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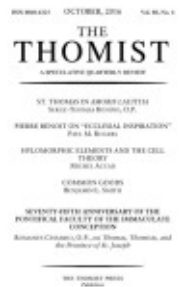
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SAINT THOMAS AQUINAS IN THE APOSTOLIC  
EXHORTATION *AMORIS LAETITIA*<sup>1</sup>

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THE EXERCISE to which I will dedicate myself—namely, the study of the “presence” of Saint Thomas Aquinas in a pontifical text—is a perilous one for a Catholic theologian. It is perilous first of all from the methodological point of view. According to what criteria, indeed, can one identify the presence or influence of St. Thomas in a document such as the postsynodal apostolic exhortation *Amoris Laetitia* (March 19, 2016)? I have chosen to limit myself to the explicit references to St. Thomas.<sup>2</sup> But it is clear that this method is reductionistic, for it leaves in the shadows everything in the document that springs from the profound fertilization of general Catholic culture and magisterial teaching that has transpired through many centuries of symbiotic activity with Thomism.

This exercise is additionally and particularly perilous from the point of view of its ends. Indeed, three temptations lie in wait for the Thomist theologian presented with a pontifical text. The first, the mildest, is the effect of a professional deformation on the part of the historian of doctrine. It consists in evaluating the interpretation and use of Thomistic texts by

<sup>1</sup> This article’s French original was translated by Dominic M. Langevin, O.P.

<sup>2</sup> I am using “explicit reference” for two possibilities: (1) any quotation, short or long, indicated by quotation marks, coming from a text of St. Thomas, and accompanied by a reference to the source text; and (2) any explicit referral to a passage in a work of St. Thomas.

the Magisterium from the sole point of view of the historical-critical method. Now, while it is undeniable that a magisterial document should show itself attentive to the demands of an exact, scientific exegesis of texts, its end is not to recreate Thomistic doctrines in their most perfect or pristine form. Its purpose is rather to draw upon certain of these doctrines in order to represent the teaching of the Word of God for the benefit of the life and holiness of the Christian people.

The second temptation is to judge the content of a pontifical document in the light of Thomism, that is to say, according to its conformity or not to the teaching of St. Thomas. In a very un-Thomist way, this ignores the fact that a theologian's authority—no matter how great it may be—does not lie at the same level as the Magisterium's authority, for theology receives its object from the Tradition as the Magisterium teaches it. Nevertheless, if the Magisterium has the authority to discern and "declare" the Tradition, it does not create the Tradition *ex nihilo*. The Tradition has a preceding, intrinsic objectivity. If one can use a comparison taken from Aristotelian philosophy of nature, the Magisterium gives the Tradition its form and makes of it a living Tradition, the norm for the faith of today's believers. But the Magisterium informs a matter that is not a pure potentiality, malleable according to its own will, but rather a matter that already presents dispositions such that it is not apt to welcome just any form. The Magisterium cannot simply claim, as is attributed to Pius IX, "I am the Tradition." The logic of Tradition is thus bipolar: it is necessary to discern what truly constitutes the Tradition by the light of the current Magisterium, but it is also necessary to interpret the teaching of the current Magisterium according to the data of the Tradition. Now, the theology of St. Thomas as a scientific elaboration of the Tradition, an elaboration whose high worth has been recognized by the Church herself, is an important witness of this Tradition. Conformity to the teaching of St. Thomas is therefore not without importance when one tries, as one should, to interpret the teaching of the Magisterium by the light of the Tradition. Such conformity is a criterion, among others,

that allows one to test and confirm continuity within the living Tradition of the Church.

The third temptation for Thomists falls under the banner of ecclesiastical sociology. It consists in reading the texts of the Magisterium while “counting points,” that is to say, searching within the uses that the current Magisterium makes of the texts and theses of the master from Aquino for a confirmation of his theological authority. Related to this temptation is one found among other persons—interested very little in Thomism but aware of his authority in the Church—a temptation, also entirely “political,” of paradoxically using this authority in order to fool others about their discontinuous reading of pontifical teachings. In placing apparent “novelties” under the patronage of that paragon of orthodoxy, St. Thomas, they think that they can protect themselves against the reproach of promoting a hermeneutic of rupture.

I will attempt to avoid these various temptations by holding to a very limited objective: to identify and analyze the Thomist doctrines referred to explicitly by *Amoris Laetitia* in order to receive them as an invitation to deepen, as a theologian, those aspects of St. Thomas’s thought that seem to possess today for the Magisterium a particular relevance for the life of the Church.

I have therefore identified within *Amoris Laetitia* eighteen explicit references to St. Thomas Aquinas.

	Location in <i>Amoris Laetitia</i>	Kind of reference	Source text	Theme
1	Chap. 4, para. 99	Brief quotation in the main text with citation in a footnote (108)	<i>STh</i> II-II, q. 114, a. 2, ad 1	The virtue of affability
2	Chap. 4, para. 102	Brief quotation in the main text with citation in a footnote (110)	<i>STh</i> II-II, q. 27, a. 1, ad 2	Generosity within charity
3	Chap. 4, para. 102	Brief quotation in the main text with citation in a footnote (111)	<i>STh</i> II-II, q. 27, a. 1	Generosity within charity
4	Chap. 4, para. 120	Citation in a footnote (115)	<i>STh</i> I, q. 20, a. 1, ad 3	The unitive nature of love

5	Chap. 4, para. 120	Brief quotation in the main text with citation in a footnote (116)	<i>STh</i> II-II, q. 27, a. 2	Love as affective union
6	Chap. 4, para. 123	Brief quotation in the main text with citation in a footnote (122)	<i>ScG</i> III, c. 123	Conjugal love as the highest friendship
7	Chap. 4, para. 126	Paraphrase in the main text with citation in a footnote (127)	<i>STh</i> I-II, q. 31, a. 3, ad 3	Joy as an expansion of the heart
8	Chap. 4, para. 127	Brief quotation in the main text with citation in a footnote (129)	<i>STh</i> I-II, q. 26, a. 3	The price of the loved person
9	Chap. 4, para. 134	Quotation in the main text with citation in a footnote (135)	<i>STh</i> , II-II, q. 24, a. 7	The infinite increase of charity
10	Chap. 4, para. 145	Citation in a footnote (140)	<i>STh</i> I-II, q. 24, a. 1	The moral neutrality of the passions
11	Chap. 4, para. 148	Citation in a footnote (144)	<i>STh</i> I-II, q. 32, a. 7	Pleasure
12	Chap. 4, para. 148	Latin quotation and citation in a footnote (145)	<i>STh</i> II-II, q. 153, a. 2, ad 2	The worth of conjugal sexual pleasure
13	Chap. 4, para. 162	Citation in a footnote (172)	<i>STh</i> II-II, q. 27, a. 1	Generosity within charity
14	Chap. 8, para. 301	Paraphrase in the main text with citation in a footnote (341)	<i>STh</i> I-II, q. 65, a. 3, ad 2	Difficulty in exercising an infused virtue
15	Chap. 8, para. 301	Citation in a footnote (341)	<i>De Malo</i> , q. 2, a. 2	Difficulty in exercising an infused virtue (?)
16	Chap. 8, para. 301	Quotation in the main text with citation in a footnote (342)	<i>STh</i> I-II, q. 65, a. 3, ad 3	Difficulty in exercising an infused virtue
17	Chap. 8, para. 304	Quotation in the main text with citation in a footnote (347)	<i>STh</i> I-II, q. 94, a. 4	Action deals with contingent realities
18	Chap. 8, para. 304	Quotation in a footnote (348)	<i>VI Nic. Ethic.</i> lect. 6	Norms and practical discernment

Eleven of the explicit references are “quotations” of varied length (from two or three words to four or five lines). Eight of

these quotations appear in the main text and three in the footnotes. To these quotations must be added seven cross-references. These eighteen explicit references concern a total of twelve paragraphs in the apostolic exhortation (out of 325), but they are concentrated in two chapters: chapter 4, entitled “Love in Marriage” (thirteen references, or almost three-quarters), and chapter 8, entitled “Accompanying, Discerning and Integrating Weakness” (five references). They draw especially upon the *Summa theologiae* (fifteen references), but three other texts of the Thomistic corpus are also called upon: the *Summa contra Gentiles*, the *Sententia libri Ethicorum* (*Commentary on the “Nicomachean Ethics”*), and the *Quaestiones disputatae De malo*.

The texts of Saint Thomas to which *Amoris Laetitia* makes reference come especially from the treatise on the passions in the *Prima secundae* (four references) and the treatise on charity in the *Secunda secundae* (five references). In the light of this survey of the material, one can already identify the three Thomist themes that are drawn upon in the teaching of *Amoris Laetitia* and that will constitute the three parts of this article. The first, the most original, is the theme of the passions, whose importance for anthropology as well as moral theology is strongly emphasized by *Amoris Laetitia*. The second is the analysis of love in its different realizations, from sensible passion to the theological virtue of charity. One can already find several references to the Thomist psychology of love in the preceding apostolic exhortation, *Evangelii Gaudium*, which also mentions the third Thomist theme that emerges from *Amoris Laetitia*: the necessity of taking account of subjective conditionings in the moral evaluation of a human act in view of a just discernment.

## I. THE PASSIONS

In the presentation of the apostolic exhortation to the press that he gave on April 8, 2016, Cardinal Christoph Schönborn rightly drew attention to the theme of the passions.

I think it is important to indicate one aspect: Pope Francis speaks here, with rare clarity, of the role of the *passiones*, passions, emotion, eros and sexuality in married and family life. It is not by chance that Pope Francis reconnects here with St. Thomas Aquinas, who attributes an important role to the passions, while modern society, often puritanical, has discredited or neglected them.<sup>3</sup>

Indeed, in a section entitled “The World of Emotions” (143-46), *Amoris Laetitia* highlights the decisive role of the passions within human existence and especially within the relationships that constitute marriage and family life.

Desires, feelings, emotions, what the ancients called “the passions,” all have an important place in married life. . . . It is characteristic of all living beings to reach out to other things, and this tendency always has basic affective signs: pleasure or pain, joy or sadness, tenderness or fear. They ground the most elementary psychological activity. Human beings live on this earth, and all that they do and seek is fraught with passion. (143)<sup>4</sup>

Paragraph 144 underlines the extent to which the Lord Jesus himself, within the truth of his humanity, assumed this “passionate” dimension of the human condition. Saint Thomas is then explicitly referenced in paragraph 145 for his Aristotelian thesis concerning the moral neutrality of the passions, opposed to the Stoic thesis that holds that every passion is in itself morally disordered.<sup>5</sup>

Experiencing an emotion is not, in itself, morally good or evil [footnote 140 here refers to *STh* I-II, q. 24, a. 1]. The stirring of desire or repugnance is neither sinful nor blameworthy. What is morally good or evil is what we do on the basis of, or under the influence of, a given passion. (145)

<sup>3</sup> English translation by the Holy See Press Office in its “Bollettino” of April 8, 2016, “Conferenza Stampa per la presentazione dell’Esortazione Apostolica post-sinodale del Santo Padre Francesco *Amoris laetitia*, sull’amore nella famiglia” (<https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2016/04/08/0241/00531.html>) . (Trans.: One correction has been made via recourse to the original Italian.)

<sup>4</sup> Translations of *Amoris laetitia* (AL) are from the translation on the Vatican website ([https://w2.vatican.va/content/dam/francesco/pdf/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20160319\\_amoris-laetitia\\_en.pdf](https://w2.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia_en.pdf)).

<sup>5</sup> See *STh* I-II, q. 24, a. 2; III, q. 15; Paul Gondreau, *The Passions of Christ’s Soul in the Theology of St. Thomas Aquinas*, Beiträge zur Geschichte der Philosophie und Theologie des Mittelalters, n.f., 61 (Münster: Aschendorff, 2002).

Along the line of this integration of the passions within an anthropology and an ethic that are fully human, *Amoris Laetitia* highlights “the erotic dimension of love” (150-52), since conjugal love has the vocation of uniting synthetically, while also arranging in a hierarchy, the different aspects of the affective life of the spouses: sensuality, feeling, and will. Within this context, it is understandable why, in paragraph 148, *Amoris Laetitia* makes reference to question 153 of the *Secunda secundae* (*STh* II-II, q. 153, a. 2, ad 2), where St. Thomas—in a statement that was not routine in the general context of medieval theology—teaches that the sexual act between spouses may be without sin (and even meritorious) since sexual pleasure experienced within the fully human relational context of marriage does not in any way contradict virtue: “the exceeding pleasure attaching to a venereal act directed according to reason, is not opposed to the mean of virtue.”<sup>6</sup> Nonetheless, in the same paragraph 148, another reference to St. Thomas draws attention to how an excess harms pleasure itself. In question 32 of the *Prima secundae* (*STh* I-II, q. 32, a. 7), a question consecrated to the causes of pleasure, St. Thomas explains that likeness—even though in itself it is a cause of pleasure—can accidentally corrupt the proper good of the subject. For example, even though food may be a source of pleasure for a person due to the fact that it is consistent with the demands of that person’s bodily life, an excess of food can corrupt the body’s good and consequently destroy the pleasure of eating.

Joined to this attention to the “passionate” or incarnate dimension of human relations, there is the need—one central to the spirituality of Pope Francis—of incarnating love in gestures and attitudes imbued with tenderness. The “passions” therefore have the vocation of giving flesh to moral forms of acting. The very first reference to St. Thomas in *Amoris Laetitia*, found in paragraph 99, concerns precisely the social virtue of affability

<sup>6</sup> “Abundantia delectationis quae est in actu venereo secundum rationem ordinato, non contrariatur medio virtutis.” Quotations from the Latin of the *Summa* are taken from the Leonine edition. English translations come from *Summa theologica*, 3 vol., trans. The Fathers of the English Dominican Province (New York: Benziger, 1947-48).



(*amicitia seu affabilitas*), which St. Thomas treats in question 114 of the *Secunda secundae* as a virtue annexed to justice. In article 2, response to the first objection, of this question, St. Thomas in fact draws attention to how—insofar as pleasure, exactly like truth, is necessary for social life—there is a moral duty to procure pleasure and joy for others within social relationships rather than to sadden them through a crabby attitude.

## II. LOVE

For St. Thomas, love is the source of the passions; it is found at the root of all of our other affective movements.<sup>7</sup> Chapter 4 of *Amoris Laetitia*, consecrated to “love in marriage,” could therefore only profit from the reflections on love and friendship (e.g., its nature, causes, effects) that St. Thomas develops with great psychological finesse both in the treatise on the passions and in his study on charity considered as a form of supernatural friendship.<sup>8</sup> In fact, in paragraph 123, *Amoris Laetitia* refers to *Summa contra Gentiles*, book 3, chapter 123, within which St. Thomas, in order to justify the indissolubility of marriage, assembles a whole series of arguments (as he has the custom of doing in the *Summa contra Gentiles*). One of these arguments asserts that the conjugal bond is “the highest of friendships.” Saint Thomas explains that the man and woman “are united not only in the act of fleshly union, which produces a certain gentle association even among beasts, but also in the partnership of the whole range of domestic activity (*conversatio*).”<sup>9</sup> Now, “the greater that friendship is, the more solid and long-lasting will it be.” Therefore, the highest form of friendship necessarily must also be the longest lasting.

The reflections of St. Thomas on love and friendship are thus one of the sources that enliven the meditation of *Amoris*

<sup>7</sup> See, for example, *STh* I-II, q. 28, a. 6.

<sup>8</sup> *STh* I-II, qq. 26-28; and II-II, qq. 23-27.

<sup>9</sup> English translations of *ScG* III are from *Summa contra Gentiles, Book 3*, trans. Vernon J. Bourke, 2 vols. (Notre Dame, Ind.: University of Notre Dame Press, 1975).

*Laetitia* on conjugal love. Love is presented as a “unitive force” (*vis unitiva*), with reference being made to Pseudo-Dionysius and St. Thomas (AL 120, n. 115). Conjugal love is, in fact, a “*unio secundum affectum*” (AL 120), of the sort that it is by itself a source of unity between the spouses. Already in *Evangelii Gaudium*, the same reference was given to underline how, in love, the other constitutes but one with oneself.<sup>10</sup>

The reflections of St. Thomas on the love of friendship, adopted by the apostolic exhortation, highlight some of its remarkable characteristics. In question 26, article 3 of the *Prima secundae*, St. Thomas sets out to clarify the nuances of the diverse vocabulary of love, such as *amor*, *dilectio*, and *caritas*. With respect to *caritas*, which he connects etymologically with *carus* (precious), he indicates that one of the characteristics of love is to “exalt” the loved person in the sense that the lover recognizes the price, the value, of the beloved. “The love of friendship is called ‘charity’ when it perceives and esteems the ‘great worth’ of another person” (AL 127). This text of Aquinas was already quoted in *Evangelii Gaudium* in order to affirm, against any ideological instrumentalization of the option for the poor, that authentic love for the poor man is recognizable to the extent that one ties it to that man’s very person.<sup>11</sup> In *Amoris Laetitia*, this same text serves, from an analogous perspective, to oppose authentic love against various forms of instrumentalizing another.

*Amoris Laetitia* also refers two times to a single text of St. Thomas in order to underline another characteristic of the love of friendship: the primacy, from a certain point of view, of its active, self-offering dimension over its passive, receptive dimension (AL 102 and 162). In question 27, article 1 of the *Secunda secundae*, St. Thomas explains that charity consists more in

<sup>10</sup> Pope Francis, apostolic exhortation *Evangelii Gaudium* 199, n. 166.

<sup>11</sup> Ibid. 199, n. 168: “The poor person, when loved, ‘is esteemed as of great value’ (STh I-II, q. 26, a. 3), and this is what makes the authentic option for the poor differ from any other ideology, from any attempt to exploit the poor for one’s own personal or political interest.” (Translation taken from the Vatican web site: [https://w2.vatican.va/content/dam/francesco/pdf/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20131124\\_evangelii-gaudium\\_en.pdf](https://w2.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20131124_evangelii-gaudium_en.pdf).)

loving than in being loved. The point is illustrated by an example taken from the *Nicomachean Ethics* of Aristotle and reused by *Amoris Laetitia*: a mother who accepts to confide her infant to a wet nurse shows by this very fact that she is ready, through love (i.e., for the good of her infant), to renounce, *redamatio*, the return love that she would have the right to expect via the presence of her child. Pope Francis applies the principle to the wife who dedicates herself to her sick husband (AL 162), and he shows how this demand of love finds its source and realization in the mystery of Jesus, who gives his life for his friends.<sup>12</sup>

A third remarkable characteristic of the love of friendship, at least under the supernatural form that it assumes as charity, is its capacity to grow to infinity, as St. Thomas explains in question 24, article 7 of the *Secunda secundae*. Here on earth, there are no limits to growth in charity, participation in the infinite love that is the Holy Spirit. *Amoris Laetitia* 134 applies this theme to conjugal love, which should always be developing. Conjugal love entails a love that is properly human, and because of this it cannot possibly always develop except by a distant analogy. But, insofar as conjugal love is informed by charity, it participates to some degree in this indefinite growth.

Finally, in a document entitled *Amoris Laetitia*, it was fitting to invoke St. Thomas in its etymology of *laetitia* (entirely Isidorian but suggestive) via question 31 of the *Prima secundae* (*STh* I-II, q. 31, a. 3, ad 3). *Laetitia* (joy) comes from *latitia* (breadth) since one of the effects of *delectatio* is to expand the heart (AL 126).

### III. MORAL DISCERNMENT

Chapter 8, which is at the center of the controversies that surround the reception of the apostolic exhortation, refers five

<sup>12</sup> AL 102: "Saint Thomas Aquinas explains that 'it is more proper to charity to desire to love than to desire to be loved'; indeed, 'mothers, who are those who love the most, seek to love more than to be loved.' Consequently, love can transcend and overflow the demands of justice, 'expecting nothing in return' (*Lk* 6:35), and the greatest of loves can lead to 'laying down one's life' for another (cf. *Jn* 15:13)."

times in two paragraphs (301 and 304) to the Common Doctor in order to introduce two fundamental theses of his teaching concerning a human act and its moral evaluation. The first thesis concerns the eminently concrete character of all human action. The action of a human person is localized within the concrete, which is marked by singularity and a certain contingency, of a sort that general moral norms do not suffice for regulating the action. The second thesis is that it is necessary to take account of subjective conditionings in the moral evaluation of an act. Let us begin with this second point.

#### *A) Taking Account of Subjective Factors in Moral Evaluation*

Simplifying matters to an extreme, one can say that St. Thomas knew, in his time, how to bring about a balanced synthesis between the objective aspect and the subjective dimension in the evaluation of the concrete, moral action of a person, a synthesis that passed into the common teaching of the Church. The humanism of the twelfth century, which, particularly with Peter Abelard, rediscovered the place of subjectivity, understood that the moral action of a person could not be evaluated solely from the exterior, that is to say, according to its “material” conformity (or lack thereof) to a norm. But the danger—which Abelard did not perhaps always avoid—was to reduce the norm of morality solely to subjective intention.<sup>13</sup> As for St. Thomas, he wished to uphold the subjective factor while also recognizing the determinative place of the objective truth of the act.

From a strict Thomist point of view, therefore, it is entirely legitimate to take account “in pastoral discernment” (and already in moral theology) of “mitigating factors,” as does *Amoris Laetitia* in paragraphs 301-3. The voluntary character—and thus the imputability—of an action can be extremely

<sup>13</sup> See Marie-Dominique Chenu, O.P., *L'Éveil de la conscience dans la civilisation médiévale*, Conférence Albert-le-Grand 1968 (Montreal: Institut d'Études Médiévales; Paris: Vrin, 1969); and Theo G. Belmans, O. Praem., *Le sens objectif de l'agir humain: Pour relire la morale conjugale de Saint Thomas*, Studi Tomistici 8 (Vatican City State: Libreria Editrice Vaticana, 1980), chap. 2 (“La doctrine d'Abélard”).

diminished by various factors that moralists traditionally designate “enemies of the voluntary” (e.g., violence, ignorance, fear). From this accounting for mitigating circumstances, *Amoris Laetitia* believes that it is possible to deduce that “it can no longer simply be said that all those in any ‘irregular’ situation are living in a state of mortal sin and are deprived of sanctifying grace” (AL 301). To support this thesis, the exhortation envisages two cases that, from a Thomist perspective, prove to be rather different from each other. Mitigating circumstances, which limit the voluntary and thus the moral responsibility of someone who performs an objectively bad act, can in the first case be pure and simple ignorance of the norm or just the intellectual difficulty (sometimes considerable) of assimilating this norm due to an unfavorable sociocultural context that spontaneously induces ways of thinking that are objectively contrary to moral truth. But *Amoris Laetitia* adds a second case, that of a person who, even though knowing the norm, can “be in a concrete situation which does not allow him or her to act differently [meaning: to act otherwise than by contravening the norm] and decide otherwise without further sin” (AL 301). This is a question no longer of a factor that limits the voluntary or the subjective capacity to decide (which we ordinarily understand as a mitigating circumstance) but of a situation that limits the “objective” choice and that forces the person to choose, between two (moral) evils, the evil that seems to him to be the lesser. Thus, this situation rather resembles what St. Thomas calls *perplexitas* (a moral dilemma). A person is placed in conditions such that it seems—no matter what he does or abstains from doing—that he cannot avoid sin. Now, on this point, St. Thomas seems rather to judge that there cannot exist such a “true” (*simpliciter*) moral dilemma that would oblige a person to do an objectively evil act or, as the saying goes, to choose the lesser evil. Or rather, the dilemma exists, but it is caused by an earlier framework of sin that the person can and ought to renounce.<sup>14</sup>

<sup>14</sup> See St. Thomas Aquinas, II *Sent.*, d. 39, q. 3, a. 3, ad 5: “Simply, no one is in a dilemma [*perplexus*] absolutely speaking; but for a man in a certain place, it is not

In order to support the existence of “‘factors . . . which limit the ability to make a decision’” (AL 301), *Amoris Laetitia* invokes a thesis of St. Thomas that had already been featured in *Evangelii Gaudium* 171:<sup>15</sup>

Saint Thomas Aquinas himself recognized that someone may possess grace and charity, yet not be able to exercise any one of the virtues well; in other words,

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absurd that, where he is standing, he will be somewhat in a dilemma; for, standing there with a bad intention, whether he does the act that he ought to do according to precept or whether he does not so act, sin is incurred; similarly, even standing there with an erroneous conscience, whatever he may do, sin is not avoided. But man can lay aside an erroneous conscience just as he can lay aside a bad intention; and thus, simply, no one is in a dilemma.” See also M. V. Dougherty, *Moral Dilemmas in Medieval Thought: From Gratian to Aquinas* (Cambridge: Cambridge University Press, 2011). According to Dougherty’s analysis, St. Thomas thinks that there indeed exist moral dilemmas but that they are all relative (*secundum quid*). Absolutely speaking, every case of a dilemma is, in the final analysis, the consequence of an earlier action that involves a certain culpability. The Thomist tradition considers therefore that no moral dilemma is legitimately unsolvable, such that a person is never constrained to choose (the lesser) evil. It is clear that the objective complexity of the situation, the fear of consequences, etc., can have an impact on the subjective perception of what concretely should be done. The person may be incapable of seeing how concretely to escape from the dilemma, which could indirectly limit the voluntary character of his evil action. Within the context of *Amoris laetitia* 301, it seems that what is being envisaged is the existence of a moral dilemma that is (objectively?) unsolvable in the case of the “divorced and remarried.” If they renounce properly conjugal acts (which are objectively adulterous), they would destroy the psychological, affective balance of their “new family,” which would constitute an injustice with respect to children born of this common-law union. They would thus be constrained to choose the lesser evil. Among other difficulties, this reasoning seems to hold as certain that it is impossible for the “divorced and remarried,” even with the grace of God, to live in continence in a humanly balanced way.

<sup>15</sup> *Evangelii Gaudium* 171: “Only through such respectful and compassionate listening can we enter on the paths of true growth and awaken a yearning for the Christian ideal: the desire to respond fully to God’s love and to bring to fruition what he has sown in our lives. But this always demands the patience of one who knows full well what Saint Thomas Aquinas tells us: that anyone can have grace and charity, and yet falter in the exercise of the virtues because of persistent ‘contrary inclinations’ (*STh* I-II, q. 65, a. 3, ad 2). In other words, the organic unity of the virtues always and necessarily exists *in habitu*, even though forms of conditioning can hinder the operations of those virtuous habits. Hence the need for ‘a pedagogy which will introduce people step by step to the full appropriation of the mystery.’ Reaching a level of maturity where individuals can make truly free and responsible decisions calls for much time and patience.”

although someone may possess all the infused moral virtues, he does not clearly manifest the existence of one of them, because the outward practice of that virtue is rendered difficult: "Certain saints are said not to possess certain virtues, in so far as they experience difficulty in the acts of those virtues, even though they have the habits of all the virtues." (AL 301)

*Amoris Laetitia*, as did previously *Evangelii Gaudium*, explicitly refers to question 65 of the *Prima secundae* (STh I-II, q. 65, a. 3, ad 2), in the *Summa*'s treatise on the virtues, and more curiously, to question 2, article 2 of the disputed questions *De malo* ("Whether sin consists only in an act of the will"), where, *salvo meliori iudicio*, I have found nothing that directly concerns the problem at hand. Question 65 of the *Prima secundae* is consecrated to the connection between the virtues. In article 3, St. Thomas defends the thesis according to which, because all the virtues are connected in charity, "which binds everything together in perfect harmony" (Col 3:14 in the RSV), the person in the state of grace, who therefore possesses charity, cannot but possess all of the moral virtues, if not in second act then at least in first act (i.e., in the state of habitus: *in habitu*). Nonetheless, there is a crucial difference between the acquired moral virtues and the infused moral virtues. The acquired virtues are put in place by the progressive elimination within the subject of dispositions contrary to the virtuous act in such a way that these, over time, disappear. By contrast, the infused virtues can coexist with dispositions contrary to the virtuous act, dispositions inherited from the past life of sin. This renders much more difficult the exercise of virtuous acts. The infused moral virtues therefore do not always have the ease of the acquired virtues. Supposing that a Don Juan has been miraculously touched by grace and justified by it, he would immediately possess the infused virtue of chastity, but it is probable that he would face difficulties in exercising it due to the contrary psychological and even corporeal dispositions that remain etched in him. As *Evangelii Gaudium* 171 well summarizes, "the organic unity of the virtues always and necessarily exists *in habitu*, even though forms of conditioning can hinder the operations of those virtuous habits." From this we see the necessity of a great patience toward oneself and others in the

course of moral growth in the Christian life. One will immediately note that this thesis of St. Thomas in no way signifies that the state of grace can coexist with an *act* that is gravely contrary to a virtue (a mortal sin) but only that it can coexist with a *difficulty* in actively exercising a virtue. The converted alcoholic probably does not experience, at least initially, any pleasure in sipping an orange juice, but through his infused virtue of temperance he does not thereby abstain any less resolutely from getting drunk. Whatever otherwise may be the case concerning the question of a possible coexistence between, on the one hand, the life of grace, and, on the other hand, voluntary acts that objectively are of a gravely sinful nature (such as adulterous sexual relations) but that may not be mortal sins due to subjective conditionings, this is not directly what the thesis of St. Thomas intends to express.

### *B) General Norms and Concrete Action*

In any case, based upon what Pope Francis himself has said, the essential thesis of Aquinas with respect to moral and pastoral discernment is rather the following:

I earnestly ask that we always recall a teaching of Saint Thomas Aquinas and learn to incorporate it in our pastoral discernment: “Although there is necessity in the general principles, the more we descend to matters of detail, the more frequently we encounter defects. . . . In matters of action, truth or practical rectitude is not the same for all, as to matters of detail, but only as to the general principles; and where there is the same rectitude in matters of detail, it is not equally known to all . . . The principle will be found to fail, according as we descend further into detail (Et hoc tanto magis invenitur deficere, quanto magis ad particularia descenditur).” (AL 304)

*Amoris Laetitia* refers here to the very important question 94 of the *Prima secundae*, consecrated to the natural law, and more precisely to article 4, which discusses the unity and universality of the natural law. In this article, St. Thomas begins by elaborating a difference between the object of speculative reason and the object of practical reason. Speculative reason bears upon a necessary object: the (common) principles are necessary, as are the (proper) conclusions. In contrast, practical



reason bears on an object (human action) that must fit within a reality marked by contingency. The principles, then, possess a certain necessity, but the more one gets down to the conclusions (i.e., the more one approaches the concrete action, which alone is real), the more “play” and contingency there are.

The determination of the practical truth of an action (*veritas vel rectitudo practica*) must integrate a double “relativity” or contingency: subjective and objective. First of all, the objective truth may not be subjectively perceived, for the moral judgment of the subject can be distorted either (1) by the passion that makes the subject see things as he would like them to be or (2) by bad customs, that is to say, by a sociocultural context marked by “structures of sin” that present objectively erroneous moral comportments as normative or indifferent.

But the objective truth of an action can itself vary, certainly not at the level of the first principles of the natural law but at the level of conclusions or applications, which must integrate concrete circumstances, as St. Thomas illustrates with the classic example of the restitution of a weapon to its ill-intentioned owner. The conclusion thus is not true except in the majority of cases (*ut in pluribus*).<sup>16</sup>

<sup>16</sup> *STh* I-II, q. 94, a. 4: “Now the process of reason is from the common to the proper, as stated in *Phys.* i. The speculative reason, however, is differently situated in this matter, from the practical reason. For, since the speculative reason is busied chiefly with necessary things, which cannot be otherwise than they are, its proper conclusions, like the universal principles, contain the truth without fail. The practical reason, on the other hand, is busied with contingent matters, about which human actions are concerned: and consequently, although there is necessity in the general principles, the more we descend to matters of detail, the more frequently we encounter defects. Accordingly then in speculative matters truth is the same in all men, both as to principles and as to conclusions: although the truth is not known to all as regards the conclusions, but only as regards the principles which are called common notions. But in matters of action, truth or practical rectitude is not the same for all, as to matters of detail, but only as to the general principles: and where there is the same rectitude in matters of detail, it is not equally known to all.

“It is therefore evident that, as regards the general principles whether of speculative or of practical reason, truth or rectitude is the same for all, and is equally known by all. As to the proper conclusions of the speculative reason, the truth is the same for all, but is not equally known to all: thus it is true for all that the three angles of a triangle are together equal to two right angles, although it is not known to all. But as to the proper

It is therefore clear that the application of general moral norms to action, which is always contextualized, admits a certain flexibility. The prudent man does not govern his actions by contenting himself with mechanically applying general, common rules. Such is the important Thomist thesis that *Amoris Laetitia* has chosen to retain.<sup>17</sup> In contrast, *Amoris Laetitia*

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conclusions of the practical reason, neither is the truth or rectitude the same for all, nor, where it is the same, is it equally known by all. Thus it is right and true for all to act according to reason: and from this principle it follows as a proper conclusion, that goods entrusted to another should be restored to their owner. Now this is true for the majority of cases: but it may happen in a particular case that it would be injurious, and therefore unreasonable, to restore goods held in trust; for instance, if they are claimed for the purpose of fighting against one's country. And this principle will be found to fail the more, according as we descend further into detail, e.g., if one were to say that goods held in trust should be restored with such and such a guarantee, or in such and such a way; because the greater the number of conditions added, the greater the number of ways in which the principle may fail, so that it be not right to restore or not to restore.

"Consequently we must say that the natural law, as to general principles, is the same for all, both as to rectitude and as to knowledge. But as to certain matters of detail, which are conclusions, as it were, of those general principles, it is the same for all in the majority of cases, both as to rectitude and as to knowledge; and yet in some few cases it may fail, both as to rectitude, by reason of certain obstacles (just as natures subject to generation and corruption fail in some few cases on account of some obstacle), and as to knowledge, since in some the reason is perverted by passion, or evil habit, or an evil disposition of nature; thus formerly, theft, although it is expressly contrary to the natural law, was not considered wrong among the Germans, as Julius Caesar relates (*De Bello Gall.* vi)."

<sup>17</sup> It is curious that the apostolic exhortation does not allude to the theme of epikeia or equity (*aequitas*). See *STh* II-II, q. 120; and *V Nic. Ethic.*, lect. 16 (Leonine ed., vol. 47/2: 321-25). Epikeia is the virtue that renders a person apt to choose that which is just even when the just thing in question is contrary to the letter of a law that cannot take into account all circumstances. But this "equitable" transgression of a particular law is always made with reference to a higher law: the intention of the legislator and, in the final analysis, the intention of God manifested in the natural law (which is why the natural law is never "dispensable" in its first principles). See *V Nic. Ethic.*, lect. 16 (Leonine ed., 47/2:323): "It is true that what is equitable is one kind of just thing and, however, is better than another just thing. For, as was noted before, the justice which citizens practice is divided into natural and legal. However, what is equitable is better than what is legally just, but is contained under the naturally just. Consequently, it is not said to be better than the just thing as if it were some other kind of norm distinct from the genus of just things" (translation modified from *Commentary on the "Nicomachean Ethics,"* 2 vol., trans. C. I. Litzinger, O.P. [Chicago: Henry Regnery, 1964]; the

leaves in the shadows the distinction that, within this context, St. Thomas makes between positive norms and negative norms, a distinction that is at the heart of the teaching of *Veritatis Splendor* on intrinsically evil acts.<sup>18</sup> Indeed, St. Thomas teaches several times that the positive precepts (for example, “Honor your father and your mother”) can be realized in multiple ways as long as the subject keeps in mind the intention of the end. They do not oblige always and in every circumstance (*semper et ad semper*). In contrast, the negative precepts (for example, “You shall not kill [the innocent],” or “You shall not commit adultery”) oblige always and in all circumstances, without any exception, because the prohibited act is directly opposed to the end.

While the negative precepts of the Law forbid sinful acts, the positive precepts inculcate acts of virtue. Now sinful acts are evil in themselves, and cannot become good, no matter how, or when, or where, they are done, because of their very nature they are connected with an evil end . . . wherefore negative precepts bind always and for all times [*semper et ad semper*]. On the other hand, acts of virtue must not be done anyhow, but by observing the due

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translation has been slightly edited and brought into greater accord with the newer Leonine edition of the Latin text).

<sup>18</sup> The distinction between positive norms and negative norms plays a fundamental role in the teaching of Pope John Paul II’s encyclical *Veritatis Splendor*. See paragraph 52: “The *negative precepts* of the natural law are universally valid. They oblige each and every individual, always and in every circumstance. It is a matter of prohibitions which forbid a given action *semper et pro semper*, without exception, because the choice of this kind of behaviour is in no case compatible with the goodness of the will of the acting person, with his vocation to life with God and to communion with his neighbour. It is prohibited—to everyone and in every case—to violate these precepts. They oblige everyone, regardless of the cost, never to offend in anyone, beginning with oneself, the personal dignity common to all.” See also paragraph 67: “In the case of the positive moral precepts, prudence always has the task of verifying that they apply in a specific situation, for example, in view of other duties which may be more important or urgent. But the negative moral precepts, those prohibiting certain concrete actions or kinds of behaviour as intrinsically evil, do not allow for any legitimate exception. They do not leave room, in any morally acceptable way, for the ‘creativity’ of any contrary determination whatsoever. Once the moral species of an action prohibited by a universal rule is concretely recognized, the only morally good act is that of obeying the moral law and of refraining from the action which it forbids” (translation from the Vatican web site: [http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_06081993\\_veritatis-splendor.html](http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_06081993_veritatis-splendor.html)).

circumstances, which are requisite in order that an act be virtuous; namely, that it be done where, when, and how it ought to be done.<sup>19</sup>

<sup>19</sup> *STh* II-II, q. 33, a. 2: “Sicut praecepta negativa legis prohibent actus peccatorum, ita praecepta affirmativa inducunt ad actus virtutum. Actus autem peccatorum sunt secundum se mali, et nullo modo bene fieri possunt, nec aliquo tempore aut loco: quia secundum se sunt coniuncti malo fini, ut dicitur in II *Ethic*. Et ideo praecepta negativa obligant semper et ad semper. Sed actus virtutum non quolibet modo fieri debent, sed observatis debitis circumstantiis quae requiruntur ad hoc quod sit actus virtuosus: ut scilicet fiat ubi debet, et quando debet, et secundum quod debet.” See also *De Malo*, q. 7, a. 1, ad 8: “The will of a rational creature is obliged to be subject to God, but this is achieved by affirmative and negative precepts, of which the negative precepts oblige always and on all occasions, and the affirmative precepts oblige always but not on every occasion” (“Uoluntas creature rationalis obligatur ad hoc quod sit subdita Deo, sed hoc fit per precepta affirmatiua et negatiua: quorum negatiua obligant semper et ad semper, affirmatiua uero obligant semper set non ad semper”; translation from *The “De Malo” of Thomas Aquinas*, trans. Richard Regan [Oxford: Oxford University Press, 2001], 483; the Latin original of *De malo* comes from the Leonine edition, vol. 23 [Rome: Commissio Leonina, 1982]). See also Aquinas’s *Super Rom.*, c. 13, lect. 2 (¶ 1052): “[The Apostle] enumerates negative precepts, through which someone is prohibited from inflicting evil on his neighbors. This is the case for two reasons. First, indeed, because negative precepts are more universal, both with respect to times and with respect to persons. Indeed, with respect to times, because negative precepts oblige always and for all times [*semper et ad semper*]. For at no time is there to be stealing or the committing of adultery. However, affirmative precepts oblige always but not for all times, but according to a place and time; for man is not held such that at all times he honor his parents but according to a place and time. Moreover, with respect to persons, because no man is to be harmed, for we are not self-sufficient such that one man can serve all men. Secondly [i.e., why the Apostle enumerates negative precepts], because it is more manifest that, through the love of neighbor, the negative precepts are fulfilled than the affirmative ones” (“Enumerat autem praecepta negativa, per quae aliquis prohibetur malum proximis inferre. Et hoc duplici ratione. Primo quidem, quia praecepta negativa sunt magis universalia, et quantum ad tempora et quantum ad personas. Quantum ad tempora quidem, quia praecepta negativa obligant semper et ad semper. Nullo enim tempore est furandum et adulterandum. Praecepta autem affirmativa obligant quidem semper, sed non ad semper, sed pro loco et tempore; non enim tenetur homo, ut omni tempore honoret parentes, sed pro loco et tempore. Quantum ad personas autem, quia nulli hominum est nocendum, non autem sufficientes sumus, ut unus homo possit omnibus hominibus servire. Secundo quia magis manifestum est quod per dilectionem proximi implentur praecepta negativa quam affirmativa”; Latin original in *Super epistolas S. Pauli Lectura*, 8th ed., ed. Raphael Cai, O.P. [Turin: Marietti, 1953]). See also *Super Gal.*, c. 6, lect. 1 (¶ 343): “Some sins consist in commission and some in omission. And the first is more grave than the second, because the former are opposed to negative precepts which bind always and at every moment; whereas the latter, being opposed to affirmative precepts, since they do

The last reference to St. Thomas in *Amoris Laetitia* is found in footnote 348 at the end of this same paragraph 304. In the heart of paragraph 304, after having quoted question 94, article 4 of the *Prima secundae*, we see two points meant to balance each other out: (1) “general rules . . . cannot provide absolutely for all particular situations,” and (2) “what is part of a practical discernment in particular circumstances cannot be elevated to the level of a rule.” We turn, then, to footnote 348:

In another text, referring to the general knowledge of the rule and the particular knowledge of practical discernment, Saint Thomas states that “if only one of the two is present, it is preferable that it be the knowledge of the particular reality, which is closer to the act”: *Sententia libri Ethicorum*, VI, 6 (ed. Leonina, t. XLVII, 354).

It is important to interpret correctly this remark of St. Thomas. In no way is it a question of giving preference to the exception to the norm, as opposed to the norm itself. In reality, St. Thomas does not compare here two norms but two types of knowledge of a norm: (1) general, “abstract” knowledge of the one, universal norm and (2) the proper knowledge of a particular application of this norm in the concrete. This particular knowledge implicitly contains the general norm, in such a way that he who possesses it can get by without explicit knowledge of the general norm. The example given by St. Thomas, which comes directly from Aristotle,<sup>20</sup> allows us to understand this better:

Action has to do with singulars. Hence it is that certain people not possessing the knowledge of universals are more effective about some particulars [i.e., better qualified for action] than those who have universal knowledge, from the fact that they are expert in other particulars. Thus if a doctor knows that

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not bind one at every moment, it cannot be known definitely when they do bind” (“Quaedam peccata consistunt in transgressione, quaedam vero in omissione. Graviora autem sunt prima secundis: quia illa opponuntur praeceptis negativis, quae obligant semper et ad semper, haec vero opponuntur praeceptis affirmativis quae cum non obligent ad semper, non potest sciri determinate quando obligant”; English translation in *Commentary on Saint Paul’s Epistle to the Galatians*, trans. F. R. Larcher, O.P. [Albany, N.Y.: Magi, 1966], 188).

<sup>20</sup> Aristotle, *Nicomachean Ethics* 6.7.1141b14-20.

light meats are easily digestible and healthful but does not know which meats are light, he cannot help people to get well. But the man who knows that the flesh of fowls is light and healthful is better able to effect a cure. Since then prudence is reason concerning an action, the prudent person must have a knowledge of both kinds, viz., universals and particulars. But if it is possible for him to have only one kind, he ought rather to have the latter, i.e., the knowledge of particulars that are closer to operation.<sup>21</sup>

The person who only possesses particular knowledge does not in any way contradict the general principle that light meats are easy to digest and thus procure health. But he knows by experience that the flesh of fowls procures health without necessarily knowing that this property results from the fact that fowl is a meat easy to digest.

Thus, irrespective of the question whether *Amoris Laetitia* can be labeled “Thomistic,” it is clear that this document opportunely directs our attention to several teachings of St. Thomas that would merit nowadays to be better emphasized. The profound anthropological realism and great finesse of the psychological analysis that characterizes St. Thomas’s approach to the human passions and especially to love, and the way in which for the evaluation of a concrete act, he puts together the objectivity of a norm, the consideration of concrete details, and the accounting for subjective factors—all of this most definitely constitutes a major resource for contemporary theological reflection and the pastoral practice that results from it.

<sup>21</sup> VI *Nic. Ethic.*, lect. 6 (Leonine ed., 47/2:354): “Actio autem est circa singularia. Et inde est quod quidam non habentes scientiam universalium sunt magis activi circa aliqua particularia quam illi qui habent universalem scientiam, eo quod sunt in aliis particularibus experti. Puta, si aliquis medicus sciat quod carnes leves sunt bene digestibiles et sanae, ignoret autem quales carnes sint leves, non poterit facere sanitatem; sed ille qui scit quod carnes volatiliū sunt leves et sanae, magis poterit sanare. Quia igitur prudentia est ratio activa, oportet quod prudens habeat utramque notitiam, scilicet et universalium et particularium; vel, si alteram solum contingat ipsum habere, magis debet habere hanc, scilicet notitiam particularium, quae sunt propinquiora operationi.”