



A Point of No Return? Amoris Laetitia on Discernment and Conscience for Divorced and Remarried Couples

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Paper Presenters (in alphabetical order)

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Amoris Laetitia on Irregular Marriages: Pastoral-Canonical Implications and Challenges for Catholic Marriages in the Nigerian- African Context

Canon 915 provides that those who obstinately persist in manifest sin are not to be admitted to the sacrament of the Holy Eucharist. Among such acts of public obstinacy in sin are all forms of invalid irregular unions which violate the essential nature and sacramental dignity of marriage. However, with his recent Apostolic Post-Synodal Exhortation, *Amoris Laetitia* (AL), Pope Francis offered pastors of the Church a pastoral “blank cheque” enabling them to discern complex irregular marriages case by case; and urged them “to make room for the consciences of the faithful” (AL 37) in their judgement of pastoral and sacramental matters. While much credit is to be given to *Amoris Laetitia*, it provides a complex pastoral interpretation and solution to a problem that is fundamentally legal (c.1055) and leaves the sacramentality of marriage at a risk. Thus, its reception and application in the African context poses a very great challenge. For among those

things which build the consciences of most African faithful living in irregular marriages, and which often drive them into such unions, are deep-rooted traditional cultural values and beliefs that sometimes stand opposed to the Gospel message. Though they may not, in themselves, be necessarily evil, these values and beliefs form their native consciences; and these culturally formed consciences tell them that their acts are right. The paper, therefore, examines *Amoris Laetitia* in the light of canon 915 and the pastoral-canonical implications and challenges which its reception poses to the Nigerian-African Church in relation to existent irregular marriages.

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Corinne Bitaud

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Amoris Laetitia and Eucharistic Sharing for Interchurch Couples

The apostolic exhortation *Amoris laetitia* offers general considerations about Christian families (AL 292) which do not focus on interchurch families but do not exclude them either (AL 297). Some issues concerning the admission to the Eucharist, its spiritual function, and the requested discernment for enforcing the rules of the Roman Catholic Church, which are widely developed in the perspective of divorced-remarried couples, probably deserve a step sideways and a reading in the perspective of interchurch families.

The general rule of Eucharistic « inhospitality » for Protestant spouses of Catholic faithful and the fact that reception conditions are restricted to exceptional cases (AL 247), leads interchurch couples to separate themselves in front of our Lord's table. The Protestant partners do not feel fully accepted as baptized, as brothers (AL 299). The real painful which comes from this situation does not bear witness to the unconditional love of God (AL 311).

Sometimes, this has also consequences for the education of children: either they notice inconsistency between the proclamation of the primacy of

the powerful love of God and the affliction caused by the rules of the Church (AL 246), or they feel themselves condemned when they want to testify for a double belonging – which is really different from the membership to a supposed « third Church »

We, as interchurch couples, can hardly understand this rule when, both together, we read the Gospels, and especially Jn 6 where Jesus Himself shares the Bread of Life to a starving and uneducated crowd, without any condition for admission, as for a mean for understanding, by living it, the Eucharistic's mystery.

We, as interchurch couples, wish to bear witness of the fact that, each time we receive communion together, we do not live this transgression of the letter of the law as a transgression of the divine commandment (Lk 22,19 ; 1 Co 11, 25-26). Quite on the contrary, this produces in our lives of Christian families many spiritual fruits of quickening, encouragement, and of fortification (AL 318). So, why should we be deprived for eternity of a regular access to this divine grace (AL 316, AL296) ?

Corinne Bernhard-Bitaud has been for 26 years the protestant spouse of an interchurch couple, and is herself the daughter of an interchurch couple. She is chair of the French Association of Interchurch Families (AFFMIC). She has a Master degree from the Faculty of Protestant Theology of the University of Strasbourg, 2004 (title of her thesis: *Création d'un outil multimédia de présentation des documents concernant les relations entre les Eglises chrétiennes - Principes et premiers résultats*).

Thomas Knieps-Port le Roi holds the INTAMS Chair for the Study of Marriage and Spirituality at the Faculty of Theology and Religious Studies of the Catholic University of Leuven, Belgium. He is the editor of the *INTAMS Review. Journal for the Study of Marriage and Spirituality* and has published extensively on the theology, ethics and spirituality of marriage and family. He has co-edited *Companion to Marital Spirituality*, Leuven: Peeters, 2008; *The Household of God and Local Households. Revisiting the Domestic Church*, Leuven: Peeters, 2013; *Being One at Home. Interchurch Families as Domestic Churches*, Münster: LIT, 2015; *Authentic Voices, Discerning Hearts. New Resources for the Church on Marriage and Family*, Münster: LIT, 2016.

Triantafyllos K. Boltetsos

Holy Bishopric of Fthiotis, Centre of Marriage and Family, Athens
Marriage for Clergy and Laity: Marriage Bond and Dissolution in the Eastern Orthodox Church.

This presentation is an effort to give a compact picture of what is happening in Eastern Orthodox Christian Church about marriage, divorce and remarriage of people of God, priests and laymen.

In Theory and in Practice, either in ancient or in contemporary Eastern Orthodox Church, celibacy and marriage considered to be a matter of free choice for all Christians, clergy and laity.

Regarding the Clergy, men can be ordained at two first levels of priesthood, deacon and priest, married or not. After their ordination, they can't get married. In order someone to be at third and last stair of priesthood, meaning a Bishop, he should be mandatory unmarried. We must mention that this situation wasn't in force in ancient Church. There were married Bishops, and furthermore, some of them, even became holy ones. Ecclesiastical reasons, in a certain period imposed the obligatory celibacy of Bishops. There were not dogmatic reasons but matters of canonical – spiritual discipline and “management” of internal life of Church. According to the Holy Canons and their “instructions”, a member of the Clergy can't get married for a second time; if something like that is happening or tending to (by coherence with a foreign woman) this man would be deposed.

Such a situation used to be a problem for centuries, but at 20th century (mainly for widows) and even more at 21th century (for widows and separated or abandoned) became an intense problem for all the Orthodox Church.

Regarding the Laity, it is safe for the Church, if someone doesn't want to stay in celibacy, in order to become monk or nun, to get married and to maintain at this decision for life.

The Economy and mercy (philanthropy) of the Church, based on the biblical words (Mt. 5:31-32), accepts the divorce “because of adultery” and, after this, the second marriage and with great tolerance the third one. Relatively, it is very interesting for someone to read the marital blessings of second or third marriage in Orthodox Church.

Triantafyllos K. Boltetsos (Athens, 1973) obtained his Master degree in Pastoral Theology and Education from the Theological School of the National & Kapodistrian University of Athens. In 2012 he received a Doctorate degree in Theology (“The Practice of the Pastoral Work of the Church in the context of the New Testament, and especially in the Book of Acts of the Apostles”). He has a degree in Journalism and has been presenting for over 10 years television broadcasts with theological themes for the TV-channel “Star of Central Greece”. Since 2000 he has been working as Secretary of the Holy Bishopric of Fthiotis, and

he is director of the Centre of Marriage and Family of the same Metropolis. He has served, for seven years, as the director of a Christian public boarding school, and was during 10 years director and teacher at a pre-baptized School of Catechesis for children, young men and adults. He is the author of six books.

Darsi Don Bosco

KU Leuven, Faculty of Theology

Towards Maxima Amicitia: Discussing the Virtue of Epikeia and the Law of Gradualness in the light of Amoris Laetitia

Cura animarum, the care of the souls, has been one of the primary concerns in the last two Extraordinary Synods on the Family 2014, 2015 and in Amoris Laetitia (AL). Our paper aims to analyse this Church concern, especially through the virtue of epikeia and the law of gradualness in the light of AL. In recent years, this pastoral task has been heavily influenced by postmodern cultural pluralism, marked by rapidly changing axiological trends within westernized societies particularly in issues related to 'irregular forms' of cohabitation, divorced and remarried. Pastoral ethics is often crushed between the rigorist positions of the official magisterium aiming at orthodoxy, and the laxist interpretations and ditto de-culpabilizing expectations of postmodern believers. We investigate how epikeia and gradualness can contribute towards Maxima Amicitia (Aquinas, Summa Contra Gentiles, III, 123, 6). These both reflect a new gentle welcoming tone, a renewed theology, a fundamental revision and an attitude of compassionate pastoral care. The process of growth towards Bonum coniugum (mutual flourishing/ perfection of the spouses) is very much evident in AL. This is indeed a text balancing the traditional teaching and progressing thinking. The Synod fathers affirmed "gradualness in the prudential exercise of free acts on the part of the subject" (AL 295). Although general norm has to be upheld, particular complex circumstances and lived reality call for pastoral discernment and epikeic solutions (AL303, 304). We explore how AL announces the need for 'accompaniment, discernment and integration' of the divorced and remarried into the Church, giving room for individual conscience and internal forum (AL 300, 301, 305).

Darsi Don Bosco (India, 1980) is a bachelor of philosophy and theology. Since 2013 he is enrolled in the Doctoral program in Theology and Religious Studies at the KU Leuven. From 2006 to 2011 he worked in the pastoral & youth apostolate in the Diocese of Vijayawada, India. He was also executive member of ICYM (Indian Catholic Youth Movement), and animator of APCYM (Andhra Pradesh Youth

Movement) for five years. He founded PRAYRANA, a youth animation centre in the diocese of Vijayawada, and initiated YCS (Young Christian Students) and YSM (Young Students Movement) in 58 secondary schools in the Krishna District, India.

Nadia Delicata

University of Malta, Faculty of Theology

Sin, repentance and conversion in Amoris Laetitia

In this paper, I propose to unpack how the pivotal theological question posed by Amoris Laetitia (AL) is a challenge presented to every Christian: What is my sin? Through demanding that we discern not only our true culpability, but also our openness to God's grace even in situations of so-called "objective sinfulness", AL retrieves a robust theology of sin as it invites us to trust more fully in God's infinite mercy.

For too long, as our sense of sin was tied to an impoverished understanding of the morality of human action and a more deontological ethics, we diluted the fundamental understanding of sin as being an internal turning away from God through impeding our disposition to love and relate generously to one another. The separation between internal disposition and external action, and therefore, my appropriation of "subjective" experience in contrast to what merely appears "objectively", led to an inefficacious pastoral praxis and a weakened sacramental theology. This is nowhere more evident than in the question of the divorced and remarried.

AL seeks to rectify the damaging consequences of a manualist moral theology tied to a juridical understanding of the confessional, at least for the individual Christian conscious of their sinfulness. However, the paper will also suggest that what AL perhaps fails to do is to recover a full ecclesial sense of sin, repentance and conversion, where it is the entire community that participates in the healing of the "lost" sheep. How is the community as a whole to celebrate more fully the joy of God's mercy as "sheep" that were presumed to be lost are now found and embraced? Nadia Delicata is Lecturer in Fundamental Moral Theology and Christianity and Culture in the Department of Moral and Spiritual Theology, Faculty of Theology, University of Malta. Her areas of academic interest include: Christian formation in a digital age, the renewal of moral theology after Vatican II and the persuasiveness of evangelization in a post-Christian world. She serves on the Maltese inter-diocesan Theological Commission and the board of the Pastoral Formation Institute. She is married and is the mother of three children. Her most recent publications include: "The Talk He Never Gave": Reflections on Marshall McLuhan's 1979 Talk "Discarnate Man and the Incarnate Church", Ultimate Reality

and Meaning: Interdisciplinary Studies in the Philosophy of Understanding 34 no. 3-4 (2015): 231-256 / "A conversion" in the language we use", *Melita Theologica* 65 no. 1 (2015): 75-96. (With Rev. Dr. Paul Pace, S.J.) / "Natural Law in a Digital Age", *Journal of Moral Theology* 4 no.1 (2015): 1-25. / "The Renewal of Moral Theology: From Confessing Sins to Forming Christians in the World. In *The Quest for Authenticity and Human Dignity*": A Festschrift in Honour of Professor George Grima on his 70th birthday (Hector Scerri and Emmanuel Agius, eds.), 135-153. Valletta, Malta: Foundation for Theological Studies, 2015. / "On Divine-Humanity: Sergius Bulgakov's Personalist Theology as Foundation for the Christian Life", *Logos: Journal of Eastern Christian Studies* 55 no. 3-4 (2014): 391-424.

Michele Dillon

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A post-secular analysis of the Synod on the Family

This paper uses the Synod on the Family as a case study to investigate how contemporary Catholicism grapples with the tensions, gaps and mutual ties between the religious and the secular, and how this messiness plays out in the negotiation of tradition and change within Catholicism. Drawing on a post-secular framework as outlined in the recent writings of the German social theorist Jurgen Habermas, I argue that Francis' convening of and intentions for the Synod exemplify a post-secular turn. I probe the many dimensions of post-secularity demonstrated by the Synod (from its preparations through its final report and Francis' *Amoris Laetitia*) in particular, its emphasis on open dialogue, its gathering of empirical data about the realities of Catholic's lives, and the dialogical processes and procedures used to achieve consensus on various contested issues. I argue that while the emancipatory potential of the synod was limited by its clericalism, its hermeneutic of suspicion, its marginalization of lay participants, and bishops' pre-synodal doctrinal divisions, the consciousness of its quest to find a more culturally accessible language in which to explain and reorient church doctrine was a remarkable step toward recognition of the secular-religious expectations of Catholics (and others). I conclude that the linguistic turn and consensus on Communion (notwithstanding its ongoing, post-synod contestation), owe much to the Synods communicative process, and demonstrate the post-secular relevance of Catholicism even as the tension imposed by the Church between private (sexual) and public (Catholic) identities remains unresolved (as apparent in *Amoris Laetitia*).

Michele Dillon is professor of sociology at the University of New Hampshire, Senior Advisor for Research at the Carsey School, and a senior faculty fellow in the Office

of the Vice Provost for Engagement and Academic Outreach. Her research interests include autonomy and authority in the Catholic Church; post-secular society; religion, spirituality and cultural change; and purposeful aging. Dr. Dillon's publications include *American Catholics in Transition* (co-authors W. D'Antonio & M. Gautier; Rowman & Littlefield, 2013), *In the Course of a Lifetime: Tracing Religious Belief, Practice and Change* (co-author Paul Wink; University of California Press, 2007; selected by Choice as an outstanding academic book), *Catholic Identity: Balancing Reason, Faith, and Power* (Cambridge University Press, 1999), *Debating Divorce: Moral Conflict in Ireland* (University Press of Kentucky, 1993), *Handbook of the Sociology of Religion* (editor, Cambridge University Press, 2003), *Introduction to Sociological Theory* (Wiley-Blackwell, 2nd ed., 2014), and over 50 book chapters and research articles in journals such as *Sociological Theory*, *Journal for the Scientific Study of Religion*, *Sociology of Religion*, *Public Opinion Quarterly*, *Journal of Adult Development*, *Psychology and Aging*, and *Research on Aging*. Dr. Dillon is frequently interviewed by the mass media in the US and overseas. She has served as President of the Society for the Scientific Study of Religion, Chair of the American Sociological Association Section for the Sociology of Religion, President of the Association for the Sociology of Religion, and Executive Secretary of the Eastern Sociological Society.

Christine Galea

Canva Movement, Malta

Commitment: what is its relation to the indissolubility of Christian marriage?

The aim of this paper is to discuss the relation between commitment, and its implications upon the indissolubility of marriage. The idea of commitment is central to a marital relationship and provides the foundation for a lasting and joyous partnership. Happy marriages – those which are fruitful, rewarding and nurturing – are built upon mutual and loving respect for the spouses' individuality, but also upon an unwavering fidelity and respect towards the commitment made at the altar. Marriage, as instituted by God, is a faithful, exclusive, lifelong union between one man and one woman, joined in an intimate loving bond; but without a fundamental commitment to love and faithfulness, a marriage has little chance of happiness. When honoured, the commitment itself can be a springboard for growth, progress and mutual development.

Drawing upon the teachings of Pope Francis in his Post-Synodal Apostolic Exhortation, *Amoris Laetitia* (which are reflected in previous papal statements and other magisterial documents), the author will discuss how through a merciful pastoral approach, that advocates accompaniment,

dialogue and discernment, spouses may grow to appreciate more the intrinsic reality and value of the sacrament of matrimony, and consequently live out the implications of their commitment towards one another to embrace the full reality of marriage and family in conformity with the Gospel. The author shares her own personal experience to show that although it is possible to honour the bond (even after a marriage has failed), one must appreciate that others may wish – or be compelled – to make different choices.

Christine Galea is a pastoral worker in the field of marriage and the family. After obtaining a Bachelors Degree in Theology from the University of Malta in 2009, she resumed her studies at Masters level at the same University. In 2012, she graduated with an M.A. in Family Ministry, with a thesis entitled “The Cana Movement’s Marriage Preparation Course – a theological and pastoral evaluation”. Her principal areas of research are the Church’s teachings on marriage and sexuality, with a focus on transmitting these teachings to young couples preparing for marriage. At local level, Christine is the Secretary General of the Cana Movement, a Church institution which primarily offers pastoral services to Maltese families. She is also a member of the service team which runs Genesis 2, the privately-run Institute for Marriage and Family. Christine is also a part-time lecturer in theology of Marriage and the Family at the Institute of Pastoral Formation of the Malta diocese. On an international level, Christine is a Board Member of the ICCFR (The International Commission on Couple and Family Relations), which provides for the networking of professionals in the public and voluntary sectors involved in work with couples and families.

András Handl

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Reconciliation for adultery, remarriage and free union? Bishop Callistus I. of Rome (217?-222?) and his "marriage decree"

"He proclaimed to all those under his authority that all their sins were forgiven." These are words of the so called "marriage decree" of bishop Callistus paraphrased rather by his anonymous rival than by "Hippolytus [Romanus]". What is meant here were, however, not petty offenses but one of the grave ones. Namely, adultery, in every aspect: extramarital cohabitation, remarriage and "free union". This "revolutionary leniency", together with his Monarchian views were reasons enough to declare the Bishop of Rome as one of the most hazardous heretics ever.

But how did Callistus come to this "decree"? What was his disciplinary innovation? And, most importantly, how did he legitimate this practice,

particularly in the light of the status quo marked by the popular and normative Shepherd of Hermas?

This paper offers a ground-breaking new perspective on the "marriage decree" of Callistus and its significance for his episcopacy. For this, it is taking into account the heterogeneity of the Christianities in the city, his "martyrdom" • and his strive for the (visible) unity of the catholic Church in Rome. It will also demonstrate that the theological legitimation of an institutionalised pardoning of adultery constitutes one of the most important milestones in the early development of the bishop's office. From this point of view, his episcopacy marks indeed a point of no return.

András Handl (1979) is postdoctoral research fellow at the Research Unit History of Church and Theology, KU Leuven. He studied theology, journalism and Christian archaeology in Budapest, Erlangen, Rome and Leipzig. He earned his PhD at the University of Basel in 2015 with a dissertation to Bishop Callistus I. of Rome (217?-222?) and his controversy with the Author of the *Refutatio omnium haeresium*.

Michaela C. Hastetter

International Theological Institut, Trumau

Via caritatis. The Pastoral Care of Remarried Divorcees from an Ecumenical Perspective

Like all the other pastoral activities of the Church, the pastoral care of divorcees who are remarried falls under the command of love of neighbour. Pope Francis pointedly reformulated this insight in *Amoris Laetitia* (cf. AL 306). In this paper, I will examine the theological basis of various emphases in the pastoral care of remarried divorcees based on charity as found in the three major Christian denominations (Orthodox, Protestant and Catholic) and compare their respective practical outcomes. To this end, it will be essential to examine the different pastoral-theological hermeneutics with regard to remarried divorcees as found in the three Christian denominations, and how they affect pastoral practice. The rejection of the sacramental nature of matrimony on the part of Protestants, with the consequent unlimited permission to remarry, finds its practical-pastoral expression not only in occasional liturgical services for those who are divorced but even in the incorporation of the possibility of divorce into the liturgical form of marriage itself. For the Orthodox, a limited possibility of remarriage after divorce is generally permitted and is characterized by repentance and penance. In this case, the pastoral accompaniment of

remarried divorcees remains tied to the principle of oikonomia, and is justified in terms of the therapeutic care of souls. In the Catholic Church, the pastoral care of remarried divorcees is based on the indissolubility of marriage with the consequent non-admission of remarried divorcees to the sacraments. This led to different emphases and approaches, which could be summarized as a pastoral of faith (Glaubenspastoral). Against this background, the question appears in a new light as to whether, and to what extent, thanks to *Amoris Laetitia*, ecumenically relevant approaches to the care of remarried divorcee can be found in terms of pastoral theology and pastoral practice, the implications of which have not yet been fully considered.

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Stephanie Höllinger

University of Vienna, Faculty of Catholic Theology

Are we Expecting Too Much? Reflections on Expectation and Marriage in *Amoris Laetitia*

"Among the causes of broken marriages are unduly high expectations about conjugal life" (AL 221). With this statement Pope Francis points towards a specific problem in his post-synodal apostolic exhortation that was also illustrated by psychological and sociological research in the recent years as one of the most relevant factors for separations and divorces. The gap between "dream[ing] of an idyllic and perfect love" (AL 33) and the often challenging and complex reality verifiably strains many spouses, so that common future appears in many cases impossible. Pope Francis does not only point out this issue explicitly, he also reflects on possible roots as well as on adequate attitudes that might be helpful in dealing with these high expectations. Without diminishing the Catholic ideal of marriage (see AL 38, 312), he highlights the essential meaning of a realistic view within the married life. Therefore, the spouses (see AL 100, 113, 135, 218, 221, 323, 325) as well as the Church (see AL 36, 201) are invited to embrace human limitations and to pursue a continuous

development. The condition for this is to accept one's own limitations (see AL 62, 239) and to let go of all abstract and egocentric desires (see AL 33, 36, 92, 101, 145).

Within the paper this relation between expectations and marriage, as well as the approaches to successful relationships that are outlined in *Amoris Laetitia*, will be explored, since it could open a new research trajectory for theology of marriage and family.

Stephanie Höllinger is a doctoral researcher at the Catholic Theology Faculty (Department of Systematic Theology/ Institute for Theological Ethics) of the University of Vienna (since November 2014). From 2008 to 2014 she studied German and Catholic Theology with the Certification as Secondary Teacher at the University of Vienna. The title of her thesis was "Scheitert die Liebe an ihrem Ideal? Krisenethische Reflexion gegenwärtiger Trennungs- und Scheidungstendenzen vor dem Hintergrund des Partnerschafts- und Liebesideals im 21. Jahrhundert" (2014, accepted for the series "Junge Theologie" ("Young Theology"), <https://ktf.univie.ac.at/forschung/diplomarbeiten/junge-theologie/>). Recent publications include "Sexualität im Alter als ethische Herausforderung. In: Zeitschrift für medizinische Ethik" / "Tagungsbericht des Netzwerkes Moralthologie. "Begrenzt-Sein als anthropologische Grundgegebenheit" (04.-06.03.2016). In: *Ethica, Wissenschaft und Verantwortung. / Leiblichkeit und Sexualität (1): Was sagt die Heilige Schrift? Wertschätzung und ein verantwortungsvoller Umgang.* In: *Katholisches Sonntagsblatt. Diözese Rottenburg-Stuttgart* (17.05.2015) / *Leiblichkeit und Sexualität (2): Das Erbe des Augustinus. Die Seele im Leib gefangen?* In: *Katholisches Sonntagsblatt. Diözese Rottenburg-Stuttgart* (24.05.2015) / *Leiblichkeit und Sexualität (4): Akzente des Zweiten Vatikanums. Innige Gemeinschaft des Lebens und der Liebe.* In: *Katholisches Sonntagsblatt. Diözese Rottenburg-Stuttgart* (07.06.2015).

Scaria Kanniyakonil

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Amoris Laetitia and Indissolubility of Marriage in the Syro Malabar Church of India before and after the Synod of Diamper

The forementioned title develops through three sections. The first one describes at length the exceptions to the indissolubility of marriage in the Syro Malabar Church before the Synod of Diamper. This church having an East Syrian tradition was historically part of the Church of the East (Persia) and consequently they use the texts of sacraments, particularly of marriage till the 16th century. This text illustrated the exception to indissolubility of marriage in the case of unchastity, since the syriac word *Zanyutha* is used as referring to fornication and prostitution.

The second section analysis the nature of marriage as it was developed in Post-Diamper Synod. Due to the emergence of the Portuguese Padroado in 16th century Syro Malabar Christians of India were destined to follow the Latin Rite as it was practiced by the latter. Consequently many changes, such as, the theology of marriage, the proper text of the syriac tradition were replaced by the Latin theological understanding as well as the blessings of marriage proposed by Bishop Francis Rose SJ. Accordingly there came up no exception to the indissolubility of marriage even in the case of unchastity as it was proposed by the East Syrian tradition.

The final part discusses the significant role of the teaching of the *Amoris Laetitia* in the present situation of the Syro Malabar Church with regard to the indissolubility of marriage. The drastic nature of the present day situation in the Church involves an increasing number of civil divorce (6540) and the avoidance of the sacramental character of marriage through the living together (4914) as per the records of the survey conducted in 2015.

Scaria Kanniyakonil is a priest of the archdiocese of Changanacherry, India. He was awarded a doctorate in moral theology from the KU Leuven in 2002. At present he is a member of the resident staff of St Thomas Apostolic seminary Vadavathoor and lecture of Moral theology and Dean of studies at Paurastya Vidyapitham Vadavathoor Kottayam, Kerala, India. He has published many articles and 20 books both in Malayalam and in English. His works include: ed., *Ethical Perspectives of the Eastern Churches* (2004), *Living Organ Donation and Transplantation* (2005); ed., *Bioethical Issues and the Family* (2005); *The Fundamentals of Bioethics: Legal Perspectives and Ethical Approaches* (2007); *Wait For God's Call: Catholic Perspective on Euthanasia* (2011); ed., *New Horizons in Christian Ethics: Reflections from India* (2014), ed., *Pastoral Challenges of Marriage and Family: Response from India* (2015). IRO advisory committee approved his project for a specialization grant at KU Leuven from October 2, 2016 to December 27, 2016. Title of the project is "the Acquisition of Organs from Living Donors: An Ethical Appraisal."

Bernard Kasamata Kamulinso

KU Leuven

Theology of Marriage Faced with the Context: A comparative study of the issue of African polygamy and remarried divorcees

Profound transformations in the understanding and practice of the marital relationship in western societies have finally forced the Church (as can be seen in the recent bishops' synod on the family) to revisit her discipline with

regard to those who were not able to remain faithful to their first spouse. An analysis of the manifold theological, ethical and pastoral arguments that have prompted this move reveals that it is not limited to the realm of discipline or ministry only but impacts the church's basic understanding of the indissoluble character of the marital union.

We take the theological discussion about divorce and remarriage in the western church, as well as the intervention of *Amoris Laetitia* (AL 291-312), as a starting point and paradigmatic model to shed new light on the lingering question of the inculturation of Christian marriage into the African context. By analyzing in depth the various arguments that have been brought forward to adapt ecclesiastical discipline with regard to remarried divorcees we provide an argumentative framework that proves to be valid and useful in an analogous manner also for the issue of polygamous unions and African marriage. Our primary intention is fundamentally to develop a theological rationale which will allow us to measure and critically evaluate in how far the teaching on the exclusivity of marriage, analogously to that of its indissolubility, is in fact, and may legitimately be, shaped by a specific cultural context such as the African one. Thus, we intend to verify our hypothesis that the Christian concept of marriage itself is subject to history and context, that historicity and contextuality are inherent to its theological meaning, and that its core features cannot be determined once and for all but develop in and over time and across cultural borders.

Bernard Kasamata Kamulinso was born in 1973 (RD Congo). After joining the salvatorian fathers in 1997, he obtained bachelor degrees in Philosophy (2003) and Theology (2008). In 2015, he obtained a master degree in Pastoral Theology at the KU Leuven, where he was admitted to the doctoral program. His research interests are related to the question of remarried and divorcees in the Western Churches, and "irregular marital situations in Africa" (or African marriages).

Branislav Kuljovsky

KU Leuven, Faculty of Theology

The Law of Gradualness or the Gradualness of Law? A Critical Analysis of *Amoris Laetitia*

Ever since its release on 8 April 2016, the apostolic exhortation of Pope Francis has stirred conflicting reactions not only among scholars and academics but also among the highest representatives of the Church. Some of them welcomed the new document with keenness and excitement (e.g. Cardinal Schönborn, Cardinal Kasper, Archbishop Cupich, R. Buttiglione, R. G. López, etc.), others express their displeasure and even

an outright critique (e.g. Cardinal Burke, Cardinal Müller, Archbishop Chaput, Ch. Brugger, J. P. Dougherty, 45 theologians, scholars and clergy men in a recent letter to the College of Cardinals, etc.). The main bone of contention represents the document's eight chapter entitled "Accompanying, Discerning and Integrating Weakness". The incriminated chapter elaborates a certain pastoral perspective on the situation of people living in "irregular situations", i.e. living in a manner that contradicts the Church's moral teaching on marriage. However, this pastoral perspective is underpinned, explicitly or implicitly, by certain ethical conception(s). This paper addresses the question of whether the document's concrete elaboration of the 'law of gradualness', through the conceptions of conscience and personal and pastoral discernment, does avoid what it explicitly intends to reject, namely the "gradualness in law" (Amoris Laetitia 295, 300). After delineating the difference between the two concepts, the paper will engage in a close reading of the apostolic exhortation in order to provide an answer to this question.

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Nathalie & Christian Mignonat

Équipes Reliance, Bron, France

The Équipes Reliance, a twelve years experience of integration and discernment for remarried divorced couples

Created by the Teams of Our Lady (Équipes Notre Dame) at the request of Pope Jean Paul II in the 2000s, these teams welcome the Christian couples committed in a new union when progressing as a couple and as a team in Christ's eyes. The team includes several remarried divorced couples, a sacramental couple (Equipes Notre Dame) and a priest, as spiritual advisor.

The progress allows the review of the first union and its break, the evaluation and the pacification of the current relations with the former spouse and the ex-family, the construction of the new union in the stability, the setting up of more peaceful relations with the Church, and a growth of personal spiritual life.

This experience fits perfectly the criteria of discernment proposed by Amoris Laetitia (AL300). In addition Equipes Reliance developed a questionnaire: "What do you want me to make for you?" (Mc 10, 46-52) in order to understand and address the expectations of the team members. The spiritual advisors of the movement feel ready in good conscience to meet the expectations of team members such as, for example, celebration of prayer to present the new union to the Lord or to respond, in particular, to sacramental demands.

The team members, those are already at the end of the way, are ready in their parish to commit themselves as credible companions in groups of "pathways of discernment" that we call "Bartimée's route".

Nathalie Mignonat is a retired mathematics professor, Christian Mignonat is a retired engineer and canonical bachelor of law (author of the report "The freedom of the marital consent, between free will and internal freedom "). He is also defender of the bond at the ecclesiastical court of Lyon (France). Married in 1976, they became team members Equipes Notre-Dame in 1984. They publish a Guide for marriage preparation in parishes since 2000. They are national coordinators of the Equipes Reliance, the proposal of the Equipes Notre-Dame for the divorced remarried persons since 2012. They are founding members of the private association of the faithful Sedire-Lyon (welcome and support for prayers relating to a civil marriage) in 2013. In October 2015 they were the French auditors at the Synod of the family for the Equipes Reliance and Sedire-Lyon.

Vincent Mynem Sagandoy

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Canonical Imperatives of Pastoral Care in Amoris Laetitia Concerning Catholics with Irregular Marital Status

The Post-Synodal Apostolic Exhortation, Amoris Laetitia, of Pope Francis on love in the family is indeed a timely pastoral reflection on the complexities challenging the Church today especially on her doctrine on marriage and family. In this exhortation, the Pope maintains the unitive and indissoluble properties of marriage between a man and a woman and its exclusive ends, that is, for the goods of the spouses and for the procreation and education of children from which the Christian family is established.

However, faced with the changing legal systems of countries around the globe and the proliferation of rights group against all forms of discrimination, the Church is fully aware of the situations of Catholics who have irregular marital status. The Pope in this exhortation makes no rebuttals but presents these situations as pastoral challenges. He even offers some pastoral insights to the Church as to how these situations are to be undertaken with great care. However, it is the belief of the author that anything pastoral merits canonical analysis. Besides, pastoral care inasmuch as it belongs to the realm of theology is also a legal principle insofar as Canon Law is concerned. Hence this paper will elaborate how Canon Law regards pastoral care by demonstrating it as an obligation and a right for Catholics even those with irregular marital status.

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Todd A. Salzman / Michael G. Lawler

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Ethical Method, Conscience, and Divorce and Remarriage in Amoris Laetitia

Our paper develops in three cumulative sections. First, we explore the ethical methodological developments evident in Amoris Laetitia. It represents a profound shift in emphasis for Catholic theological ethics in its approach to doing marital and sexual ethics. Historically, the method has been largely law-oriented, legalistic, act-focused, static and deductive. The method in Amoris Laetitia is very different; it is virtue-oriented, relational focused, dynamic, developmental and inductive. The focus is not on rules and acts but on ways of being in the world, where the person is invited to strive to live out a life like Christ in the service of God, spouse, family, neighbor and society, realizing that God's mercy is infinite. This shift in method has profound implications for how we approach, ethically and pastorally, marriage, divorce and remarriage in the Church and the formation of conscience.

Second, rather than reiterating old rules or offering a new set of rules for lasting marriages, Francis seeks to highlight the kind of people married Christians are called to be so that they may do what is necessary for their marriages to be successful and lasting and how to respond in Christ's compassion and mercy when marriages do not succeed.

Third, Amoris Laetitia brings to the moral forefront the ancient Catholic teaching on the authority and inviolability of personal conscience, especially in its inclusion of the internal forum for resolving cases where there is conflict between Church teaching and the "irregular situations" in which the divorced and remarried faithful often find themselves. The focus on conscience is, in our opinion, one of the most important teachings of Amoris Laetitia.

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Pierre Van Hecke

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Amoris Laetitia from a biblical-hermeneutical perspective

Amoris Laetitia is a remarkable document in many respects, not in the least because of the way in which it uses Scripture. Not only does the document refer to a large number of biblical texts, many of which are not commonly referred to in Church documents dealing with marriage and the family, the exhortation also does so in a hermeneutically rich way. Rather than quoting biblical passages as verba probantia or illustrative quotes for specific theological or normative positions, the document on several occasions starts from a profound exegesis of and reflection on biblical texts. Two key examples of this are the first and the fourth chapter. The first chapter explores the centrality of "families, births, love stories and family crises" in the biblical narrative, taking Psalm 128 as the central text for its reflections. The central chapter four, dealing with love in marriage, starts with a lengthy and detailed exegesis of Saint Paul's well-known praise of love (1 Cor 13), an exegetical exposition which is rare in ecclesial documents.

In this paper, the exhortation's innovative hermeneutical use of Scripture will be presented and analyzed, and it will be argued that the document's

treatment of biblical passages constitutes an important impetus for a biblically shaped theology and spirituality of love, marriage and families in their many forms.

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Amoris Laetitia: On the Need For Contextual Theology and Inculturation in Practice

How is the local church to care for Divorced and Remarried Catholics in view of the charge Pope Francis issued in *Amoris Laetitia*? The text rightly underscores discernment and conscience as crucial forces in this complicated and challenging process. In AL, Francis seems more in line with the B. Haring's model of conscience as a "restless movement of the heart to God" rather than G. Grisez's model of conscience as "conforming to the teachings of the church". Francis' position distances him from both Benedict and John Paul II (cf. AL 300-305) insofar as he restores the long standing Catholic tradition on the inviolability of conscience (Aquinas, *Gaudium et Spes* 16, *Dignitatis Humanae*) while his predecessors emphasized conformity to truth as expressed in church teaching. Some important Bishops seem to be ignoring Francis' horizon. For example, Archbishop Chaput of Philadelphia, who has been appointed the head of the American Bishops working group to plan the communication of AL's teaching across the American church, has already embraced the

conformity to the objective moral order model. In guidelines for his own Diocese, the teaching on the inviolability of conscience is absent. Reading AL together with *Evangelii Gaudium*, suggests that the concerted pastoral challenges of divorce and remarriage communion, gay marriage etc. participate in the tension that arises from being in a "change of an Era rather than an Era of Change" Francis, Florence. Proposed pastoral solutions will be rooted in either the paradigm of modernity or a paradigm of post-modernity. This paper will argue that contextuality and inculturation best respond to the "signs of the times".

A specialist in ritual studies, liturgics, sacramental theology, and marriage George Worgul has authored two books, *From Magic to Metaphor: A Validation of Christian Sacraments* (New York: Paulist, 1980) and *Issues in Academic Freedom* (Pittsburgh: Duquesne University Press, 1992). He has published 45 articles in scientific journals and given hundreds of presentations in the United States, Europe, Africa and Asia. George Worgul was the inaugural University's coordinator of Africa, Programs, Director of the Family Institute, and chair of the Theology Department. He is on the board of Directors on Catholic Universities in Nigeria and Ghana.