

THE CHURCH AND THE DISCERNMENT OF PRESENT-DAY MORAL THEOLOGY IN THE LIGHT OF VERITATIS SPLENDOR

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INTRODUCTION

Pope John Paul II's Encyclical Letter, *Veritatis Splendor*, is one of the most sensitive and controversial documents in recent times. It has attracted the attention of so many Christians, especially moral theologians of our age. It has evoked the concern and interest of so many people. This is precisely because it touches certain fundamental principles of moral theology and Christian ethics. For example, it raises certain basic moral issues of freedom and law, conscience and truth, fundamental moral theology that no moral decision and actions are possible without some basic understanding of them. It is little wonder then that the document stirs the interest of most every moral theologian. Such interest and concern are shown in various actions of theologians according to some recent publications.¹ These reactions and interest ranges from a total acceptance of the encyclical to its outright rejection. We shall proceed immediately to examine the topic: *The Church and the Discernment of Present-Day Moral Theology*. This study has a specific reference to chapter two of the encyclical *Veritatis Splendor*. The treatment of this topic will be considered in the following sub headings:

- A. Discernment as the Indispensable Task of the Church
- B. The Content of *Veritatis Splendor* – Chapter Two
- C. Various reactions given to the Encyclical
- D. The Church's Gift of Discernment and African Moral Theology Today.

Our methodology here will be principally analytic. It is hoped that such an approach will assist the African Church especially African moral theologians in their effort to evaluate *Veritatis Splendor* in the light of their African cultural experience.

A. DISCERNMENT AS THE INDISPENSABLE TASK OF THE CHURCH

Discernment is defined as "the power or faculty of discriminating and judgment".² It is from the Latin word *discernere* meaning *discrimination*. In this context, discernment is the capacity to make a critical discrimination in any given choice or about any given situation. It deals with a "genuine critical spirit or critical discriminating attitude".³ Every human being has fundamental capacities to make some basic judgments regarding what he or she should do in life or how, where and in what circumstance such actions could be performed. St Thomas Aquinas treated it under the virtues of prudence, which regulates all other virtues. It is regarded as a very important virtue in the life of every individual, society and community since no authentic decisions and actions can be carried out within it.

The Church has always considered discernment as an indispensable virtue in her life and in the pastoral guidance of the people of God. In the Christian sense, this virtue of critique could be seen as a dynamic capacity to make critical evaluation concerning the will of God under the guidance of the Holy Spirit. This calls for prayerful openness and docility to the inspirations and guidance of the Holy Spirit. This is why St Paul calls it the ability to distinguish between spirits (cf. 1 Cor 12:10).

In the light of the Ecclesiology of the Second Vatican Council, discernment assumes a special significance. Certain reasons could be deduced from the increasing importance of this virtue in the life of the Church. The pluralistic nature of the Church today, the urgent need for renewal and the growing awareness of the Holy Spirit who is the giver of this gift, are among the main reasons why special attention is given to the gift of discernment. According to B. Haring:

There are special reasons why we give special attention to discernment today: biblical and patristic renewal, the emphasis on the promptings of the Holy Spirit, greater attention to the creative power of conscience under the influence of the Holy Spirit, a renewal interest in spiritual experiences and lastly the new situation of pluralistic and sometimes confused society make the virtue of critic imperative.⁴

In relation to Charismatic gifts in the letter to Corinthians, St Paul made reference to this gift. He sees discernment as "the ability to distinguish true spirits from false" (1 Cor 12:13). He recommends it for every Christian. In his first letter to the Thessalonians, he recommends this virtue to critical evaluation to the faithful (1 Thess 5: 12, 19-21). Here, St Paul also warns the leaders of the Christian

community that they should 'never try to suppress the spirit', but that they should test the spirit first. Here the meaning of discernment is not limited to prudence. It is facility to the spirit.

Considering the gifts of the Holy Spirit in the ecclesial community, the final arbiter of the validity of charism or of the interpretation of the will of God are the leaders of the Church, "those who have charge over the Church should judge the genuineness and the proper use of these gifts through their office, not indeed to extinguish the spirit but to test and hold fast to what is good."⁸

It is in the exercise of this social and pastoral prerogative as the visible head of the universal Church that Pope John Paul II wrote this recent encyclical *Veritatis Splendor*, which is primarily addressed to the world's bishops who have the apostolic mandate to make truth (Christ himself) shine on the world. He is therefore using the gift of discernment to further promote the Church's rich tradition of moral reflection on many different spheres of human life. Confronting the challenges of a new situation in society and in Christian community, the Pope wishes to clear the doubt and various objections that have arisen with regard to the Church's fundamental teachings. It is necessary at this juncture to examine the content of the document in order to identify the problems and the sources of doubt and confusion in the moral teachings.

BB. THE CONTENT OF *VERITATIS SPLENDOR*

In making a brief presentation of the content of this part of the encyclical, the following methodology will be adopted. The basic moral principle of each point will first of all be presented and this will be followed by the errors, neglects or ambiguities resulting from modern theological trends and tendencies which Pope John Paul II pointed out. Some elements of errors, which the Pope pointed out, include: autonomy of freedom, autonomy of conscience, errors of subjectivism, individualism and relativism. The following are some basic principles the Pope would want to be safeguarded.

1. Faith cannot be separated from morality.

This principle seems to be in jeopardy of being misunderstood by some modern theological currents, which see a conflict between freedom and natural law. They make distinctions between ethical order which is of human origin and "order of salvation" which is of divine origin. Thus, they deny natural law, the universality and the permanent validity of its precepts. Such a denial is revealed in the error of naturalism, or errors of physicalism. This is the error of disassociating moral act from bodily dimension of its exercise. Such an error becomes so clear when applied to sexual ethics.

Human freedom cannot decide that a human act should be separated from the law that should guide it. It should be noted that human freedom does not create or invent values but discovers them. Such a disassociation of faith and morality is contrary to the teachings of scripture and tradition which affirm the inseparability of body and soul.

2. Certain acts are irremediably and intrinsically evil (Nos. 52 & 81), and the negative precepts of natural law that prohibit them obliges everyone and always.

This has to do with the relationship between conscience and truth. Some contemporary theologians see freedom of conscience and laws as opposed to each other. The autonomy of freedom is proclaimed at the expense of truth by holding the view that circumstances and situations could legitimately be the basis for certain exceptions to the general rules and thus permit in practice and in good conscience what is qualified to be intrinsic moral evil by law. This is a type of "situation ethics", which could somehow be termed atheistic. It easily leads to the error of *subjectivism* and *individualism*.

3. An Act of Faith – what moral theologians call a "fundamental option" cannot be separated from choice of particular acts, which, if serious can radically change that option (Nos. 66 & 70). The traditional distinction holds therefore between venial and mortal sins. Here, we are faced with the problem of the relationship between freedom and law. This calls for the total consideration of human act.

Some of these theological currents hold that there is somehow a separation between fundamental option and choice of particular acts and that of a single concrete act cannot change the fundamental option. They thus create three categories of sin – mortal sin, grave sin and venial sin. This gives the impression that not all sins that are materially grave are mortal. This distinction seems to separate the limited moral "good" and "evil" from transcendental dimension proper to fundamental option. The conclusion is that proper moral assessment of a person is reserved to fundamental option – thus separating "personality unity of the moral agent". But a person's morality should reduce *only* to intention, orientation or fundamental option.

4. Human Conscience is not a self-validating discernment because the morality of the human beings depends primarily on the object chosen, and the conscience must look squarely on the object (Nos 34 & 78). According to Cardinal Newman, "conscience has right because it has duties". So this deals with the relationship between conscience and the human act.

The theories of *Consequentialism* or *Teleologism* and *Proportionalism* oppose these principles by holding that moral evaluation of human acts is drawn solely from the weighing of the foreseeable consequences or values or proportion of good and evil resulting from them. Both theories acknowledge that moral values are indicated by reason and revelation. But they maintain that it is never possible to *formulate absolute principles*, prohibiting particular kinds of behaviour, which would be in conflict with every circumstance in every culture. Here we are faced with the problem of subjectivism, individualism and relativism or even pluralism theology. The Pope corrects this view by saying that it is possible to formulate absolute prohibitions of particular kinds of behaviour which would not be in conflict with any circumstance in every culture with the values.

C. VARIOUS REACTIONS GIVEN TO THE ENCYCLICAL

1. The document was received with mixed reactions.⁷ For some theologians there was wide spread welcome for threefold reason:

- (a) The document affirms universal moral norms, which some theologians have made hitherto obscure through some modern theories.
- (b) It identifies relativism as a threat to individuals and humanity.
- (c) It identifies and clarifies certain interpretations and applications of these fundamental moral principles, especially negative precepts which have been made ambiguous or relativised by some theologians of our age. Here the encyclical is described as "an act of courage at the service of conscience in a difficult moment in the history of humanity."

2. The second category is a moderate position. For this group, the evaluation of the document is mixed. The encyclical seems to over generalize the views of present day theologians without distinguishing different theological schools of thought. Cardinal Godfried Daneels, Archbishop of Malines-Brussels, Belgium, says: "it is not the best of the encyclicals but it is an important document."⁸ Not every theologian, school of thought should be identified with what the document ascribes to moral theologians. The Pope seems to combine an "in-house conversation among moral theologians."⁹ It is little wonder then that Fr. Bernard Haring (who was probably the best known moral theologian in the Catholic Church in this century) describes the encyclical as "showing many signs of his (Pope's) deep-rooted distrust and discouragement."¹⁰ He felt that all serious minded theologians are wounded by the encyclical because of the level of mistrust. He says:

Away with all distrust in our Church! Away with all attitudes,

*mentalities and structures which promote it! We should let the Pope know that we are wounded by the way signs of his rooted distrust and discouraged. We need him to be softien towards us, the whole Church needs it. The urgent call for effective ecumenism needs it."*¹¹

This moderate position accepts the validity of the document but stresses the fact that there seems to be over generalization and lack of proper discernment of the present day theological currents, especially as they are identified with many moral theological stands.

3. The third position is the extreme reaction of scholars. This amounts to total rejection of the document or watering down the effect of it on every person especially the theologian. This is rooted in a total denial that these dangerous theological trends do not exist or that no theologian holds such views. There is "common complaint among theologians in the United States... that *Veritatis Splendor* caricatures the position actually held by Catholic theologians." According to Fr. R. MacCormick "nobody I know says that..."¹²

D. A CRITICAL EVALUATION OF VERITATIS SPLENDOR

A critical reflection on the encyclical reveals that there is need to issue a discerning document of this nature in our present day pluralistic church. On this positive note I shall try to outline my observation and comments on some specific issues raised in the document.

1. **The relevance of *Veritatis Splendor*** – The urgent necessity for such a document in the present day church cannot be underestimated. There is need to identify various theological trends and tendencies which have beclouded the fundamental truth of moral theology and which have led to wrong conclusions. Such extreme tendencies and theories like naturalism and physicalism, consequentialism, proportionalism or teleologism, psychologism, relativism and subjectivism, individualism etc. have long been calling the attention of the Magisterium. The church's discerning task makes such a document a moral imperative. From this point of view "*Veritatis Splendor*" is a most welcome document of our age. This is particularly true in chapter one of this document which is Christocentric in approach and which stands out in the whole encyclical as the

most welcome part. Since the above-enumerated errors tend to becloud or actually give rise to error, ambiguity and neglect, it was of a vital importance to re-emphasise and articulate once again the fundamental principles of Catholic moral theology.

2. Some reactions in the light of collective discernment

It must be observed that both the content and the manner of presentation or the attitude of the Pope raise some questions. For example, one might be tempted to ask: is it in accordance with the spirit of discernment to make some dogmatic statements found in the document? Do some of the statements give room for dialogue or freedom of conscience or "reciprocity of conscience"? For example, the pronouncements that certain acts are irremediably and intrinsically evil and negative precepts of the law that prohibit them oblige everyone always. This means that there are no exceptions to the negative precepts. It further implies that the subjective conscience of the individual must conform to the objective truth at all times and in all circumstances. This could lead to error of conformism. There seems to be a kind of abstract objectivism, which could be an error one can fall into in an attempt to solve other extreme problems of subjectivism. But traditional moral theology has always given some exceptions in dealing with the dynamics between subjective and objective moral standards.

(i) If the prohibition "You should not kill" allows exceptions in the cases of self defence and death penalty and even just wars, why should there be no artificial means of regulating birth which is one of the crucial points of the document?

(ii) Again, based on the scriptures too, there is what is called the development of the morality of the Old Testament and New Testament. There is gradual movement from "an eye for an eye" and "a tooth for a tooth" to "turning the other cheek". Also King Saul lost his own throne because he failed his conscience (1 Sam. 15: 16-23), which was sincere but in error - in error because objectively it could not have been the will of God that he should kill children of God. In traditional moral theology, it has been held that "an erroneous but sincere conscience should be obeyed."

(iii) Accepting the fact that conscience does *not create or invent or formulate* law (natural law) but *discovers* it, it follows that the conscience is always in the process of growing or being formed to discover the truth. This is why there must be a type of "**reciprocity of conscience**" and in this context it applies to the conscience of Church (communitarian conscience) and the individual conscience. The Fathers of the Second Vatican Council recognise this fact when they affirm that conscience calls for a "**common search for truth** and right solution to so many moral problems...."¹³

This in turn demands participation, co-responsibility and collective discernment. So any authentic discernment in the church must respect and realise that erroneous but sincere conscience does not lose its freedom and dignity provided it is open to this common search and education. It is this erroneous aspect of conscience that makes the education of conscience a moral imperative.

3. Pope's discerning attitude towards moral theologians

The document seems to put moral theologians in a very negative light. The exercise of the gift of discernment seems very much lacking especially in the way they were presented almost without any exceptions. The document makes no distinctions between the different categories of Catholic moral theologians or different schools of thought. For example most Catholic moral theologians cannot find themselves and their theological positions in the description of most positions identified in the encyclical. The extreme positions come to a dead end in relativism, individualism, subjectivism, etc. And these are repudiated by most Catholic moral theologians although the document at some point exonerates catholic moral theologians from the extreme positions.

Again, the misleading conclusion which the present-day theologians are said to be guilty of is not necessarily the case. For example, one can admit exceptions to the divine negative precept without falling into the error of "situation ethics". In a case like this, there is no denial of the universal validity of these precepts but there the "lack of growth" permits that "an erroneous but sincere conscience to be obeyed." Such a consideration will be rooted in what may be termed "situated ethics". In the light of historical nature of natural law,¹⁴ there seems to be serious misunderstanding and misinterpretation and misrepresentation of some of the modern theories or approaches which were borne out of sincere prayerful studies and reflections. Such honest efforts of moral theologians were the sincere response to the Fathers of the Second Vatican Council who urged that the present-day theologians should "seek out effective ways... of presenting their teaching to modern man."¹⁵ Even though the Pope praises the effort of moral theologians in another part of the encyclical, most part of chapter two seem to reveal a type of distrust. No wonder then that B. Haring says: "we should let the Pope know that we are wounded by the many signs of his rooted distrust and discouragement."¹⁶

4. An attitude of categorical absolutism

Without questioning the infallibility of the Pope and the Magisterium of the Church in matters concerning faith and morals, it is important to know that the attitude that runs through this second part of the document seems to be an attitude of categorical absolutism. It is hoped that this encyclical does not carry the weight

of infallibility. If not, there is need for openness to further dialogue - dialogue between the moral theologians and the Magisterium - a conscience on its journey towards truth.¹⁷

But with the attitude of categorical absolutism, there is no longer any room for dialogue in the common "search for solutions to many problems" and to the will of God. Consequently, the authentic discernment becomes questionable here. There is therefore the danger that the Holy Spirit may be stifled without sufficient testing through dialogue and "common search". This seems therefore contrary to the criterion for any discernment as directed by St. Paul and the Fathers of the Second Vatican Council.

E. THE CHURCH'S GIFT OF DISCERNMENT AND AFRICAN MORAL THEOLOGY

It is significant to note that the response and reactions of the African moral theologians to "*Veritatis Splendor*" are not recorded in any of the world leading papers. Where are the African moral theologians? What are their reactions? What is their position in relation to the three categories of reactions already discussed?

In answering these questions, we might admit that there are very few who readily qualify as moral theologians. Even though we have many of them with doctorate degrees in moral theology, not all of them have the opportunity to continue theologising. Worse still, some of those who have the opportunity have not sufficiently paid attention to the issues in African Theology.

The problem is more crucial still. Some have not even seen copies of the complete document. Some others who managed to lay their hands on the "The Tablet" publications of the abstract seem to feel that the issues raised there are not African problems. The writer does not share the view of the last group in as much as African theologians are urged to build up African Moral Theology, they should not build up a "ghetto type of theology" that does not open up to other forms of theologies. In fact, African theology needs other types of theologies for "mutual enrichment and complementarity as valid process of discernment."

African Theologians are challenged to seek out ways and means of presenting and interpreting the Christian message in such a way that it could speak to the African Christians in the language they understand. This immediately points to two areas of theological investigation, which are indispensable for authentic Christian living. These are the areas of evangelisation and inculturation.¹⁸

Accepting the moderate position of that does not object to the entire "*Veritatis Splendor*" because of some of its shortcomings; I recommend a more serious study of the document by African theologians. Such a study will help them to come to grips with the basic principles of moral theology. These would be studied within

the context of evangelisation and inculturation. For example one of the major problems among African Catholic Christians is not so much extreme subjectivism and individualism as syncretism and all the fundamental moral errors associated with it. There is need to educate the consciences of many African Christians to a more discerning personalistic acceptance of the gospel message and its values. With our focus on inculturation, the discernment of the hierarchy of the Church in Africa will centre on identifying the pitfall in the work of inculturation and guiding the faithful so that they do not build a ghetto type of theology nor water down the essential contents in the Christian message.¹⁹ This calls for dialogue and collective discernment between the bishops and the African theologians. This will help avoid mutual distrust, which seems to characterise the document in question. Consequently, there will gradually be an atmosphere of freedom and greater openness to the Holy Spirit. Thus there will emerge creative freedom, participation and co-responsibility, which are characteristics of the discernment process.

In conclusion, the following suggestions and recommendations are presented as ways of encouraging the exercise of the gift of discernment within the Enclosed Community. On the part of the Magisterium, efforts should be made to avoid all forms of abstract speculative approach to moral theology. In this connection, every element of authoritarianism, absolutism, ecclesiology and distrust in content and mythological presentations of the moral doctrines of the Church should be guided against.²⁰ On the part of the Moral theologians, creative obedience, reverence and trust should be exercised towards the Magisterium. In the spirit of discernment all should be docile to the Holy Spirit in prayerful openness to his guidance. The virtues of humility, hope, faith and charity must be exercised in the faithful's common search to discover the will of God in all moral decisions. This is because the Gospel Discernment is based on trust in the love of Christ who always and tirelessly cares for his Church. This collective discernment is nourished by the light and strength of the Holy Spirit.²¹ In the spirit of humility, we should see the Church as the imperfect Church that constantly needs renewal (L.G Nos. 5&8). The Church is not only a teaching Church but also a learning Church. All forms of learning necessarily imply common search, co-responsibility and collective discernment.

NOTES AND REFERENCES

1. The Tablet. Vol. 69, No. 13, October 16, 1993. p. 1356, October 9, 1993. pp. 1312-1313
2. W. Geddies (ed) Twentieth Century Dictionary, W. Chambers Ltd. London, 1965.

THE CHARISM OF THE CONSECRATED LIFE AND THE EXERCISE OF AUTHORITY IN THE CHURCH

BY JUDE ABIDEMI ASANBE

1. Preamble:

Today more than ever before, many people make a contraposition of the terms, charism and authority, as if they were opposed one to the other. At times, some members of the institutes of consecrated life are caught between fidelity to their superiors/institutes and to the particular churches in which they are serving. It does happen on the one hand that the diocese of residence is regarded as a temporary abode and hence the tendency to adopt a tenant posture and on the other hand a diocese may regard a consecrated person as a visitor or a "bird of passage". These conflicting attitudes do not certainly reflect the mind, teaching and mission of the Church in context.

The above stated forms the substratum of this essay. The work revolves around three themes, namely, charism, authority and the **consecrated life** (henceforth rendered as **Vita Consecrata**) in the context of the Church's life and practice. An attempt is made now to clarify these terms.

2. Clarification of Some Terms Resurgent in the Work

Canonical science just like any other legal science is preoccupied with the right use of words. Hence, one of its tasks is that of deciphering the meanings attached to terms adopted. It therefore becomes imperative to clarify some of the key terms resurgent in this work.

(i) **Charism:** The Council Fathers refer several times to charismatic gifts in relation to the life and nature of the Church.¹ The term charism was actually never used explicitly, especially in reference to the religious institutes or institutes of **vita consecrata**. This notwithstanding, the word found its way into the **Schemata Canonum** of 1977 (in C. 89), 1980 (C. 516 #3) and 1982 respectively.² At the wake of the promulgation of the New Code, the word charism, to the chagrin and consternation of many fathers was substituted with the word gifts. The juridical reason adduced by scholars for this change is that the word appears to be too vague, imprecise, and as such indeterminable.³ However, because of its biblical resonance, the reality which the word charism stands for has always been found in

3. B. Haring, *The Law of Christ*, Vol. 1 (Theological Publications, Dublin, 1966), p. 108.
4. Idem, *Free and Faithful in Christ*, Vol. 1 (St. Paul Publications, Slough, 1978) p. 255 Cf. also M.I. Mozia, *Solidarity in the Church and Solidarity and the Igbo of Nigeria*. (Tipografica, Leberit Rome, 1982) p. 547.
5. *Gaudium et Spes*, No. 12 (the emphasis is mine).
6. The Tablet op. cit America October 9 and 23, 1993. Pp. 8-11
7. The Tablet October 16, 1993, p. 1356
8. America, October 30, 1993, Vol. 169, No. 13
9. The Tablet, October 23, 1993, p. 1378. It should be noted that the extreme positions are not found in Catholic Theology but the latter is not exonerated from other positions.
10. Ibid., p. 1379
11. Idem., October 16, 1993, p. 1356
12. G.S No. 16
13. Cf. M.I. Mozia, *Morality and Charism* (Shaneson C.I Ltd. Ibadan) Pp. 37-39. Also Grindel J. "Natural Law" in K. Rahner ed., *Law of Christ*, vol. 1, p. 245
14. G.S No. 62
15. The Tablet, October 23, 1993, p. 1379
16. N.A No. 1 AAS 58 (1996), pp. 728-744 A. Flannery, Vatican II, p. 1006
17. Cf. 1 Thess. 5:12b, 19-21, *Lumen Gentium* No. 12
18. Pope John Paul II, "Discourse for Inauguration of Catholic Institute of East Africa, Doc. Catholic, 1993 (1985) p. 963 *Lineamenta* For Synod of Bishop Special Assembly for African, Vatican City, 1992, No. 53
19. Cf. Synod of Bishop Special Assembly for Africa, *Lineamenta* Vatican City, 1992, No. 53
20. The error of Ecclesiology is an error of seeking the Church as existing for itself instead of seeking it as exist cf. M.I. Mozia *Solidarity in the Church and Solidarity and the Igbo of Nigeria*, p. 113, Pope John Paul II warns against this same error which he calls "ecclesiocentricism" cf. *Redemptoris Missio* No. 17
21. John Paul II, *Pastores Dabo Vobis*, No. 10