

ANGLICAN/ROMAN CATHOLIC JOINT SUB-COMMISSION ON THE THEOLOGY OF MARRIAGE AND ITS APPLICATION TO MIXED MARRIAGES

Second Meeting - Pineta Sacchetti, Rome, 27th - 30th November 1968

THE RELATION OF THE ENCYCLICAL 'HUMANAE VITAE' TO THE SUB-COMMISSION'S TASK

by

Professor the Revd. Canon G.R. Dunstan

Omnimodas reverencias tot et tantis patribus debitas, cum sinceræ devotione cordis et honore.

I am conscious of my responsibility in that it is in Rome - from which Humanae Vitae came, in which the Papal Commission sat for many hours, and upon which has centred all the strain of the Church's internal debate and all the hostility of a disapproving world - that I have to open the debate again on behalf of Christian but non-Roman Catholic partners in a mixed marriage; indeed on behalf of both partners, because it is fundamental to my position that in these matters, internal to the married life, the Church must stand by its doctrine, and treat the married pair as one - "one flesh", "one person".

A. What I, as an Anglican, would accept ex animo, first from the doctrine of Vatican II,

1. Gaudium et Spes: caps. 47 ff: On Marriage, the family, conjugal love, etc.

Also 16 On conscience

17 On the Excellence of Liberty

25 On the Interdependence of Person and Society

27 On Reverence for the Human Person

2. Dignitatis Humanae (On Religious Liberty)

especially 2 The right to and definition of, Religious Freedom.

3 On man's duty to act according to conscience and his right not to be forced to act contrary to it.

5 On freedom for the family.

Secondly, from Three documents of the Papal Commission on Conception Control

Part II: "The Argument for Reform" (Harris et al. p.203)

Part III: "Pastoral Approaches" (especially valuable on relation of the Magisterium to the whole Church)
(Harris et al. p.216)

IV "The Theological Report of the Commission" (ibid p.224)

These last two documents, III and IV were, of course, those submitted from the Commission to the Holy See.

I read also with sympathy the two Addresses of the Laity

1. To the Council, (ibid p. 245)

2. To the Magisterium (ibid p. 252).

Both express what the Anglican laity, if articulate enough, would have wished to express. (I recall the Pope's admiration for the Latinity of the English Bishops who replied to the condemnation of Anglican Orders. I would match this with my admiration for the logic of the draftsmen of these two addresses.)

Lastly, in Humanae Vitae itself, I accept all its positive utterances about marriage, the conjugal relationship, the respective duties of spouses, and of bishops, priests, governments and society itself to promote the good of family life. I accept, of course, all its positive teaching on paternitas conscia - responsible parenthood.

I stop in my admiration for Humanae Vitae only

i. in some of its questionable empirical statements, e.g.

§17 on the alleged ill consequences of contraception.

ii. in some of its logic on the relation of biological process to the Divine Will and to human responsibility.

iii. most particularly where it restricts the permitted means of responsible parenthood to total or periodic continence (§11, §16) and forbids all other (§11, 14).

I have followed, with acute sympathy both for married Catholic people and for the bishops and priests of the Church the debate which has followed publication. I have observed the diversity of means by which Episcopal Conferences, and individual bishops, have tried to maintain the Church in loyalty to the Encyclical, as representative of the Church's teaching authority, and, at the

same time, to secure the utmost pastoral support for spouses who cannot in conscience accept all the prohibitions of the Encyclical.

B. To What the Anglican Spouse is committed

We have been through the same conflict, though about 40 - 50 years earlier and with less intensity, because of the more reciprocal relationship of bishops to priests and people to which we are accustomed in the formulating of moral judgments. The result has been a steady settling of a consensus fidelium between, say the late 1920s and the 1950s, resulting in the Resolutions of Lambeth, 1958. The process is accurately described in "Pastoral Approaches", p. 218:

"So faithful believers, nourished by the Holy Spirit (cf. Lumen Gentium para. 12), have been led to find all the riches of the Church's teaching, and all its implications, in the experience of their married life. They have come to realise that human acts are charged with multiple responsibilities; the Magisterium listens to the expression of these, clarifies it, controls and authenticates it, so that it can bear it in mind when pronouncing on the morality of these acts."

There has been a certain reciprocity between our churches: in 1930, when we were half way on, Rome replied with Casti Connubii (for parts of which we may all be grateful); and in 1968, when Paul VI put out Humanae Vitae, Lambeth replied with, I hope, a courteous rejoinder, and a re-affirmation of its 1958 Resolutions. (See What the Bishops have said about Marriage, S.P.C.K. 1968).

There has also been personal reciprocity: since 1958 I have had many fruitful discussions of the Lambeth Resolutions with several distinguished members of the Papal Commission, some found on each side at the final count.

The Lambeth Resolutions i. affirm the duty of responsible parenthood,

ii. leave the choice of means of controlling the number and frequency of conceptions to the informed consciences of the spouses themselves.

Our task is to envisage what way of life is possible for a marriage in which the spouses are guided respectively by these two documents.

To crystallize this in an arresting way, our Anglican practice vests on our acceptance of precisely that part of section 29 of Humanae Vitae which was omitted from the English translation published by the Polygot Press from Rome and reproduced by the Catholic Truth Society; but of which the Latin is perfectly clear:

"Fiduciae autem pleni loquamini, delecti Filii, pro certo habentes Sanctum Dei Spiritum, dum adest Magisterio rectam proferenti doctrinam, intus corda fidelium illustrare eosque ad assentiendum invitare.*

So difficult is the concept, perhaps, to appreciate in its fulness, that even the translation by Robert Bogan given in Harris, On Human Life, gets it wrong by intruding the Magisterium and the priests between "The Holy Spirit" and "The hearts of the faithful":

"The Pope feels quite assured because the Holy Spirit is still present, and guides the Teaching Church in all she says, his priests will help the hearts of all the faithful to understand this doctrine, and consent." (Op. cit., p.156)

I would emphasize that I am not setting up "private judgment" against the teaching authority of the Church. I am claiming, first the spirit's guidance for corporate and personal judgment and decision within the life of the Church: and, secondly, that what is so determined and judged becomes, as a consensus fidelium, an ingredient in the moral teaching which the Church authoritatively must safeguard and teach.

On Roman practice - on the relation of conscience to the magisterium - I would not presume to speak with any assurance. From my reading I gather that Humanae Vitae: i. has its source in the ordinary magisterium of the Church, i.e. it is authentic, claiming assent, but open to subsequent revision by the authority which promulgated it; ii. it is not infallible, not from the "solemn" teaching of the Pope after full and formal consultation with the episcopate representing the mind of the whole Church: if it were it could not be revised.

I gather, from episcopal statements, that those who in

* Section 29, iii, from Harris et al, p.157.

conscience cannot accept Humanae Vitae are not therefore obliged to sever communion with the Church, as they would be if it were "infallible". This seems to be agreed. Then pastoral advice seems to vary as to what precisely they are to do. Some advice seems to the outsider unfortunate, in that its terms might well tend to induce an accumulated sense of guilt in the minds and souls of the dissident - and guilt, over these conjugal aspects of life, can be a highly undesirable and dangerous condition.

C. The Question as it concerns Mixed Marriages

On what basis can we hope for a settlement? I suggest:

1. that we must begin with the third of the "fundamental theological principles" on which we agreed at Windsor.

"That Christian marriage once made possesses a unity given by God, respect for which is a primary duty."

This would imply that we think, not of two consciences, a Roman and a non-Roman, but of one "conscience", that of the couple themselves.

The first way would lead to discreditable casuistries: e.g. "you know that you are forbidden contraception, but what your Protestant partner does is not my business."

The second way leaves the couple themselves responsible for a joint decision, taken in the light of the authentic teaching of their respective churches, but together, we hope, under the illumination of the Holy Spirit.

Some might find it entirely possible, and desirable, to accept periodic continence as the way for them. For the there would be no problem. Others might not. For these there must be a respect for joint conscientious decision, consonant with the provisions of the Documents of Vatican II - Gaudium et Spes and Dignitatis Humanae - and of Humanae Vitae, on the one side; and with the Lambeth Resolutions of 1958 and 1968 on the other. To this I see no alternative.

If this suggestion is accepted then,

2. the two Churches must so adjust their pastoral action and policy as to support the Christian family in the life of grace, and not to burden it with the insidious springs of guilt.

D One concluding reflection

I see no other course open to us:

i. with regard to the married persons concerned themselves - the documents to which our respective Churches have committed themselves require no less.

ii. with regard to the Church as a whole, and the loyalty of Christian people to it as a visible, constitutional Body, and in particular to belief in its competence and authority as a teacher of morals.

It seems to me expedient, to say the least, not to go into battle on the wrong battleground, i.e. not to engage in a defence, regardless of cost, of the Church's teaching authority over a matter on which not only the Christian conscience but also Catholic consciences are so deeply divided. Rigorism here is almost bound to lose, and, in losing, it will probably weaken very considerably the teaching authority of the Church. This is the time in which we have to decide what burdens we must, in obedience to the faith, ask our people to bear, and to lay on them, as a matter of obligation, no other. We are dealing with what is predominantly a lay problem - and we are all clerics - and I think we shall all strive, as we discuss the problem, to have lay persons and their sympathies and their vulnerability uppermost in mind.