that love to his disciples: "As the Father has loved me, so have I loved you; abide in my love" (Jn 15:9). Christ's gift is his Spirit, whose first "fruit" (cfr. Gal 5:22) is charity: "God's love has been poured into our hearts through the Holy Spirit which has been given to us" (Rom 5:5). Saint Augustine asks: "Does love bring about the keeping of the commandments, or does the keeping of the commandments bring about love?". And he answers: "But who can doubt that love comes first? For the one who does not love has no reason for keeping the commandments"» (VS 22).

The passage just cited is tremendously rich for its intricate understanding of the connection between law, gift, grace, and freedom. Jesus strengthens the force of the commandment against adultery, nullifies the laxity of the Mosaic law and also announces the seemingly impossible call to celibacy. What makes keeping the law and the counsel possible is God's grace which brings the love that enables people to keep the commandments.

Indeed, the immediately subsequent passage speaks of the law as being liberating:

«“The law of the Spirit of life in Christ Jesus has set me free from the law of sin and death” (Rom 8:2). With these words the Apostle Paul invites us to consider in the perspective of the history of salvation, which reaches its fulfilment in Christ, the relationship between the (Old) Law and grace (the New Law). He recognizes the pedagogic function [*munus*] of the Law, which, by enabling sinful man to take stock of his own powerlessness and by stripping him of the presumption of his self-sufficiency, leads him to ask for and to receive “life in the Spirit”» (VS 23).

*Veritatis splendor* holds a different view from *Amoris laetitia* not only of the law but also of the human person; some interpreters of *Amoris laetitia* hold that it promotes a view of quite radical personal autonomy with the suggestion that what the moral life requires is not action that corresponds to universal, objective absolute moral norms but requires action that is in accord with the values to which one has committed one's self throughout one's life. *Veritatis splendor*, on the other hand, here and elsewhere speaks against «self-sufficiency».

It is telling that the word «obedience» appears only once in *Amoris laetitia* and in a way that does not really underscore the importance of obedience: «the Gospel goes on to remind us that children are not the property of a family, but have their own lives to lead. Jesus is a model of obedience to his earthly parents, placing himself under their charge (cfr. Lk 2:51), but he also shows that children's life decisions and their Christian vocation may demand a parting for the sake of the Kingdom of God (cfr. Mt 10:34-37; Lk 9:59-62). Jesus himself, at twelve years of age, tells Mary and Joseph that he has a greater mission to accomplish apart from his earthly family (cfr. Lk 2:48-50)» (AL 18). The document certainly recommends honoring parents but in nearly every such instance, at the same time, it cautions parents against putting stress on authority or laws, as though such stress is detrimental to the moral maturation of children (cfr. 35, 176, 271, 288).

*Veritatis splendor* 83 is a representative of this conjunction: «we must first of all show the inviting splendour of that truth which is Jesus Christ himself. In him, who is the Truth (cfr. Jn 14:6), man can understand fully and live perfectly, through his good actions, his vocation to freedom in obedience to the divine law summarized in the commandment of love of God and neighbour. And this is what takes place through the gift of the Holy Spirit, the Spirit of truth, of freedom and of love: in him we are enabled to interiorize the law, to receive it and to live it as the motivating force of true personal freedom: “the perfect law, the law of liberty” (Jas 1:25)».

Again, this obedience is not one that is in conflict with genuine autonomy, nor is it a confining heteronomy. *Veritatis splendor* speaks directly to these tensions: «man’s genuine moral autonomy in no way means the rejection but rather the acceptance of the moral law, of God’s command: “The Lord God gave this command to the man...” (Gen 2:16). Human freedom and God’s law meet and are called to intersect, in the sense of man’s free obedience to God and of God’s completely gratuitous benevolence towards man. Hence obedience to God is not, as some would believe, a heteronomy, as if the moral life were subject to the will of something all-powerful, absolute, extraneous to man and intolerant of his freedom. If in fact a heteronomy of morality were to mean a denial of man’s self-determination or the imposition of norms unrelated to his good, this would be in contradiction to the Revelation of the Covenant and of the redemptive Incarnation. Such a heteronomy would be nothing but a form of alienation, contrary to divine wisdom and to the dignity of the human person» (VS 41).

The law here is clearly seen as something that is a gift of a benevolent God that helps man achieve his true freedom. Living by the laws of God is not a violation of man’s freedom; rather man, unlike animals, is able to freely choose to do the good that perfects his nature rather than being determined by natural forces to do what is good. Human beings, unlike animals, are self-determining. Man, being made in the image and likeness of God, is able to know truth and do good freely and that is wherein his dignity lies, not just in doing what appears to him to be good without reference to objective good.

*Veritatis splendor* speaks of obedience 28 times where obedience is regularly allied with truth, love, grace, gift and freedom. In the opening meditation on the encounter of the young man with Jesus, *Veritatis splendor* makes this statement: «the 10 commandments reveal what goodness and holiness are»; they are expressions of love by a loving God and those who would be loving, obey them: «*The good is belonging to God, obeying him, walking humbly*

with him in doing justice and in loving kindness (cfr. Mic 6:8). *Acknowledging the Lord as God is the very core, the heart of the Law*, from which the particular precepts flow and towards which they are ordered» (VS 11). Note here that *Veritatis splendor* speaks of «particular precepts»; it is not just accepting general values that produces holiness, it is living in accord with particular precepts.

*Veritatis splendor* repeatedly values obedience over autonomy all the while insisting that acceptance of moral law enables man to be truly free: «patterned on God's freedom, man's freedom is not negated by his obedience to the divine law; indeed, only through this obedience does it abide in the truth and conform to human dignity. This is clearly stated by the Council: "Human dignity requires man to act through conscious and free choice, as motivated and prompted personally from within, and not through blind internal impulse or merely external pressure. Man achieves such dignity when he frees himself from all subservience to his feelings, and in a free choice of the good, pursues his own end by effectively and assiduously marshalling the appropriate means"» (VS 42, citing GS 17).

We find similar claims elsewhere, such as: «the Church's firmness in defending the universal and unchanging moral norms is not demeaning at all. Its only purpose is to serve man's true freedom. Because there can be no freedom apart from or in opposition to the truth, the categorical –unyielding and uncompromising– defence of the absolutely essential demands of man's personal dignity must be considered the way and the condition for the very existence of freedom. This service is directed to *every man*, considered in the uniqueness and singularity of his being and existence: only by obedience to universal moral norms does man find full confirmation of his personal uniqueness and the possibility of authentic moral growth» (VS 96).

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Although *Veritatis splendor* was written before *Amoris laetitia* in many ways it seems an «answer» to *Amoris laetitia*. Along with *Humanae vitae*, *Veritatis splendor* finds appeal to universal absolute objective moral norms appropriate for moral accompaniment and obedience to those norms as perfective of the moral life. Those encyclicals hold that human happiness and eternal salvation hang in the balance. The future discussion of *Humanae vitae* will require determining whether the interpretation of *Amoris laetitia* proposed by such thinkers as Chiodi, Fischella, and Cupich is indeed the correct interpretation of *Amoris laetitia* and, if so, if that interpretation is true to the principles of Catholic moral teaching.



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# RECENSIONES

