

Receiving *Amoris Laetitia*

James. F. Keenan, SJ

Boston College, Chestnut Hill, MA, USA

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Abstract

The papal exhortation *Amoris Laetitia* has prompted questions about the way it develops doctrine, prioritizes the Gospel value of mercy, and calls for an accompaniment of and a respect for the discerning consciences of those in “irregular situations.” In their response to these questions, bishops and theologians in Germany, Austria, France, Italy, Belgium, South Africa, and Argentina offer positive and imaginative policies to embrace not only divorced and remarried couples, but all those looking for greater communion with the church.

Keywords

accompaniment, *Amoris Laetitia*, conscience, development of doctrine, discernment, divorced and remarried, Pope Francis, mercy, Synod on the Family

In 2015, I wrote “Redeeming Conscience” for these Notes¹ as a response to the absence of any evidence of conscience in the *Relatio* of the extraordinary synod on the family.² Still, I suggested that the pope’s closing remarks at that synod gave evidence of some seeds being planted that would direct the church’s attention more

1. James F. Keenan, “Redeeming Conscience,” *Theological Studies* 76 (2015) 129–47, doi:10.1177/0040563914565296.
2. *Relatio Synodi della III Assemblea generale straordinaria del Sinodo dei Vescovi: “Le sfide pastorali sulla famiglia nel contesto dell’evangelizzazione,”* October 18, 2014, <http://press.vatican.va/content/salastampa/it/bollettino/pubblico/2014/10/18/0770/03044.html>.

Corresponding author:

James. F. Keenan, SJ, Boston College, Chestnut Hill, MA 02467, USA.

Email: james.keenan.2@bc.edu

specifically to the moral agency of the People of God.³ Those seeds bore a remarkable yield in Pope Francis's apostolic exhortation *Amoris Laetitia*. This note is an attempt to participate in its harvest.⁴

The general theological excitement about *Amoris*, certainly more palpable in continental Europe and elsewhere than it is in the English-speaking church, merits the full attention of this article. To its credit, *Theological Studies* published in its last issue two noteworthy essays on the exhortation. In "The Joy of Love (*Amoris Laetitia*): The Papal Exhortation in Its Context," the senior Australian theologian Gerald O'Collins identified the theological contexts out of which Pope Francis developed the apostolic exhortation, from Vatican II to *The Final Report of the Synod of Bishops*.⁵ In particular he examined the teachings on marriage and family that were addressed in the Council and in the post-synodal, apostolic exhortation of John Paul II on The Role of the Christian Family in the Modern World (*Familiaris Consortio*).⁶

Besides acknowledging that "at 256 pages in the English translation," *Amoris Laetitia* is "easily the longest exhortation (or encyclical) ever produced by a pope," O'Collins provides an important summary that highlights the creative balance marking the pope's multitudinous moral instructions, a balance between doctrinal tradition and pastoral accompaniment.

On the one hand, he insists that the church must continue to "propose the full ideal of marriage" (AL 307) and "clearly express her objective teaching" (AL 308). The "integrity of the Church's moral teaching" requires nothing less than that (AL 311). On the other hand, to those who press for "a more rigorous pastoral care which leaves no room for confusion" (AL 308), the pope responds that if "we put so many conditions on [God's] mercy that we empty it of its concrete meaning and real significance," we will be indulging in "the worst way of watering down the Gospel." (AL 311)

Any review of the exhortation's reception should note that this warning against "watering down the Gospel" is among the most frequently cited and yet, no one should miss the pope's irony. In the past, "watering down" usually referred to how pastoral practices could dilute doctrinal teaching; here the pontiff inverts its use to

3. Pope Francis, "Speech at the End of the Synod" (Synod on the Family, Vatican City, October 18, 2014), http://en.radiovaticana.va/news/2014/10/18/pope_francois_speech_at_the_conclusion_of_the_synod/1108944.

4. Pope Francis, *Amoris Laetitia* (March 19, 2016) 311 (hereafter cited in text as *AL*), https://w2.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia_en.pdf.

5. Gerald O'Collins, "The Joy of Love (*Amoris Laetitia*): The Papal Exhortation in Its Context," *Theological Studies* 77 (2016) 905–21. See *The Final Report of the Synod of Bishops to the Holy Father, Pope Francis* (October 26, 2015), http://www.vatican.va/roman_curia/synod/documents/rc_synod_doc_20151026_relazione-finale-xiv-assemblea_en.html.

6. Pope John Paul II, *Familiaris Consortio* (November 22, 1981), http://w2.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_19811122_familiaris-consortio.html.

warn against an overzealous interpretation of doctrine that could compromise the Gospel message of mercy.⁷

In “The Role of the Moral Theologian in the Church: A Proposal in Light of *Amoris Laetitia*,” Conor M. Kelly responds to the papal admonition that “The teaching of moral theology should not fail to incorporate these considerations” (*AL* 311).⁸ Kelly sees in the exhortation’s account on conscience and discernment the trajectory that leads to a new function for the moral theologian. Following James Bretzke’s observation that “what the pope has given us is what I would call a ‘thick description’ of what following a formed and informed conscience looks like in the concrete,”⁹ Kelly argues that “the place where the primacy of conscience is most apparent is in the exhortation’s consideration of the possibilities for including divorced and remarried Catholics more fully in the life of the church.”¹⁰ There Pope Francis claims that “individual conscience needs to be better incorporated into the church’s praxis in certain situations which do not objectively embody our understanding of marriage” (*AL* 303), and thus proposes an “examination of conscience” for divorced and remarried Catholics (*AL* 300).

Like O’Collins, Kelly illustrates Francis’s continuity with the tradition and observes that Pope Francis “is hardly presenting a radical new idea” when he links the “distinction between objective gravity and subjective culpability to the ‘individual conscience’ and insists on the need for a case-by-case discernment of moral responsibility (*AL* 303).”¹¹ Kelly turns to similar connections made by Pope John Paul II in his encyclical *Veritatis Splendor* as well as the *Summa Theologiae* of Thomas Aquinas.¹²

Kelly then claims that with the exhortation, Pope Francis is shifting the entire competence question of moral theology by acknowledging a double competency for conscience. Not only does conscience acknowledge moral truth in the past, but it discerns and articulates its course for the future. Kelly leads us to paragraph 303:

Yet 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. In any event, let us recall that this discernment is dynamic; it must remain ever open to new stages of growth and to new decisions which can enable the ideal to be more fully realized. (*AL* 303)

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7. On the importance of the pastoral, see John W. O’Malley, “A Pastoral Vision,” *America*, July 18, 2016, <http://www.americamagazine.org/issue/pastoral-vision>.
 8. Conor M. Kelly, “The Role of the Moral Theologian in the Church: A Proposal in Light of *Amoris Laetitia*,” *Theological Studies* 77 (2016) 922–48.
 9. James T. Bretzke, “In Good Conscience,” *America*, April 8, 2016, <http://americamagazine.org/issue/article/good-conscience>.
 10. Kelly, “The Role of the Moral Theologian” 924.
 11. See also *AL* 304–5.
 12. John Paul II, *Veritatis Splendor* (August 6, 1993) 70, http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_06081993_veritatis-splendor.html. See pars. 62–63. In *Summa Theologiae*, see I–II, q. 19, a. 5; cf. I–II, q. 6, a. 8, c.

Kelly highlights Pope Francis's discerning competence of conscience as resonant with conciliar theology, notably in *Gaudium et Spes*.¹³ Kelly writes, "By taking this conciliar idea seriously, *Amoris Laetitia* significantly advances the magisterial understanding of conscience, representing another step in an ongoing process of development and reclamation of the tradition that has been active in the church since Vatican II."¹⁴

Kelly argues that Pope Francis has now prompted moral theology to see that the "magisterial understanding of conscience" requires recognizing the priority of the process of discernment over the definition and application of rules. This emphasis on discernment was routinely recognized by readers of the exhortation,¹⁵ and moral theologians read the exhortation's magisterial endorsement of this discernment as a significant shift for their field. As the editors of *Commonweal* noted, it is "a recognition of human complexity and an endorsement of subsidiarity." They add, "Only (properly trained) local pastors can be familiar enough with the members of their flock to undertake the kind of 'practical discernment' necessary to apply the church's rules without deepening the wounds caused by divorce or abandoning the already abandoned."¹⁶ The charge is daunting.

With this background about the key issues of the exhortation, we can now focus on the matter of its reception in Germany and Austria, France, Belgium, Italy, Argentina, and South Africa, and then finally the USA.

Germany and Austria

The influence of Germany and Austria on the formation and reception of the exhortation is noteworthy. Just as Cardinal Walter Kasper animated the two synods, Austrian Cardinal Christoph Schönborn launched the exhortation's reception. Their integral

13. *Gaudium et Spes* (December 7, 1965) 16, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651207_gaudium-et-spes_en.html.

14. Kelly, "The Role of the Moral Theologian," refers to David DeCosse, "The Primacy of Conscience, Vatican II, and Pope Francis: The Opportunity to Renew Tradition," in *From Vatican II to Pope Francis: Creating a Catholic Future*, ed. Paul Crowley (Maryknoll, NY: Orbis, 2014) 156–69.

15. See for instance, James Martin, "Discernment: A Key to 'Amoris Laetitia,'" *America*, April 7, 2016, <http://americamagazine.org/issue/discernment-key-amoris-laetitia>; Nicholas Austin, "Discernment Charged with Merciful Love: Pope Francis' *Amoris Laetitia* on Love in the Family," *Thinking Faith*, April 8, 2016, <http://www.thinkingfaith.org/articles/discernment-charged-merciful-love-pope-francis%E2%80%99-amoris-laetitia-love-family-0>; Antonio Spadaro and Louis J. Cameli, "Watching for God: The Gift and Challenge of Discernment in 'The Joy of Love,'" *America*, August 1–8, 2016, <http://www.americamagazine.org/issue/watching-god>; William L. Portier, "A Balancing Act: Reading *Amoris Laetitia*," *Commonweal* (May 20, 2016) 16–18, http://ecommons.udayton.edu/cgi/viewcontent.cgi?article=1097&context=rel_fac_pub.

16. "Some Exceptions May Apply: For Francis, Rules Aren't the Main Concern," *Commonweal*, April 19, 2016, <https://www.commonwealmagazine.org/some-exceptions-may-apply>.

involvement was not accidental: both have been intimately involved with synodal questions for years. Moreover, they have hardly been singular agents. From the beginning, Kasper worked with the long-standing president of the German Bishops' Conference (1987–2008), Cardinal Karl Lehman, on the question of divorced and remarried Catholics. Similarly, with Schönborn, Cardinal Reinhard Marx has been there in support as well. In a similar way, German theologians, led by such senior figures as Peter Hünemann, Antonio Autiero, and Hermann Pottmeyer, and with the initiative of Stephan Goertz and others, have already thematically offered a set of pathways for its reception.

A month before he was to give the keynote address to the 2014 bishops' synod, Cardinal Kasper referred to a "practical schism" within the church: "Many people experience the [church's] doctrine as far from reality. There is a kind of practical schism. Christian couples very committed to the church, for example, do not live the teachings of the encyclical 'Humanae Vitae' regarding birth control. It's a problem that needs thinking about." He distinguished this practical schism from a practical tension between doctrine and pastoral praxis, noting that "pastoral (action) cannot go against doctrine, but doctrine cannot be an abstract affirmation. Its interpretation has to be linked to real life." That predictable tension is different from a practical rejection of the doctrine itself. When asked how was the church responding to the practical schism, he answered, "In silence."¹⁷

After the synods, Cardinal Kasper was a different man. Of the exhortation, he said, it "doesn't change anything of church doctrine or of canon law—but it changes everything."¹⁸ In light of the "practical schism," he was speaking of nearly twenty-five years of struggling to reform the practice of ministering to the divorced and remarried.

On July 10, 1993, Kasper with then-Bishop Karl Lehman and Archbishop Oskar Saier issued a pastoral letter from the three bishops of the Upper Rhine Province that was read in all their churches, calling for a dialogue with divorced and remarried persons. In their summons, they asked a specific question: While admitting that the prohibition against receiving communion by remarried Catholics was "generally valid," did the prohibition always apply "in a given situation"?

They accompanied their pastoral letter with a more detailed statement of "Principles of Pastoral Care."¹⁹ These principles from twenty-three years ago are remarkably like those directives found in part 8 of the exhortation. In particular, the entire framing of the question in the "Principles" is summed up by the section heading, "The Possibility of an Individual Decision of Conscience to Participate in the Eucharist." This section

17. Gerald O'Connell, "Kasper: Synod Will Have to Discuss the 'Practical Schism' in the Church," *America*, September 6, 2015, <http://americamagazine.org/content/dispatches/kasper-synod-will-have-discuss-practical-schism-church>.

18. Christopher Lamb, "Compassion is this Pastor's Watchword," April 14, 2016, <http://www.thetablet.co.uk/features/2/8269/compassion-is-this-pastor-s-watchword>.

19. "Bishops of the Upper Rhine Joint Pastoral on Ministry to the Divorced and to Divorced-and-Remarried People," *Origins* 23 (March 10, 1994) 670–73; "Principles of Pastoral Care" in *ibid.* 673–76.

concerned a person or couple, accompanied by a priest, trying to discern prayerfully whether in light of their situation, they could in conscience approach Eucharist. “Such a decision can only be made by the individual in a personal review of his or her conscience and by no one else. However, he or she will be in need of the clarifying assistance and the unbiased accompaniment of a church officeholder; such assistance will sharpen the conscience and see to it that the basic order of the church is not violated.”²⁰

On October 14, 1994, the Congregation for the Doctrine of the Faith sent out a letter to the entire episcopacy entitled, “Concerning the Reception of Holy Communion by Divorced and Remarried Members of the Faithful,” which effectively closed the dialogue that the bishops were launching.²¹ The entire discussion was further engaged here in the United States by an essay by Kenneth R. Himes and James A. Corriden in these Notes, “Pastoral Care of the Divorced and Remarried.”²² More recently, Cardinal Lehman himself spoke of the exchange. “For me,” Lehmann said, “that rebuff was one of the greatest disappointments in my entire time as bishop. We were rebuffed in a manner that was improper for us as theologians and bishops.”²³

Earlier, in December 2015, Cardinal Lehman participated in a major international conference in Munich, “Opening the Council: Theology and Church under the Guiding Principle of the Second Vatican Council.” Of particular note was the cardinal’s insistence on synodality. The cardinal stated that Pope Francis has “given the bishops’ synod back its freedom.” Arguing that the “the church’s synodal structure must be strengthened at all levels,” Lehmann noted that Pope Francis has made repeated appeals for a synodal church. For Lehmann this “synodality” is “more important than possibly holding a third Vatican Council.” He added that there are great opportunities for the church in a globalized world as long as it discards its centralist approach.²⁴

20. “Bishops of the Upper Rhine Joint Pastoral.”

21. Congregation for the Doctrine of the Faith, “Concerning the Reception of Holy Communion by Divorced and Remarried Members of the Faithful,” (October 27, 1994), http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_14091994_rec-holy-comm-by-divorced_en.html.

22. Kenneth R. Himes and James A. Corriden, “Pastoral Care of the Divorced and Remarried,” *Theological Studies* 57 (1996) 97–123, doi:10.1177/004056399605700106. The exchange was also published and covered by Kevin Kelly, *Divorce and Remarriage* (Kansas City, MO: Sheed and Ward, 1997) 90–137. See more recently Thomas D. Williams, “When Ratzinger Said No: A History of the Kasper Proposal,” *Crisis Magazine*, October 23, 2015, <http://www.crisismagazine.com/2015/walter-kasper-the-same-yesterday-today-and-forever>.

23. Christa Pongratz-Lippitt, “Lehmann Speaks Out on Divisive Issue,” *The Tablet*, May 12, 2016, <http://www.thetablet.co.uk/news/5553/0/lehmann-speaks-out-on-divisive-issues>; *The Tablet’s* interview was based on Cardinal Karl Lehmann’s book-length interview, *Mit Langem Atem: Wege. Erfahrungen. Einsichten. Der Kardinal im Gespräch mit Markus Schächter* (Freiburg: Herder, 2016).

24. Christa Pongratz-Lippitt, “Synodality Must Once Again Become a Structural Practice in the Church,” German Cardinals and Theologians Insist,” *National Catholic Reporter*, December 15, 2015, <https://www.ncronline.org/blogs/ncr-today/synodality-must-once-again-become-structural-practice-church-german-cardinals-and>.

At the same conference, Cardinal Reinhard Marx referred to Pope Francis's recent statements on the fiftieth anniversary of the Synod of Bishops. There Pope Francis stated, "The journey of synodality is the journey that God wants from his church in the third millennium . . . A synodal church is a listening church, aware that listening is more than hearing. It is a reciprocal listening in which each one has something to learn."²⁵ Marx reiterated these claims about the synodal church as needing to be a listener as well as a teacher and added that the warning that we should not just look back at Vatican II but see that it gave us resources for further developing church reform today. Marx stated, "The council gave us the gift of new departures which we can and must take up in a new way today."²⁶

The celebration of the synods and the exhortation of *Amoris Laetitia* are significant affirmations not only of the Rhine bishops, but also other German-speaking hierarchies. At the press conference that launched the exhortation, Cardinal Schönborn was asked how to square Pope John Paul II's refusal to permit divorced and remarried Catholics to approach the Eucharist unless after penance they agreed to live in "complete continence"²⁷ with arguably the most significant papal footnote in contemporary history, wherein Pope Francis implicitly permits the help of the Eucharist for particular instances of those living in an "objective situation of sin—which may not be subjectively culpable, or fully such."²⁸ Harkening to John Henry Cardinal Newman, Schönborn explained that it was "an organic development of doctrine," insisting that just as Pope John Paul II advanced teaching in *Familiaris Consortio* on the very same matter, so had Pope Francis. Schönborn suggested that one might even say that this new development was in some way "implicit" in *Familiaris Consortio* 84, which looked at three different situations concerning divorced and remarried. Could not Francis allow for the engagement of other questions? The cardinal added, "There is continuity in teaching here, but there is also something really new. There's a real development [of doctrine], not a rupture."²⁹

25. Cindy Wooden, "Pope Calls for 'Synodal' Church that Listens, Learns, Shares Mission," *National Catholic Reporter*, October 17, 2015, <https://www.ncronline.org/news/vatican/pope-calls-synodal-church-listens-learns-shares-mission>.

26. Pongratz-Lippitt, "Synodality."

27. Pope John Paul II, *Familiaris Consortio* (November 22, 1981) 84, http://w2.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_19811122_familiaris-consortio.html.

28. *AL* 305. Appended to the quote is footnote 351 which reads: "In certain cases, this can include the help of the sacraments. Hence, 'I want to remind priests that the confessional must not be a torture chamber, but rather an encounter with the Lord's mercy' (*Apostolic Exhortation Evangelii Gaudium*, 24 November 2013, 44: AAS 105 [2013], 1038). I would also point out that the Eucharist 'is not a prize for the perfect, but a powerful medicine and nourishment for the weak' (*ibid.*, 47: 1039)."

29. Gerard O'Connell, "Pope Francis' Exhortation on the Family an 'Organic Development of Doctrine,'" *America*, April 8, 2016, <http://americamagazine.org/content/dispatches/pope-francis-exhortation-family-organic-development-doctrine>. Cardinal Schönborn's text can be found at press.vatican.va/content/salastampa/it/bollettino/pubblico/2016/04/08/0241/00531/.

Also at the launch, the cardinal insisted that the document wanted to get at greater issues than the single case of communion for divorced and remarried. Here he flagged in particular the issue of forming and respecting consciences and the role of discernment. “The great question, obviously, is this: How do we form consciences? How do we arrive at what is the key concept of this great document, the key to correctly understanding Pope Francis’s intentions: ‘personal discernment,’ especially in difficult and complex situations?”³⁰ Like Kelly’s significant essay, the cardinal’s words remind us that the exhortation has established a long-range agenda.

A few days after the launch, Cardinal Schönborn gave an interview with the Austrian Catholic Press Agency *Kathpress* in which he revealed that he was “not a little proud” that the exhortation had now “fully adopted” the pastoral practice regarding remarried divorcees, which has been in use for well over fifteen years in the Vienna archdiocese. It was also disclosed that the cardinal together with Archbishop Heiner Koch of Berlin, as the co-leaders of the German-speaking group at the 2015 synod, proposed in their synodal report the solution that is now in the exhortation, a solution not unlike that of the Kasper and Lehmann pastoral.³¹

Finally in an extensive interview with Antonio Spadaro, SJ, editor of *Civiltà Cattolica*, the cardinal was swift to insist that it was “an act of the magisterium,” “a pontifical document of great quality, an authentic teaching of *sacra doctrina* . . . that makes the teaching of the church present and relevant today.”³² Then he explained an important point about interpreting magisterial teaching, emphasizing that when doctrine develops, earlier teachings need to be read in light of the new development. Though others tried to argue that *Amoris Laetitia* needs to be read in light of previous teachings, Schönborn unequivocally affirmed the contrary: “Just as we read the Council of Nicaea in the light of the Council of Constantinople, and Vatican I in the light of Vatican II, so now we must read the previous statements of the magisterium about the family in the light of the contribution made by *AL*.”³³

Schönborn went on to speak about the shift to discernment rather than to very specific norms and insisted on the fundamental role of conscience quoting *in toto* paragraph 303, as Kelly had done in his work, stressing the twofold function of conscience. He concluded the interview placing the teaching in the context of the jubilee year of

30. O’Connell, “Pope Francis’ Exhortation on the Family.”

31. Christa Pongratz-Lippitt, “German Group at Family Synod Finds Their Suggestions in Pope’s Exhortation,” *National Catholic Reporter*, April 15, 2016, www.ncronline.org/news/vatican/german-group-family-synod-finds-their-suggestions-popes-exhortation.

32. Antonio Spadaro, “The Demands of Love: A Conversation with Cardinal Schönborn about ‘The Joy of Love,’” *America*, August 15–22, 2016, <http://www.americamagazine.org/issue/demands-love>.

33. *Ibid.* Michael Sean Winters highlighted this point, contrasting it with those in the United States who “have said that *Amoris Laetitia* must be read in the light of *Familiaris Consortio*, John Paul’s 1981 exhortation on family life.” Michael Sean Winters, “Cardinal Schönborn on *Amoris Laetitia*,” *National Catholic Reporter*, July 7, 2016, <https://www.ncronline.org/blogs/distinctly-catholic/cardinal-schonborn-amoris-laetitia>.

mercy, noting that, “the appeal to mercy points us to the need to go out from our own selves” and that “going out from oneself causes fear. We have to go out from our ready-made securities, so that we can let ourselves be reunited to Christ.”³⁴

Among German-speaking theologians, two contributions are very significant. First, Grant Kaplan interviewed the remarkable Peter Hünemann, noting that Hünemann’s work has helped provide a theological justification for the pope’s insistence that “the sacrament of marriage be understood in less legalistic terms.”³⁵ Kaplan interviewed Hünemann knowing of the latter’s private meeting with Pope Francis in May 2015.

Hünemann explained that our contemporary understanding of marriage and the attendant issue of indissolubility is based on *Casti Connubii* (1930) which was largely developed from an essay by the Jesuit Franz Hürth, a former professor of Hünemann. Hürth’s work was based on moral theology and canon law, not systematic theology. Hünemann remarked, “One upshot was a narrow understanding of what it meant for a sacrament to be a sacrament. The document was too narrow from the beginning, and could not deal satisfactorily with the complexities of the situation we face today.” Hünemann then explained how Hürth missed a key insight from Aquinas and Bonaventure that “the sacrament assures that God will help the spouses. God gives ‘auxiliary grace’ to Christians in marriage, *which indicates that grace works differently here than in the sacrament of the Eucharist.*” The theologian continued:

in *Casti connubii*, Hürth says that marriage is transformed in sacramental reality in that it becomes indissoluble. Thomas does not argue in that sense. For Thomas, the unity of matrimony and hence its indissolubility comes from its very nature, given by God the creator. In the sacrament of marriage God gives his help, but this help is not a supernatural transubstantiation of indissolubility.³⁶

Hünemann concludes,

So there is a way forward. We can return to the teachings of Thomas and Bonaventure. But if indissolubility refers to the nature of marriage, it is quite clear that (due to a failure of human cooperation) it can break down. Situations can arise where it is impossible to continue in marriage. If there are children and so on, one has to deal with the individual situation and attempt to find a pastoral solution.³⁷

Clearly the legal language of *Casti Connubii* arises from canonical teachings not from the theological tradition. Quite apart from the impact of the exhortation, Hünemann’s own claims are now receiving greater exposure; in time, we should be able to see more about the “accompanying grace of God” in the sacrament of marriage.

34. Spadaro, “The Demands of Love” 27.

35. Grant Kaplan, “From Tübingen to the Tiber: A Conversation with Peter Hünemann,” *Commonweal*, October 7, 2016, <https://www.commonwealmagazine.org/t%C3%BCbingen-tiber>.

36. *Ibid.*

37. *Ibid.*

Hünemann further commented that there was conversation on the sacrament of penance, adding, “and this was very moving.” Again Hünemann explained that the sacrament of penance in Thomas is very much connected to a relationship in charity with a priest and not “a decree imposed on a penitent.” Here again, he hoped to see Pope Francis renewing not only the theology of marriage but of penance as well.³⁸ We might add that the “accompaniment” of the priest-confessor, quite evident in the exhortation, might well be a fruit of their conversation.

The second theological contribution is even more robust. In *Amoris laetitia: Wendepunkt in der Moraltheologie?*, Stephan Goertz and Caroline Witting ask whether the apostolic exhortation provides a turning point (*Wendepunkt*) for our understanding of both moral theology and the moral magisterium itself.³⁹ These questions correspond to Pope Francis’s own attempts to present in a thorough way the moral teaching of the church by paying particular attention to the highest Gospel values, above all, mercy (*AL* 311). That is, *Amoris* is not approaching moral teaching minimally, but rather maximally: we are being asked not to compromise our teachings but to see that they are actually greater than we have imagined (*AL* 311); rather than being about law and accountability, these teachings are first about mercy, discernment, and accompaniment.

In their introductory piece, the editors contextualize the exhortation by highlighting that the moral teaching of the church on marriage, sexuality, and love has been struggling to overcome the neo-Scholastic vision that weakened and delayed the church’s ability to keep current with the evolution of moral thought. Even post-conciliar developments were not adequate to counterbalance the static interpretations of the natural law that were applied to moral questions concerning marriage and sexuality. In this way the teaching of Pope Francis constitutes a new balance in moral teaching, resulting from the synod and the exhortation. The reception of the exhortation is differentiated and oscillates between an appreciation for the necessity to renew doctrine and an understanding of the doctrine’s own fragility, evident in the text itself.

Antonio Autiero addresses the issue of moral conscience as it is presented in the exhortation.⁴⁰ Principally, he engages the fundamental interpretive horizon that helps us to see conscience not as an organ that executes moral norms that have been objectively defined elsewhere, but as a place in which the moral subject perceives and processes the ethical summons incumbent in the appeal of the good. At the same time that one responds to this appeal, the moral subject interprets one’s own history, recognizes one’s own wounds, and gathers together the life forces that one needs to give an honest answer to God’s call. Here we discover a new perspective that appreciates conscience as a source of the possible yet necessary transformation of one’s own existence while at the same time understanding that path of history where the summons of conscience

38. Ibid.

39. Stephan Goertz and Caroline Witting, “Wendepunkt für die Moraltheologie? Kontext, Rezeption und Hermeneutik von *Amoris laetitia*,” in *Amoris laetitia: Wendepunkt in der Moraltheologie?*, ed. Stephan Goertz and Caroline Witting (Freiburg: Herder, 2016) 9–93.

40. Antonio Autiero, “*Amoris laetitia* und das sittliche Gewissen: Eine Frage der Perspektive,” in Goertz and Witting, eds., *Amoris laetitia* 95–114.

to the individual and the community occasions processes of emancipation that overcome injustices and inequity. Here in the exhortation one could say, with Autiero, conscience has been freed to be fully itself; therein a true, historical, and social sense of genuine moral agency arises, in the more robust setting that Goertz and Witting describe.

Josef Schuster asks whether the exhortation is also introducing a new way of exercising the papal magisterium.⁴¹ He begins with a vision of the church that rediscovers its fundamental, constitutive dimension of collegiality. From this flows a “path” of collegiality that runs through the different stages of the synod and leads through the elaboration of different points of view to the apostolic exhortation. Recognition of the role of the bishops’ conference is a strong point of the exhortation, as it is throughout all the teachings of this papacy, and this recognition calls for the participation of local churches in finding solutions to the questions posed by marital life. Schuster concludes by noting that although the papacy does not surrender its responsibility to express itself magisterially on moral matters, we still find a more participatory manner being introduced by which the synod itself enters into the magisterial exercise.

Konrad Hilpert investigates the paradigm shift in the understanding of sexuality and sexual morality, recognizing the decisive reality of the relationship dynamic as the key to this shift in understanding.⁴² The functionalist reductionism that attributed to sexuality the reproductive task is now offset by the value of the relationship between people who take responsibility for themselves and for others. The object of a relational ethics is therefore not the sexual act and the set of rules that determine it, but rather the formation of a communicative context in which each subject becomes further aware of the capacity to communicate and accept each other. Hilpert argues that the recognition of this paradigm shift forms the basis for a rethinking of the relationship between doctrinal and pastoral practice.

Finally, Hermann Pottmeyer concludes the volume with a detailed essay on the ecclesiological background of the exhortation.⁴³ He evokes the category of the “People of God on the way” and thinks of it as an interpretative key for understanding Pope Francis in general and the exhortation in particular. Pottmeyer argues that the whole church ought to be the subject of evangelization and therein open up the space to comprehend that “not everything has to be decided by the magisterial intervention.”

41. Josef Schuster, “Auf dem Weg zu einer neuen Gestaltung des päpstlichen Lehramtes? *Amoris laetitia* und die Synodalität der Kirche,” in Goertz and Witting, eds., *Amoris laetitia* 224–49.

42. Konrad Hilpert, “Beziehungsethik als Erfordernis der Stunde: Zum Verhältnis von moraltheologischer Reflexion, kirchlicher Doktrin und pastoraler Praxis in *Amoris laetitia*,” in Goertz and Witting, eds., *Amoris laetitia* 251–78.

43. Hermann J. Pottmeyer, “Volk Gottes auf dem Weg: Das Kirchenverständnis von Papst Franziskus als Schlüssel zu *Amoris laetitia*,” in Goertz and Witting, eds., *Amoris laetitia* 323–32. Because of space, I have only referred to half of the contributions in this significant volume.

France, Italy, Belgium, Argentina, and South Africa

Many other local churches contributed to the reception of the exhortation through ecclesial leadership and theological research. Two major moral theologians stand out in France for their lead. In the service of Bishop Jean-Luc Brunin, President of the French Bishops' Council of Family and Society, Alain Thomasset and H el ene Bricout edited an ingenious and extraordinarily accessible French edition of *Amoris Laetitia* where each of the exhortation's nine chapters is accompanied by commentary authored by a pair of writers.⁴⁴ This exceptionally collaborative project takes literally the words of its exhortative preface by Brunin: "un chemin   poursuivre ensemble" ("a journey to take together"). The authors include biblical, pastoral, and systematic theologians as well as major moralists like Thomasset, Philippe Bordeyne, Catherine Fino, Xavier Lacroix, Gr egoire Catta, and Marie-Dominique Tr ebuchet. It is extraordinarily user-friendly, ideal for parish communities, classrooms, and individual use. Besides the commentaries, it offers testimonies of readers of the exhortation, glossaries, and study questions, striving to assist its users in conscience formation. Rightly, Brunin notes that the synodal pathway has opened up, at least in France, other conduits for accompanying one another as a pilgrim church.

On October 17, the rector of the Institut Catholique, Philippe Bordeyne, hosted a study day that included such major speakers as Bricout, Fino, and Juan Carlos Scannone, the well-known Argentinian theologian and theological mentor of Pope Francis.⁴⁵ As Bordeyne noted, its focus was on the topic of the discernment of conscience.⁴⁶ Most noteworthy were the comments by the Cardinal Archbishop of Paris, Andr e Vingt-Trois: Recognizing a shift in our spontaneous reflections from a "relatively fearful or pessimistic vision (of the family) toward an optimistic vision," he called for a "massive effort of formation for discernment," drawing attention to pastoral workers who need to "enter deeply into the fundamental perspective of the pope's approach" which "aims not simply to recall the dogmatic convictions of the church on the family, nor to establish general rules that we must apply and that are applicable in every circumstance." Rather we need to "involve ourselves in a genuine task that consists in returning to and meditating on the message of Christ and the Christian tradition of the family and to seek to understand how this message could help to accompany families in the challenges that face them today."⁴⁷

44. H el ene Bricout and Alain Thomasset, eds., *La Joie de L'Amour* (Prais-Namur: Lessius, 2016).

45. One can listen to the nine major lectures from the study day at the Institut Catholique's dedicated page of their website: <http://www.icp.fr/a-propos-de-l-icp/actualites/revivez-la-journee-d-etudes-autour-d-amoris-laetitia-qui-s-est-tenue-a-paris-le-17-octobre-55455.kjsp>.

46. Ann-B enedicte Hoffner, "Amoris Laetitia Requires an Effort of Formation for Discernment," *La Croix International*, October 19, 2016, <https://international.la-croix.com/news/amoris-laetitia-requires-an-immense-effort-of-formation-for-discernment/4085>.

47. *Ibid.*

Vingt-Trois introduced also an appreciation for the double danger of the call for discernment, wherein we become solely fixed on our own situation or espouse vague generalizations as a panacea for everyone.

As best we can, we need to try to avoid allowing [people concerned] to believe that their own discernment is limited to the particular situation. Nor should we allow them to think that the general situation, which is affected by all kinds of events, is adequate to clarify each particular situation.

Echoing the work of Kelly, Goertz, and Thomasset, he concludes, “The Church’s mission is not to provide pre-ordained solutions for every situation but rather to draw on the wealth of its tradition in order to assist people to understand how God’s call is relevant to their particular situation and how God enables us to respond.”⁴⁸

In Belgium, the well-known center on marriage and family at Leuven University, INTAMS, having just published a new collection on marriage and family in the aftermath of the two synods,⁴⁹ is hosting an international symposium, “A Point of No Return: *Amoris Laetitia* on Discernment and Conscience for the Divorced and Remarried,” just as I am concluding this note. The major speakers include names already familiar to us: Peter Hünermann (on marriage) and Cardinal Reinhard Marx (on synods), but also Timothy Radcliffe (on conscience) as well as major moral theologians like Roger Burrgraeve (on mercy) and Martin Lintner (on moral theology).⁵⁰

In Italy, Rocco Buttiglione, on the pages of *L’Osservatore Romano*, picked up where Schönborn left off on the “development” between Pope John Paul II and Pope Francis, noting that it was Pope John Paul who first changed the doctrine on communion to the divorced and remarried. He writes:

Once upon a time, divorced and remarried persons were excommunicated and excluded from the life of the Church. That kind of excommunication disappears from the new Code of Canon Law and *Familiaris Consortio*, and divorced and remarried persons are now encouraged to participate in the life of the Church and to give their children a Christian upbringing. This was an extraordinarily courageous decision that broke from an age-old tradition.

He asks, “Is there any contradiction between the popes who excommunicated divorced and remarried persons and Saint John Paul II who lifted that excommunication?”⁵¹

48. Ibid.

49. Thomas Knieps-Port le Roi and Aldegonde Brenninkmeijer-Werhahn, eds., *Authentic Voices, Discerning Hearts: New Resources for the Church on Marriage and Family* (Münster: LIT, 2016).

50. <http://www.intams.org/international-symposium-amoris-laetitia-/program/>. These papers will be published by Thomas Knieps-Port le Roi and Aldegonde Brenninkmeijer-Werhahn at INTAMS.

51. Rocco Buttiglione, “The Joy of Love and the Consternation of Theologians: Some Comments on the Apostolic Exhortation *Amoris Laetitia*,” *L’Osservatore Romano*, July 19, 2016, <http://www.osservatoreromano.va/en/news/joy-love-and-consternation-theologians>.

He focuses then on the differences in order to highlight the similarities in the way each articulated their teachings:

But *Familiaris Consortio* tells us that the divorced and remarried cannot receive the sacraments. The reason is that they are living in a state of manifest public sin and they must avoid giving scandal. These reasons are so strong that any attenuating circumstances were rendered inconsequential. Now Pope Francis tells us that it is worth considering such circumstances. The difference between *Familiaris Consortio* and *Amoris Laetitia* lies completely in this.⁵²

How is Pope Francis Any Different from Pope John Paul II?

Elsewhere in Italy, Aristide Fumagalli penned two essays, one using the “way of charity” to offer pastoral guidelines for his fellow priests for understanding the exhortation’s eighth chapter,⁵³ and the other a very sympathetic piece for a broader audience where he uses the metaphor of “extending a hand” (“una mano tesa”) along the way of love, for the raising of children in fragile situations.⁵⁴

If one believed that Pope Francis’s affirmative response on his return flight in April from Lesbos to the question “whether there were any real new possibilities for access to the sacraments that did not exist prior to the publication of the *Amoris Laetitia*”⁵⁵ was not sufficiently satisfactory, then the pope’s recent statement about the Buenos Aires bishops’ letter to their priests regarding how to interpret chapter 8 deserves attention. The pope stated that it was “very good and fully captures the meaning of chapter 8 of the *Amoris Laetitia*. There are no other interpretations. I am sure it will do much good.”

In their letter, after acknowledging the *Familiaris Consortio* case of a divorced and remarried couple maintaining continence so as to receive the sacraments, the bishops add that if that option is not viable,

52. Ibid.

53. Aristide Fumagalli, “La ‘via caritatis’: Sul capitolo ottavo di ‘Amoris Laetitia,’” *La Rivista del Clero Italiano*, July 2016, 541–60, http://www.istitutosanluca.org/images/file/AL_VIII_Fumagalli.pdf.

54. Aristide Fumagalli, “La famiglia nella *Amoris laetitia*: il passo del Papa e il cammino della Chiesa,” *Aggiornamenti Sociali* (June–July 2016) 467–77, http://notedipastorale-giovanile.it/index.php?option=com_content&view=article&id=10861:la-famiglia-nella-amoris-laetitia-il-passo-del-papa-e-il-cammino-della-chiesa&catid=106:famiglia-ed-educazione&Itemid=173. In a similar vein, see Shaji George Kochuthara, “In the Process of Growing to the Ideal,” *Sathyadeepam*, May 1, 2016, 1, 13.

55. “I could say ‘yes,’ but it would be too brief an answer. I recommend to you to read the presentation by Cardinal Schönborn, who is a great theologian.” “Conversation with the Pope on Return Flight from Lesbos, 18.04.2016,” *Summary of Bulletin—Holy Press Office*, April 18, 2016, <https://press.vatican.va/content/salastampa/en/bollettino/pubblico/2016/04/18/160418e.html>.

a path of discernment is still possible. When there is acknowledgement, in a concrete case, of the existence of limitations that diminish the degree of responsibility and culpability—particularly when a person believes they would commit another mistake that could harm any children born into the new union—“*Amoris Laetitia*” introduces the possibility of access to the sacraments of reconciliation and the Eucharist.

They add that in some instances confidentiality might be prudent as the local community moves forward in “a spirit of understanding and openness.”⁵⁶ Regarding this “path of welcome, accompaniment, discernment and integration,” the pope remarked, “We know it is tiring, this is ‘hand-to-hand’ pastoral care, where programmatic, organizational and legal mediation is not enough, albeit necessary.”⁵⁷

From South Africa, Russell Pollitt, SJ, reports on the quick and warm manner in which the hierarchy of South Africa welcomed the exhortation. The archbishop of Cape Town, South Africa, Stephen Brislin, who was a synod father and is president of the Southern African Catholic Bishops’ Conference, expressing his “delight” with the exhortation, noted how it summons us to a “humility of realism.”⁵⁸ Archbishop William Slattery of Pretoria, South Africa, spokesperson of the Catholic Bishops’ Conference in South Africa, said, “While the exhortation flows directly from the synod and traditional church teaching, the pope—as usual—moves far from the hard realities of cold legislation to embrace with tenderness the lived experience of this the most human of all institutions.”⁵⁹

The Jesuit Institute of South Africa provided a variety of significant reflections, similar to the testimonies of Alain Thomaset. A lay woman talked about the style of the exhortation that speaks to her directly as a reader: “Pope Francis, it seems to me, is wanting to speak directly to us.”⁶⁰ A priest wrote about the exhortation’s resonance with contemporary Africa, noting both its appreciation of community and balance but also its defense of the dignity of homosexual persons from the very real violence and hostilities that such Africans encounter in Africa.⁶¹ Still despite these reflections

56. Andrea Torielli, “Pope Francis on the Correct Interpretation of the ‘Amoris Laetitia,’” *La Stampa*, September 12, 2016, <http://www.lastampa.it/2016/09/12/vaticaninsider/eng/the-vatican/pope-francis-on-the-correct-interpretation-of-the-amoris-laetitia-3BCM-11NC8042x26J6mQfeP/pagina.html>.

57. *Ibid.*

58. Russell Pollitt, “Pope’s Exhortation Welcomed in South Africa,” *America*, April 8, 2016, <http://www.americamagazine.org/content/dispatches/popes-exhortation-welcomed-south-africa>.

59. *Ibid.* See also Russell Pollitt, “Overview of the Post-Synodal Exhortation *Amoris Laetitia*,” *Jesuit Institute South Africa*, April 8, 2016, <http://www.jesuitinstitute.org.za/index.php/2016/04/08/overview-of-the-post-synodal-apostolic-exhortation-amoris-laetitia-the-joy-of-love/>.

60. Frances Correia, “My Personal Experience of Marriage and *Amoris Laetitia*,” *Jesuit Institute South Africa*, April 15, 2016, <http://www.jesuitinstitute.org.za/index.php/2016/04/15/my-personal-experience-of-marriage-and-amoris-laetitia/>.

61. Lawrence Mduzuzi Ndlovu, “*Amoris Laetitia*: An African Perspective,” *Jesuit Institute South Africa*, April 19, 2016, <http://www.jesuitinstitute.org.za/index.php/2016/04/19/amoris-laetitia-an-african-perspective/>.

Anthony Egan laments that Pope Francis does not make his extraordinarily long exhortation more accessible: "If he wants it read, I think Pope Francis, his advisors and the S.A.C.B.C. should consider new publication strategies: edited versions, sound-byte size texts, possibly disseminated through social media, and translations into the local vernacular."⁶²

The Discussion in the United States

In March 2014, six months after Pope Francis called for a questionnaire to be sent to Catholics to prepare for the extraordinary synod of bishops' meeting on the family, only a third of the US dioceses made the questionnaire available to their members. One who did, the then-bishop of Spokane, Blase Cupich said, "It was a success even to launch this questionnaire. It opened a new door to people, gave them a sense that they were participating in the synod process to some degree."⁶³ While these bishops noted that the questionnaire was not an opinion poll, but rather an attempt to learn how the church could provide better pastoral care to families, elsewhere bishops judged the questionnaire was inaccessible and misleading in its format and language.⁶⁴ In Western Europe, however, the questionnaire was well distributed and ignited lively discussions.⁶⁵

Inasmuch as many in the US were not engaged by the synods, *Amoris Laetitia* arrived as a surprise. And for those not familiar with the development of doctrine, it was shocking. Though most Catholics, remembering meatless Fridays, limbo, and the long-consistent, absolute condemnation of money lending, are familiar with a tradition that "develops," nonetheless others considered the exhortation's development within its long-standing hermeneutical framework unorthodox.⁶⁶ A group of "Catholic scholars" took issue with what they called "errors" in the exhortation, again because the teachings

62. Anthony Egan, "Vatican Needs New Approach to Teaching *Amoris Laetitia* in South Africa," *America*, May 10, 2016, <http://www.americamagazine.org/content/dispatches/vatican-needs-new-approach-teaching-amoris-laetitia-south-africa>.

63. Michael O'Loughlin, "Some US Dioceses Report Results of Questionnaire," *The National Catholic Reporter*, March 11, 2014, <https://www.ncronline.org/news/accountability/some-us-dioceses-report-results-questionnaire>.

64. Patrick Kenny, "Synod 'Questionnaire' Not Designed for Laity," *National Catholic Register*, December 29, 2014, <http://www.ncregister.com/daily-news/synod-questionnaire-not-designed-for-laity>.

65. Jonathan Luxmoore, "Europe's fractious Catholics set out their views in synod questionnaire," *National Catholic Reporter*, June 2, 2015, <https://www.ncronline.org/news/global/europes-fractious-catholics-set-out-their-views-synod-questionnaire>.

66. Ross Douthat, "The Confusion of Conservative Catholics," *The New York Times*, April 19, 2016, <http://douthat.blogs.nytimes.com/2016/04/19/the-confusion-of-conservative-catholics/>. Similarly, see Steve Skojec, "The Dictator of the Vatican," *Foreign Policy*, April 8, 2016, <https://foreignpolicy.com/2016/04/08/the-dictator-of-the-vatican-pope-francis-amoris-laetitia-divorce-communion/>; see also Kevin Clarke, "Reactions Roll In to Apostolic Exhortation from Pope Francis," *America*, April 8, 2016, <http://americamagazine.org/issue/reactions-roll-apostolic-exhortation-pope-francis>.

on marriage and penance are still developing.⁶⁷ In an implicit reply to these claims, Cardinal Donald Wuerl responded, as Schönborn and Buttiglione had, that the exhortation was continuous with the tradition, that it developed the tradition, and that it was a reflection of the consensus achieved through the two synods over the two years.⁶⁸

Then in July, the archdiocese of Philadelphia released its pastoral guidelines for the implementation of the exhortation,⁶⁹ which prompted two comments. Michael Sean Winters used the occasion, as we already noted, to reflect on the significance of Cardinal Schönborn's guidance that magisterial documents are defined in light of their present articulation and not of their earlier expressions. Later, Michael Lawler and Todd Salzman raised immediate questions about the casting of conscience in these guidelines. Using the work of Thomas Aquinas and Josef Fuchs, they demonstrated that *Amoris Laetitia* has restored the understanding of conscience as the heart of moral agency and moral discernment.⁷⁰ Conscience, they argued, is inadequately developed if all it is only to conform to magisterial teachings. Echoing Pope Francis's admonition, "We have been called to form consciences, not to replace them" (*AL* 37), they wrote that the agency of conscience in discerning, articulating, and expressing moral truth is what makes for the possibility of responsible Christian discipleship, and they quote from *Dignitatis Humanae*: "Wherefore every man has the duty, and therefore the right, to seek the truth in matters religious in order that he may with prudence form for himself right and true judgments of conscience, under use of all suitable means."⁷¹ It should be added that when theologians and bishops argue for the moral agency of conscientious Christians, they are writing about when people heed the demands of their consciences, not when they indulge idiosyncratic whims.⁷² In the same vein, Archbishop Cupich helpfully refers to this as "authentic discernment."⁷³

67. Edward Pentin, "Catholic Scholars Appeal to Pope Francis to Repudiate Errors in *Amoris Laetitia*," *National Catholic Register*, July 11, 2016, <http://www.ncregister.com/blog/edward-pentin/catholic-scholars-appeal-to-pope-francis-to-repudiate-errors-in-amoris-laet>.

68. Joshua J. McElwee, "Cardinal Wuerl: *Amoris Laetitia* is 'Consensus Document,' Rooted in Tradition," *National Catholic Reporter*, October 4, 2016, <https://www.ncronline.org/news/vatican/cardinal-wuerl-amoris-laetitia-consensus-document-rooted-tradition>.

69. Archdiocese of Philadelphia, "Pastoral Guidelines for Implementing *Amoris Laetitia*," July 1, 2016, http://archphila.org/wp-content/uploads/2016/06/AOP_AL-guidelines.pdf.

70. Michael Lawler and Todd Salzman, "In *Amoris Laetitia*, Francis' Model of Conscience Empowers Catholics," *National Catholic Reporter*, September 7, 2016, <https://www.ncronline.org/news/theology/amoris-laetitia-francis-model-conscience-empowers-catholics>. The authors presented an expanded version of this paper at the INTAMS conference cited above (note 50).

71. *Dignitatis Humanae* (December 7, 1965) 3, http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html.

72. See David DeCosse's contribution in these Notes, as well as Keenan, "Redeeming Conscience."

73. Archbishop Blase Cupich, "'The Joy of Love': Dimensions of Discernment for Disciples," *Catholic New World*, September 4, 2016, <http://www.catholicnewworld.com/column/archbishop-cupich/2016/09/04/the-joy-of-love-dimensions-of-discernment-for-disciples>.

While Philadelphia Archbishop Charles Chaput, the USCCB's chair of the working group assigned to implement the conference's reception of the exhortation, has not yet reported on the reception, it is interesting to see how the American hierarchy, theologians, and pastoral leaders are beginning to take note of an exhortation that is being otherwise embraced globally. In a way, synodality is beginning to take root even here in the United States, something that Archbishop Emeritus John R. Quinn was among the first to champion.⁷⁴ Nor is it solely Cardinal Wuerl highlighting that the exhortation's use of conscience, accompaniment, and discernment are traditional and to be welcomed. Earlier, Archbishop Cupich called it "a game changer for the way we as a diocese are going to work with people."⁷⁵ More recently the newly nominated cardinal was asked for his position on *Amoris Laetitia* and he cited the helpfulness of Schönborn, Buttiglione, and the bishops of Buenos Aires in unfolding the exhortation's teaching and reception.⁷⁶

In another interview, then Cardinal-designate Kevin Farrell, the head of the new Dicastery for Laity, Family and Life, commented, "I honestly don't see what and why some bishops seem to think that they have to interpret this document." Then after

attesting that "basically this is the Holy Spirit speaking to us," he asked: "Do we believe that the Holy Spirit wasn't there in the first synod?" he asked. "Do we believe he wasn't in the second synod? Do we believe that he didn't inspire our Holy Father Pope Francis in writing this document?"⁷⁷

Finally, the third cardinal nominee, Archbishop Joseph Tobin of Indianapolis, a Redemptorist, while speaking of mercy "as the essential work of the church," again reiterated the importance of synodality when he referred to the then upcoming annual meeting of the USCCB, which was held in November, 2016. "I think what bishops need to do is talk with each other, always invoking the Holy Spirit to help us see."⁷⁸ I write this just before that meeting is to be held. At that meeting, they might want to

74. John R. Quinn, *The Reform of the Papacy: The Costly Call to Christian Unity* (New York: Crossroad, 2007).

75. Manya Brachear Pashman and Angie Leventis Lourgos, "Cupich: Pope's Document on Sex, Marriage, Family Life a 'Game Changer,'" *Chicago Tribune*, April 9, 2016, <http://www.chicagotribune.com/news/local/breaking/ct-pope-catholics-divorce-met-20160408-story.html>.

76. Andrea Tonielli, "Cupich: It's Up to Us as Bishops of the US to Respond to the Pope's Vision," *La Stampa*, October 12, 2016, <http://www.lastampa.it/2016/10/12/vaticaninsider/eng/inquiries-and-interviews/cupich-its-up-to-us-as-bishops-of-the-us-to-respond-to-the-popes-vision-ux69Fttpv4qHtLRCXAVCYO/pagina.html>.

77. Joshua J. McElwee, "New Cardinal Farrell: *Amoris Laetitia* is 'the Holy Spirit speaking,'" *National Catholic Reporter*, October 14, 2016, <https://www.ncronline.org/news/vatican/new-cardinal-farrell-amoris-laetitia-holy-spirit-speaking>.

78. Joshua McElwee, "Tobin Speaks of a Church that is Sacrament of Mercy to the World," *La Stampa*, October 13, 2016, <http://www.lastampa.it/2016/10/13/vaticaninsider/eng/inquiries-and-interviews/tobin-speaks-of-a-church-that-is-sacrament-of-mercy-to-the-world-xiUUJxaAeFUAsi9KpjrkUJ/pagina.html>.

have a copy of a recent talk by Charles Curran in which he traces with great precision the theological discussion in the United States on the conscience of the divorced and remarried over the past fifty years.⁷⁹ As they report on their meeting, they might also want to point more to the exhortation than to their forthcoming statements and might find in the French commentary a worthy model.⁸⁰

As the bishops get ready for their meeting they will surely hear from San Diego Bishop Robert McElroy who as I finish this essay is hosting a diocesan synod.⁸¹ This exercise of episcopal leadership has been a long time coming; in San Diego it has arrived.

As we close we should see that *The Joy of Love* is not only calling us to reappropriate the ways we once spoke of conscience, marriage, and penance, but also the way we are church. Fittingly, the last word might belong to Cardinal Kasper who just wrote another summons, reminding us that just as at the synods there needed to be debate, now, after six months of debate about a magisterial text we have all seen and read, it is time to implement the new paradigm.⁸² As episcopal conferences and individual dioceses decide the pathways of implementation, perhaps Rouen's Archbishop Dominique Lebrun's All Saints Vespers announcement is one instance of Catholic imagination and leadership coming together. There he announced the appointment of seven priests as "missionaries of Mercy" for the Rouen diocese, mandated to "specially" welcome divorced people who are in a new relationship with the objective of enabling them "to examine their consciences in complete discretion in the light of the Word of God." Twenty-four hours later, *La Croix* reported that five of the priests received multiple requests for private meetings.⁸³

79. Charles E. Curran, "Amoris Laetitia and Conscience," *Asian Horizons* (forthcoming). The bishops might also want a few essays from *America*: James Martin, "Top Ten Takeaways from *Amoris Laetitia*," *America*, April 8, 2016, <http://americamagazine.org/issue/top-ten-takeaways-amoris-laetitia>; Kevin Ahern, "The Listening Pope," *America*, April 8, 2016, <http://americamagazine.org/issue/listening-pope>; Meghan J. Clark, "Look to the Margins," *America*, April 8, 2016, <http://www.americamagazine.org/issue/look-margins>; Megan McCabe, "Francis, Family, and Feminism," *America*, April 8, 2016, <http://www.americamagazine.org/issue/article/francis-family-and-feminism>.

80. They could rely on the outline by Thomas Reese, "Study Guide for 'Amoris Laetitia,'" *National Catholic Reporter*, April 21, 2016, <https://www.ncronline.org/blogs/faith-and-justice/study-guide-amoris-latitia>.

81. Dan Morris-Young, "San Diego Diocese Gets Ready for Synod on Family Life," *National Catholic Reporter*, October 27, 2016, <https://www.ncronline.org/news/parish/san-diego-diocese-gets-ready-synod-family-life>.

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Author Biography

James F. Keenan, SJ, is Canisius Professor and Director of the Jesuit Institute at Boston College. He received his STD from the Gregorian University. His most recent book is *University Ethics: How Colleges Can Build and Benefit from a Culture of Ethics* (Rowman and Littlefield, 2015) and is working on another entitled a *Brief History of Catholic Theological Ethics* (Paulist).