

Divine Authority and Absolute Moral Norms

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Abstract: According to the Doctors of the Church, God is a divine Lawgiver who may give a command that overrides an absolute moral norm. In this paper, some of the modern and ancient scenarios in which absolute moral norms are superseded by divine authority will be explored and discussed. This article will also consider Francis's description of how conscience can generate such "exceptions" through a process of personal and pastoral discernment in the concrete lives of specific persons. In conclusion, the article considers the Magisterium's articulation of how moral norms and conscience are not destined to contradict each other but rather converge as mutual and complementary representatives of divine authority.

IN THE THIRTY YEARS SINCE THE PUBLICATION OF *VERITATIS Splendor*, papal comments about exceptions to absolute moral norms have proven difficult to interpret. These difficulties, which some critics describe as "confusion," are well documented in the pontificate of Francis, but Benedict XVI also stirred up this tension during his pontificate. One of the more "confusing" remarks came after Benedict XVI stated in a published interview that the use of a condom by a male prostitute with AIDS could represent "a first step in the direction of a moralization, a first assumption of responsibility, on the way toward recovering an awareness that not everything is allowed and that one cannot do whatever one wants."¹ Benedict XVI did state that condoms are not "a real or moral solution" to the problem of AIDS, but he did repeat his belief that, "in this or that case" and for "some individuals," the use of a condom in a sexual act (specifically that of a male prostitute infected with AIDS) would be, to some undefined and ambiguous extent, morally tolerable, so long as there was "the intention of reducing the risk of infection."²

The reaction to such a papal declaration was swift and decisive, for *Veritatis Splendor* affirms the existence of absolute moral norms that prohibit intrinsically evil acts "*semper et pro semper*, that is, without exception" (no. 82). Since the use of contraception is considered

¹ Benedict XVI, *Light of the World: The Pope, the Church, and the Signs of the Times*, trans. Michael Miller and Adrian Walker (Ignatius, 2010), 119.

² Benedict XVI, *Light of the World*, 119.

intrinsically evil, many wondered how it is coherent to teach that the use of a condom by “some individuals” is tolerable in any way. Is Benedict XVI teaching that absolute moral norms sometimes admit of exceptions?

As is often done in situations of “confusion,” the DDF issued a clarifying statement. Referencing *Veritatis Splendor* (nos. 75–77), the DDF noted that “those involved in prostitution who are HIV positive and seek to diminish the risk of contagion by the use of a condom may be taking the first step in respecting the life of another—even if the evil of prostitution remains in all its gravity. This understanding is in full conformity with the moral theological tradition of the Church.”³ According to the DDF, Benedict XVI’s statement in *Light of the World* is fully compatible with *Veritatis Splendor*, not on the basis of some revised understanding of absolute moral norms, but because of a “first step” in a morally-positive direction, even while performing an intrinsically evil act like contraceptive sexual intercourse among prostitutes.

With the publication of *Amoris Laetitia*, this same tension between absolute moral norms and alleged exceptions reached a new level of intensity. This escalation is due in part to the context, for Benedict XVI’s comments had a colloquial and not a magisterial context, whereas Francis has insisted that the controversial teachings in *Amoris Laetitia* are to be understood as part of his Magisterium. This has created a perceived (or actual) conflict between fundamental principles in *Veritatis Splendor* and *Amoris Laetitia*, giving moral theologians some work to do in reconciling the perceived (or actual) difficulty.

To date, there have been a few approaches to resolving the difficulties. One approach has been to suggest, as the DDF did for Benedict XVI, that it is permissible to allow a “first step” by the acting person in these intrinsically evil situations.⁴ Another approach has been to consider, from a normative perspective, the ways in which circumstances impact the species of a moral act, transforming the

³ Dicastery for the Doctrine of the Faith, “Note on the Banalization of Sexuality Regarding Certain Interpretations of *Light of the World*,” December 22, 2010, www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20101221_luce-del-mondo_en.html.

⁴ *Amoris Laetitia*, no. 305, citing *Evangelii Gaudium*, no. 44. See also Philippe Bordeyne, *Portare la legge a compimento: Amoris Laetitia sulle situazioni matrimoniali fragili* (Libreria Vaticana, 2018), 99–106; Francesco Cardinal Coccopalmerio, *Il Capitolo Ottavo della Esortazione Apostolica Post Sinodale Amoris Laetitia* (Libreria Vaticana, 2017), 27–30, 37–42; Gianfranco Girotti, *Amoris Laetitia: L'importanza della coscienza, del discernimento e il ruolo del confessore* (Libreria Vaticana, 2021), 53–60.

intrinsically evil act into something else entirely.⁵ In this paper, I will discuss a third approach, appealing to the authority of God. This third approach, neither equivalent nor unrelated to the others, will be presented because it is found specifically in *Amoris Laetitia* and is one of the important ways Francis thinks the difficulties can be resolved.

To explore this third approach, the first section will consider situations in which an absolute moral norm seems to admit of an exception because of divine authority. The next section will consider when and how conscience functions as a faculty for discerning a divine judgement of moral acts which seem to contradict an established moral norm, focusing especially on norms that appear to be contradicted in *Amoris Laetitia*. The final section will consider some objections raised by John Finnis and Robert Spaemann which reveal the complementary, not contradictory, interaction between conscience and absolute moral norms, as envisioned by the Magisterium.

THE AUTHORITY OF GOD AND MORAL ACTS

This first section will begin with a description of *Veritatis Splendor*'s appeal to the authority of God, not moral systems, as the primordial and essential foundation of moral action. Then, several examples from Aquinas will be considered which illustrate and contextualize this teaching, especially as it applies to situations in which an absolute norm appears to be superseded by divine authority. In closing, this section will consider the role of divine authority in a process of "personal and pastoral discernment" of moral acts, as described in *Amoris Laetitia*.

According to *Veritatis Splendor*, there is a recurring tendency to reduce moral theology to ethical systems which, despite their value, do not and cannot serve as the end of moral action. This tendency towards systems-thinking is heavily critiqued in *Veritatis Splendor*, which dedicates a significant portion of its commentary to describing the flaws of ethical systems like proportionalism, consequentialism, and many other "-isms." This critique leads to the statement that "the Church's Magisterium does not intend to impose upon the faithful any particular theological system, still less a philosophical one" (no. 29). Rather than proposing a complete system of rules or even a theory that would address every moral problem, "the encyclical will limit itself to

⁵ Giovanni del Messier, "Quando le circostanze mutano la specie intrinsecamente illecita: Considerazioni a latere di *Amoris laetitia*," *Studia Moralia* 60, no. 2 (2022): 305–323; Anthony Hollowell, "Moral Impossibility and Communion to the Divorced and Remarried," *Journal of Moral Theology* 13, no. 2 (2024): 18–43, doi.org/10.55476/001c.121938.

dealing with *certain fundamental questions regarding the Church's moral teaching*, taking the form of a necessary discernment about issues being debated by ethicists and moral theologians" (no. 5). From beginning to end, *Veritatis Splendor* understands itself as a text limited in scope, choosing to focus on the theological and philosophical limitations of moral systems by engaging in "a necessary discernment" of how these systems interact with other elements in the church's moral tradition.⁶

This critique of systems-thinking culminates in *Veritatis Splendor's* affirmation that "*Following Christ is thus the essential and primordial foundation of Christian morality*" (no. 19). According to *Veritatis Splendor*, the goal of moral theology is not to produce a pre-meditated set of rules that answer all moral questions, but "that each person may be able to find Christ" (no. 7). This obligation to follow Christ is not some pious goal of moral action; rather, it is a moral imperative because the divine authority of Christ is the final criterion of moral acts, an idea found not only in *Veritatis Splendor* but also in the works of many Doctors of the Church. Thomas Aquinas is one Doctor who consistently advances this idea, and we will present three examples from his writings which manifest how following divine authority is the final criterion of moral acts in the Thomistic tradition.

In *De Malo*, Aquinas tries to understand God's command to the prophet Hosea to "take a harlot wife and beget of her a harlot's children" (q. 15, a. 1, obj. 8).⁷ Because he views sexual intercourse with a harlot as fornication and thus a mortal sin, Aquinas wants to understand how this command of God can be considered licit. Aquinas responds with the following logic: "The copulation that would otherwise have been fornicacious was not such because of the authority of God himself, who is superior to the law of marriage" (q. 15, a. 1, ad obj. 8). For Aquinas, the resolution of this "confusing" command to Hosea is simple, not because of Aquinas's strict allegiance to the absolute moral norm that forbids adultery, but because the judgment of God is more authoritative than this norm, even a norm connected to something as critical as marriage.

Aquinas provides a second instance of this logic when he argues for the moral liceity of "theft" by the Israelites against Egypt: "What would otherwise have been theft was not theft (*fuisset furtum fuit non*

⁶ For a detailed account of how one theologian experienced *Veritatis Splendor* as magisterial suppression of a moral system which permits contraception, see Bernard Häring, "A Distrust that Wounds," in *Understanding Veritatis Splendor*, ed. John Wilkins (SPCK, 1994), 9–13; for another theologian who celebrates *Veritatis Splendor* as magisterial support for a system of "exceptionless moral norms," see John Finnis, "Beyond the Encyclical," in *Understanding Veritatis Splendor*, 69–76.

⁷ Thomas Aquinas, *De Malo*, trans. Richard Regan (Oxford University Press, 2001). All English translations of *De Malo* in this article come from this translation.

furtum) for the children of Israel when they despoiled the Egyptians, as Exodus 12:35–36 relates, because of the command of God, to whose power all things belong (*in cuius potestate sunt omnia*)” (q. 15, a. 1, ad obj. 8). Once again, the factor which changes a norm (“thou shall not steal”) into a permissible act is divine authority. There is also a broadening of scope when compared to the previous example, for Aquinas states that God is superior, not just to the law of marriage, but to “all” (*omnia*).

A third recurrence of this logic appears in Aquinas’s discussion of killing innocent persons. Aquinas states that it is always sinful to kill an innocent person, and yet he simultaneously teaches that “anyone who kills an innocent person in obedience to God’s command commits no sin (*ille qui mandato Dei occidit innocentem, talis non pecca*), since God whose order he is executing commits no sin; on the contrary, he is showing his fear of the Lord thereby” (ST II-II, q. 64, a. 6, ad 1).⁸ In this passage, Aquinas is trying to rationalize how God could command Abraham to kill his son Isaac, which he interprets to mean that God could command someone to kill an innocent person. For Aquinas, the explanation of such a scriptural and moral paradox was rooted in the authority of God, not the authority of the decalogue.

It is necessary to reflect briefly on these statements by Aquinas. In each scenario, Aquinas makes a distinction between the form and species of a moral act. Considered from the perspective of form, these persons committed sinful acts, but once the moral judge (in this case, Aquinas) factors in the command of God, the formal description of the act becomes inadequate for describing the species of the act. Thus Hosea can only be accused of the form of adultery but not the sin of adultery, for the command of God has made the “harlot” a licit “wife”; the Israelites committed the formal act of theft, but this “was *not* theft” (and thus a different moral act) because of divine authority; Abraham can be accused only of the form of murder but not the sin of murder because of this same authority.⁹ This recurring distinction between the form and species of a moral act provides a poignant demonstration of

⁸ Thomas Aquinas, *Summa Theologiae*, trans. Marcus Lefebvre (Eyre and Spottiswoode, 1975). Such a teaching, found not only here in Aquinas but also in the writings of other Doctors, makes it difficult to give absolute allegiance to the belief that “the Church’s tradition, authoritatively interpreting revelation, has constantly and most firmly taught as a truth to be held definitively by every Catholic [that] it is always wrong to choose to kill the innocent, whatever the circumstances” (John Finnis, “Beyond the Encyclical,” 70).

⁹ Even if Abraham did kill Isaac, Aquinas says that it would not have been murder “because his son was due to be slain by the command of God, Who is Lord of life and death,” and any person following such an order “would be no murderer any more than God himself would be” (ST I-II, q. 100, a. 8, ad 3., trans. Fathers of the English Dominican Province [Benziger, 1947]).

how there is no ethical system that can ever replace divine authority as the supreme authority for defining the species of a moral act.¹⁰ For Aquinas, even the norms of the decalogue are incapable of providing a definitive judgment for every personal moral act because only the voice of God has such all-encompassing authority over the definition of such acts, a logic that derivatively applies to the moral norms in *Veritatis Splendor* and any other magisterial document. While a theologian or a moral system may possess quasi-complete knowledge of the form of a moral act, a final determination of the species of every moral act must include the will of God, at least in the Thomistic tradition.¹¹

Furthermore, these “exceptions” did not erode the validity of the decalogue for Aquinas; rather, they illustrate the authority undergirding the decalogue, which is God, not an ethical system. If Aquinas could provide such notable exceptions to the commandments without eroding their authority, it is at least theoretically possible that some papal “exceptions” will not erode the role of absolute moral norms in the Magisterium.¹²

¹⁰ Jean Porter argues that moral systems (like consequentialism) provide more certainty about the species of a moral act than can ever be found in the Thomistic tradition: “It is not the case that Aquinas’s analysis brings more certainty to individual moral judgments than does consequentialism; to the contrary, most consequentialists would assert what Aquinas more than once denies, namely, that we can arrive at a certain moral judgment about every specific moral act” (“The Moral Act in *Veritatis Splendor* and in Aquinas’s *Summa Theologiae*,” in *Veritatis Splendor: American Responses*, ed. Michael Allsopp and John O’Keefe [Sheed and Ward, 1995], 293).

¹¹ A similar idea appears in Thomas’s description of the possibility for error among the angels. Thomas says that both angels and demons intuit perfectly the essences among the natural order (“by merely intuiting an essence they know all that can be said about it”), but error is possible for the demons because of their “unconditional judgments” (*judicant absolute*) that neglect an account for the supernatural order ruled by the wisdom of God (ST I, q. 58, a. 5, resp., trans. Kenelm Foster [Eyre and Spottiswoode, 1968]). One commentator notes that, for the angels who remain good, “all their thought about the universe is ultimately conditional—conditioned by reverence. In the fallen angels this condition, this brake is removed; hence they are liable to dogmatize, and so to err” (ST I, trans. Kenelm Foster [Blackfriars], 160, n. 4). Unconditional judgments of every moral act, among angels as well as among moral theologians, are liable to error because the supernatural order (according to Aquinas) sometimes generates anomalies that are unique “exceptions” to the natural order.

¹² Aquinas connects these normative “exceptions” to the logic of miracles, noting that some complex cases are not “a contradiction to the principles which God has implanted in nature, but an exception to them (*nec tamen talis dispensatio datur contra rationes quas Deus naturae inseruit, sed praeter eas*), because those principles are not intended to apply to all cases but to the majority,” and that “it is not contrary to nature when certain occurrences take place in natural things miraculously” (ST *Supplementum*, q. 65, a. 2, ad 2, trans. Fathers of the English Dominican Province; see also *De Potentia*, q. 6, a. 2; ST III, q. 43, a. 1, resp.). Kevin Flannery interprets Aquinas as one who thinks that “these seeming ‘exceptions’ to the moral law as

Presuming the validity of Aquinas's understanding of the above scriptural paradoxes, his same logic will now be applied to more contemporary situations. In a way that echoes Aquinas's provocative thought above, Francis has expressed ongoing concern about ethical systems that supersede God as the final and primordial authority of moral acts. Thus he says that "it is reductive simply to consider whether or not an individual's actions correspond to a general law or rule, because that is not enough to discern and ensure full fidelity to God in the concrete life of a human being" (*Amoris Laetitia*, no. 304). Despite the appearance of a lack of concern for norms or rules, Francis is drawing attention to what *Veritatis Splendor* calls the primordial foundation of Christian morality, which is fidelity to the Lawgiver, not moral equations. This fidelity to God has created numerous paradoxes in moral theology, and while Aquinas has provided several examples of such paradoxes, Francis does not think they are the last examples.

In *Amoris Laetitia*, this appeal to the authority of God is applied specifically to sacramental norms for those who are divorced and remarried, creating a wave of confusion for many theologians who considered these situations resolved normatively (and therefore definitively) by Francis's predecessors.¹³ But the Doctors of the Church would not have been offended by Francis's appeal to "full fidelity to God in the concrete life of a human being" as a foundation from which could arise a judgment that diverges from strict application of the normative protocol guiding the divorced and remarried. When a law for the divorced and remarried comes into conflict with the will of God, Francis thinks that the Lawgiver, not the

formulated are not exceptions at all but fall within the scope of the moral law as intended by the legislator (God)" ("Conscience and the Moral Law," *The National Catholic Bioethics Quarterly* 23, no. 4 [2023]: 613). A thorough discussion of how, exactly, Aquinas and other theologians and Doctors explained these exceptions is presented in John Dedek, "Intrinsically Evil Acts: An Historical Study of the Mind of St. Thomas," *The Thomist*, 43, no. 3 (1979): 385–413, doi.org/10.1353/tho.1979.0023.

¹³ A variety of documents expressing confusion are presented in *Defending the Faith Against Present Heresies*, ed. John Lamont and Claudio Pierantoni (Arouca, 2021). The following is a brief selection of moral commentaries on this topic, in chronological order: Alain Thomasset and Jean-Miguel Garrigues, *Une morale souple mais non sans boussole* (Cerf, 2017); Stephan Goertz and Caroline Witting, eds., *Amoris Laetitia: un punto di svolta per la teologia morale?* (San Paolo, 2017); Salvatore Cipressa, ed., *La Teologia Morale dopo L'Amoris Laetitia* (Cittadella, 2018); Angel Perez-Lopez, "Veritatis Splendor and Amoris Laetitia: Neither Lamented nor Celebrated Discontinuity," *Nova et Vetera* (English Edition) 16, no. 4 (2018): 1183–1214; Gianfranco Girotti, *Amoris Laetitia: L'importanza della coscienza, del discernimento e il ruolo del confessore* (Libreria Vaticana, 2021); Vimal Tirimanna, "Moral Norms/Principles and Lived Reality: Does *Amoris Laetitia* re-echo the Pastoral Moral Theological Spirit of St. Alphonsus?," *Studia Moralia* 59, no. 2 (2021): 297–332; *Sui Sentieri di Amoris Laetitia: Svolte, Traguardi, e Prospettive*, ed. Roberto Massuro (Cittadella, 2022).

law, should determine the case. Francis is not alone in this judgment, for he has many Doctors to support him.¹⁴

One important way in which Francis differs from the precedent set by these Doctors is the imposition of ecclesial authority to help discern fidelity to God. Such an idea is not found in Aquinas and many of the Doctors, who acknowledged Abraham's capacity to discern God's command to kill his innocent son without consulting another person.¹⁵ But Francis is more cautious, teaching that divorced and remarried persons should undergo a process of "personal and pastoral discernment" which involves not only the individual but also their pastor (*Amoris Laetitia*, no. 300). In essence, Francis has commanded pastors to analyze more closely some of the irregular situations in their community, helping the faithful through "a process of accompaniment and discernment which guides the faithful to an awareness of their situation before God" (no. 300). The criteria for this discernment could not be any clearer: to determine God's judgment on the specific situation, which Aquinas has shown above is not always equivalent to a norm. According to the Doctors of the Church, there are some persons who transgress an absolute moral norm "not in human delusion but under divine command, not in error but in obedience," setting an example for pastors to be alert for similar anomalies among those entrusted to their care (Augustine, *City of God*, 1.26).¹⁶ Rightly, therefore, does Francis encourage the divorced and remarried, and the pastors who serve them, to avoid reducing the voice of Christ exclusively to a rule. These rules are an important part of this discernment, but they are not always equivalent to the voice of Christ; to better hear this Lawgiver's voice, Francis thinks accompaniment and discernment should be as normative for the divorced and remarried as the norms themselves.

THE CRISTONOMOUS CONSCIENCE

In the previous section, examples were provided, both in the early and contemporary Church, of "exceptions" to absolute moral norms

¹⁴ Many of these Doctors are cited in Dedek, "Intrinsically Evil Acts," 385–413. See also Ambrose of Milan, *De Virginitas*, 3.7; Jerome, *Commentary on Jonah*, 1.12; Augustine of Hippo, *The City of God*, 1.26.

¹⁵ Regarding human law, Aquinas says that some perils can be so sudden that "the very necessity carries a dispensation with it, for necessity knows no law (*necessitas non subditur legi*)" (ST I-II, q. 96, a. 6, resp., trans. Thomas Gilby [Eyre and Spottiswoode, 1966]). Aquinas later admits of dispensations due to necessity even for divine laws (ST II-II, q. 66, a. 7), making the necessity, not ecclesial discernment, the rational basis for such a dispensation.

¹⁶ Augustine, *City of God*, trans. William Babcock, *The Works of Saint Augustine: A Translation for the 21st Century*, vol. 6 (New City, 2012).

by appealing to divine authority. In the contemporary church, Francis thinks a process of “personal and pastoral discernment” may give rise to some of these exceptions, and he appeals specifically to conscience as a critical faculty for guiding this process of discernment.¹⁷ Therefore, this section will consider conscience and its capacity to generate decisions that would supersede an absolute moral norm, focusing on the difference between an auto-nomous (“self-law”) conscience and a christo-nomous (“Christ-law”) conscience in moral discernment.

First, it is important to clarify what is meant by “conscience.” In his reflections on conscience in *Veritatis Splendor*, John Paul II repeats the consensus opinion of the Catholic tradition that conscience involves “a dialogue of man [*sic*] with God,” is “the sacred place where God speaks to man,” and thus forms “the proximate norm of personal morality” (nos. 58, 60). John Paul II further teaches that the maturity and responsibility of these judgements of conscience “are not measured by the liberation of conscience from objective truth, in favor of an alleged autonomy in personal decisions, but, on the contrary, by an insistent search for the truth and by allowing oneself to be guided by that truth in one’s actions” (no. 61). Here and throughout the encyclical, John Paul II does not reduce conscience to a purely subjective, rationalistic, and autonomous faculty; instead, conscience represents something divine, relational, and absolute. The conscience cannot achieve authoritative status in isolation; rather, it does so only through an active and living relationship with objective truth.

Cardinal Newman provides some clarifying insights into the role of objective truth in forming the conscience. His insights are particularly important because, according to Ratzinger, the treatment of conscience at the Second Vatican Council “takes its place in the line of thought deriving from Newman,” thus making it both difficult and negligent to find a contemporary discussion on conscience without reference to Newman.¹⁸ Newman explains that a primordial, isolated, and unformed conscience “is so delicate, so fitful, so easily puzzled, obscured, perverted, so subtle in its argumentative methods, so impressible by education, so biased by pride and passion, so unsteady in its flight” that it is “at once the highest of all teachers, yet the least luminous,” thus requiring guidance by “the Church, the Pope, and the Hierarchy” to become an authentic and robust expression of the voice

¹⁷ One commentator correctly notes that “the deeper theological question raised by *Amoris Laetitia* is the question of the place of conscience in moral discernment” (Ryan Connors, “*Veritatis Splendor* at Thirty,” *The National Catholic Bioethics Quarterly* 23, no. 4 [2023]: 662).

¹⁸ Joseph Ratzinger, “The Dignity of the Human Person,” in *Commentary on the Documents of Vatican II*, ed. Herbert Vorgrimler (Herder and Herder, 1969), 134.

of God.¹⁹ Only through a relationship with authority outside itself (in this case, the various organs of the Magisterium) can conscience attain its fullest dignity and veracity. But once this active and living relationship with objective truth is established, conscience becomes so authoritative, absolute, and binding in its judgments that it was believed by Newman hierarchically superior (or at least equivalent) to the pope himself.²⁰ Like Aquinas, for whom it was not scandalous to consider real instances in which the voice of God would override a rule of the decalogue, Newman was not scandalized by concluding that conscience (which he describes as the “aboriginal vicar of Christ”) can lead to judgments that would override the norm of a pope.²¹ This type of conscience, no longer auto-nomous but rather “christo-nomous,” is not some puppet instrument of public opinion or socially-acceptable sentiment; rather, it is an active and open pathway through which Christ himself speaks. And the words he speaks are not suggestions; according to Aquinas, they are commands that bind so absolutely and definitively that to neglect such commands is to incur mortal sin.²²

It is in the context of this tradition of giving normative authority to conscience when it is in active relationship with objective truth that

¹⁹ John Henry Newman, “Letter to His Grace the Duke of Norfolk,” in *Newman and Gladstone: The Vatican Decrees* (University of Notre Dame Press, 1962), 132–133. Joseph Ratzinger likewise speaks of the need for the primordial conscience to be formed by the Magisterium, and that “the Magisterium has the right to expect that the conscience will be open to it in a manner befitting the seriousness of the matter” (*On Conscience* [National Catholic Bioethics Center, 2007], 63). *Veritatis Splendor* (no. 64) likewise teaches that “Christians have a great help for the formation of conscience in the Church and her Magisterium.”

²⁰ Newman, “Letter to His Grace,” 138.

²¹ Understandably, there is often some hesitancy in accepting that Newman’s comments can lead to such a claim (Tracy Rowland, “Principles for a New Ressourcement in a Time of Crisis,” *The New Ressourcement* 1, no. 1 [2024]: 155), but Newman cites several possible examples of this divergence, noting that a dictate of conscience “in order to prevail against the Pope, must follow upon serious thought, prayer, and all available means of arriving at a right judgment on the particular matter” (“Letter to His Grace,” 135–136). Ralph McInerny says that Aquinas would agree with Newman’s ordering of conscience and the papacy, “since this [ordering] means, God first, then the pope. And, when pope and Church teach infallibly, to toast them is to toast God, no conflict being possible. That is what infallibility means” (“Conscience and the Object of the Moral Act,” in *Crisis of Conscience*, ed. John Haas [Crossroad, 1996], 106).

²² Aquinas states that even if an erroneous conscience “declares that something which is indifferent or intrinsically evil (*per se malum*) is a command of God,” then the acting person commits a mortal sin (*mortaliter peccat*) if this command is *not* followed, because the acting person has “decided not to observe the law of God.” Here, conscience is the law of God for the acting person, even if conscience is in error (*Questiones Disputatae de Veritate*, q. 17, a. 4, resp., trans. James McGlynn [Henry Regnery, 1953]).

some of the apparent contradictions between *Veritatis Splendor* and *Amoris Laetitia* begin to dissolve. Specifically, Francis has taught in *Amoris Laetitia* that “priests have the duty to accompany the divorced and remarried in helping them to understand their situation according to the teaching of the Church and the guidelines of the bishop. Useful in this process is an examination of conscience through moments of reflection and repentance” (no. 300). Clearly, this examination of conscience is not some autonomous and subjectivistic exercise; rather, it places the conscience of the acting person into a relational dialogue with a pastor, the teachings of the church, and the guidelines of the bishop, which are, according to Newman, the essential ingredients for ensuring that conscience is communicating the voice of Christ, thus becoming christonomous. Admittedly, such an appeal to the christonomous conscience is not mentioned in *Familiaris Consortio*, where the only discernment necessary for the pastor is determining whether or not the irregular couple is engaging in sexual intercourse: if so, then they are in a state of mortal sin and cannot receive communion, but if they are not having sexual intercourse, then they can live as brother and sister and receive communion.²³ It is precisely this systematic, universally binding, and non-varying moral equation which Francis wants to subjugate to the living voice of Christ. While Francis teaches that this discernment “can never prescind from the Gospel demands of truth and charity, as proposed by the Church” (no. 300), so too does he state that “it can no longer be said that all those in any ‘irregular’ situation are living in a state of mortal sin and are deprived of sanctifying grace” (no. 301) and that such persons can receive “the help of the sacraments” (no. 305, n351).²⁴

Such a statement by Francis is sometimes considered contradictory to *Familiaris Consortio* and, derivatively, *Veritatis Splendor*.²⁵

²³ Even this moral equation is a development of praxis, for prior to *Familiaris Consortio*, an irregular couple who lived as brother and sister were still subject to the penalty of excommunication (1917 *Code of Canon Law*, c. 2356). See also Maurizio Faggioni, “La Teologia del Matrimonio in *Familiaris Consortio* e *Amoris Laetitia*: Aspetti Pastorali,” *Studia Moralia* 60, no. 1 (2022): 149–150.

²⁴ Some have expressed doubt as to whether this teaching in *Amoris Laetitia* means that Communion can be given to some persons in irregular situations, and the Magisterium has continued to state explicitly that such a possibility must be discerned and not reduced to an all-encompassing rule. See *Acta Apostolica Sedis* 108, no. 10 (2016): 1071–1074; Dicastery for the Doctrine of the Faith, “Response to a Series of Questions Posed by His Eminence, Dominik Cardinal Duka, OP, Regarding the Administration of the Eucharist to Divorced People Living in a New Union,” September 25, 2023, no. 4, www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_pro_20230925_risposte-card-duka_en.html.

²⁵ *Amoris Laetitia* never cites *Veritatis Splendor*, but it does cite *Familiaris Consortio* twenty-four times always to demonstrate continuity, indicating which document Francis considered most applicable to *Amoris Laetitia*.

However, Francis's teaching on conscience and discernment is intrinsically united to *Veritatis Splendor* insofar as this discernment has, as its goal, to help conscience fully realize God's will in a concrete situation, which *Veritatis Splendor* considers the deepest and primordial foundation of moral action. Newman himself articulated the way in which a christonomous conscience is hierarchically superior (or at least equivalent) to the dictates of a specific pope, and there is nothing radical in applying Newman's principle to one important norm in *Familiaris Consortio*, especially when the authority who has advocated for such a possibility includes Francis and many bishops in union with him.²⁶

For Francis, one important aspect of this christonomous conscience is that it is dynamic, not static, for what God is commanding in one moment is not strictly equivalent to his future commands. Thus Francis states that conscience "can also recognize with sincerity and honesty what for now is the most generous response which can be given to God, and come to see with a certain moral security that it is what God himself is asking amid the concrete complexity of one's limits, while yet not fully the objective ideal" (*Amoris Laetitia*, no. 303). Because "what God himself is asking" may change over time, Francis wants personal and pastoral discernment to be a continual process instead of a once-and-for-all decision that determines every future act. Hence he teaches that "what is part of a practical discernment in particular circumstances cannot be elevated to the level of a rule" (no. 304). This mirrors the logic of Aquinas, who restricted God's command for Abraham to kill his innocent son to a temporary and personal obligation not to be interpreted as a rule for all, but an obligation that changed in very short time even for Abraham. According to both Aquinas and Francis, following Christ via conscience may admit of unique "exceptions" to standardized rules, but these exceptions do not redefine the rule. Even when such an exception is commanded, conscience must remain in active dialogue with God who may give orders that differ from the current obligation. Thus to be a christonomous conscience is to be an active, engaged, and ever-attentive conscience, an idea emphasized by Francis but stated in similar terms by Newman and in *Veritatis Splendor*.

²⁶ There are reasons to think that John Paul II would not be scandalized by such an application of conscience to one of his magisterial norms. For just one example, when explaining the attempt to stone the adulteress because of the law of Moses, John Paul II noted that "the discernment of good and evil engraved in the human conscience can prove to be more profound and more correct than the content of a legal norm" ("General Audience," August 13, 1980, trans. the author, www.vatican.va/content/john-paul-ii/it/audiences/1980/documents/hf_jp-ii_aud_19800813.html).

SOME OBJECTIONS

In the previous section, Francis's proposal for a process of personal and pastoral discernment was seen to rely on a christonomous ("Christ-law") conscience categorically distinct from an autonomous ("self-law") conscience. Because this process can sometimes lead to judgments that differ from the normative guidelines, this section will consider limits to such a process, for if personal and pastoral discernment can rephrase moral norms for some of the divorced and remarried, what is to stop such discernment from being applied to every magisterial and scriptural norm? Can "personal and pastoral discernment" lead a person to murder a child, steal from the poor, or commit adultery?

There are three vantage points from which we will consider this question. The first is the perspective of Aquinas, who in three short sentences overrides three different commandments (thou shall not steal, thou shall not kill, thou shall not commit adultery), noting how God himself is superior to these commandments and can direct a person to an act which, considered normatively, is an "exception" to the divine commandment. There is no good reason to believe that Aquinas thought this logic should stop with just these three commandments, for Aquinas states that God is supreme over "all" (*omnia*) and not just these three commandments.²⁷

The second perspective to consider comes from John Finnis's concern for the rational consequences of allowing any exceptions to absolute moral norms. According to Finnis, if there exists a single exception in which it is licit for an innocent person to be killed, then there no longer exists any "reason" to prevent others from doing likewise; after granting a single exception, "people will make exceptions for themselves."²⁸ But this comment reveals that Finnis's essential concern is autonomous morality, an arbitrary world in which the only law is what people make "for themselves." This concern, for all its justifications, still has its own limits, for some "exceptions" to absolute norms (at least in the Thomistic tradition) are based not on autonomous but rather divine authority, and God is always to be obeyed because God always leads to the good. This reason for an "exception" does not translate well into the atheistic world Finnis critiques and with whom he wishes to communicate, but the difficulty in translation does not equate to this divine authority being

²⁷ Aquinas does argue that the commandments of the first tablet of the decalogue admit of no such exceptions, but the commandments on the second tablet can admit of these exceptions (*In I Sent.*, d. 47, q. 1, a. 4, resp.).

²⁸ Finnis, "Beyond the Encyclical," 73.

unfounded.²⁹ *Amoris Laetitia*'s appeal to divine authority in situations involving the divorced and remarried does not equate to Finnis's concern of allowing persons to make exceptions for themselves, for both personal *and* pastoral discernment are required to discern this divine authority.³⁰ Francis does state that "individual conscience" needs to be better incorporated in some situations (*Amoris Laetitia*, no. 303), but even when it is, the ultimate authority remains God, not the individual.³¹

This leads to a third vantage point to consider, the perspective of Abraham. According to Finnis, "Allowing exceptions and justifying any choice to kill an innocent person radically transforms one's attitude towards human life as such. Making and carrying out any choices . . . on the basis of that transformed attitude reshapes individual character and social practices."³² But if a tree is known by its fruit, then the fruit of Abraham's decision to follow God's command to kill his innocent son is not nearly as disastrous as a strict interpretation of Finnis's perspective would suggest. If innocent persons ever are being killed on the basis of autonomous authority, then the fruit will lead to Finnis's portentous forecast, and there are too many historical examples to prove his point, but for Aquinas, the authority directing Abraham's moral act is not autonomy but rather divinity, and this authority will produce different fruit because, in essence, this is to consider a different tree. Throughout *Veritatis Splendor*, the fruit of absolute autonomy is always disastrous, whereas the fruit of fidelity to God is freedom (John 8:32). Scripture says that Abraham lived in this freedom, that "the Lord had blessed Abraham in all things" (Genesis 24:1), even after planning and preparing to fulfill God's command to kill an innocent person. In forecasting the fruits of papal exceptions to moral norms, this scriptural precedent should be kept in mind, as well as avoiding interpretations that would

²⁹ Francis reminds theologians that "we will never be able to make the Church's teachings easily understood or readily appreciated by everyone. Faith always remains something of a cross; it retains a certain obscurity which does not detract from the firmness of its assent. Some things are understood and appreciated only from the standpoint of this assent, which is a sister to love, beyond the range of clear reasons and arguments" (*Evangelii Gaudium*, no. 42).

³⁰ Francis similarly states that it is a "grave danger" to think that "any priest can quickly grant 'exceptions'" (*Amoris Laetitia*, no. 300).

³¹ John Paul II similarly emphasized the role of individual conscience for irregular marriages and the Eucharist when he stated that "the judgment of one's state of grace obviously belongs only to the person involved, since it is a question of examining one's conscience" (*Ecclesia de Eucharistia*, no. 37). But this statement is not papal approval of autonomy, for John Paul II (like Francis) emphasized the role of pastors in this process, noting that such pastors "cannot fail to feel directly involved" when the matter is grave sin.

³² Finnis, "Beyond the Encyclical," 71.

confuse autonomous trees for christonomous trees. To expect the evils of autonomy from a christonomous conscience is to either misidentify this conscience or distrust the divine authority speaking in such a conscience.

Another insightful critic who wants to limit appeals to conscience when moral norms are at stake is Robert Spaemann. He notes that the word "conscience" often serves as a sort of "black box" for some theologians, and that when a person is told to violate an absolute moral norm by following their conscience, what these theologians are really saying is that "the Church is not convinced of the truth of its own teachings."³³ Spaemann cites the situation of the divorced and remarried as an example of his opinion: "The same is true when the Catholic Church advises divorced and remarried people to receive Holy Communion as their conscience instructs them. This is another way of saying that the Church no longer believes that marriages cannot be dissolved. It would never be written that indiscriminate promiscuity while receiving communion is a matter of personal conscience. It appears that the theme of conscience is carefully introduced when one feels on shaky ground."³⁴ Is this what Francis has done in *Amoris Laetitia*?

According to Spaemann, the dissolution of norms is inevitable when theologians tell people to follow "their conscience," which he says is equivalent to "personal conscience." So, in these comments, Spaemann is speaking about an autonomous conscience, not a christonomous conscience; Spaemann is not speaking about a conscience formed through an active and living relationship with Christ and his Church, but rather a conscience which has become the judge of the church. Spaemann and many others rightly describe how this autonomous authority would destroy all teaching authority in the Church.³⁵ Although this is an error which some have accused Francis of making in his remarks about the divorced and remarried, *Amoris Laetitia* does not give conscience such complete, autonomous, and subjective authority; rather, Francis presents his vision for a process of personal *and* pastoral discernment, a path which seeks "to form consciences, not to replace them" (no. 37). What this discernment yields is not so much "their conscience" or "personal conscience" but rather the church's conscience (if it can be called such), a conscience

³³ Robert Spaemann, "Conscience and Responsibility in Christian Ethics," in *Crisis of Conscience*, ed. John Haas (Crossroad, 1996), 129.

³⁴ Spaemann, "Conscience and Responsibility," 129.

³⁵ "Although we must always be bound by conscience, some of the greatest crimes of our own day have been committed, and are being committed, by an appeal to individual conscience, as though there were no higher norm" (Joseph Ratzinger, *Crisis of Conscience*, xiii). In this passage, Ratzinger refers to "individual conscience," not a christonomous conscience.

that has bridged the subject and object through a living relationship, thereby overcoming autonomy without losing the individual.³⁶ This is a conscience that reflects the unitive principles of communion, and so long as the pastor, the normative teachings of the church, and the guidelines of the bishop are part of this communion, Francis thinks that the judgment which emerges can be trusted as the voice of Christ.³⁷ At least in theory, this proposal by Francis is categorically distinct from Spaemann's critique, for any exceptions to sacramental norms for the divorced and remarried that arise in a christonomous conscience have divinity, not autonomy, as the basis of such exceptions. According to Aquinas, it would be a mortal sin *not* to follow such a conscience, even when commanding an act forbidden from a normative perspective in *Familiaris Consortio*.

Too often, any exception to a moral norm by way of conscience is presented as an illustration of how conscience and moral norms are destined to end in conflict, supposing that one or the other must be chosen as the ultimate arbiter of difficult moral questions.³⁸ But this is not the vision of the Magisterium, for *Gaudium et Spes* states that "the more right conscience holds sway, the more persons and groups turn aside from blind choice and strive to be guided by the objective norms of morality" (no. 16). According to this theory, both "right conscience" (the terminological equivalent of a christonomous conscience) and the objective norms of morality do not diverge, but rather converge in their content.³⁹ There are unique exceptions (noted by Aquinas and others) in which this theory from *Gaudium et Spes* seems to be upended, but Ratzinger notes that "the seeming exception is in reality very often the symptom that shows us the insufficiency of our previous schema of order, which helps us to break open this schema and to

³⁶ Ratzinger remarks that "conscience signifies the perceptible and demanding presence of the voice of truth in the subject himself. It is the overcoming of mere subjectivity in the encounter of the interiority of man with the truth from God." Ratzinger likewise laments that the modern age does "not allow for bridges between subject and object," and the properly formed conscience is one such bridge ("Conscience and Truth," in *Crisis of Conscience*, 9, 14).

³⁷ The presence of these objective elements keeps *Amoris Laetitia* in alignment with Flannery's assertion that "personal conscience cannot be separated from the objective moral law" ("Conscience and the Moral Law," 605).

³⁸ For sustained discussion on this idea in light of *Amoris Laetitia*, see Aristide Fumagalli, "Coscienza e Norma: Due poli da coniugare," in *Sui Sentieri di Amoris Laetitia*, 142–148.

³⁹ Thus Ratzinger says that "the conciliar text implies that obedience to conscience means the end to subjectivism, a turning aside from blind arbitrariness, and produces conformity with the objective norms of moral action" ("The Dignity of the Human Person," 135).

conquer a new realm of reality.”⁴⁰ The challenging examples suggested by Aquinas and *Amoris Laetitia* illustrate, not that conscience and moral norms are destined to end in conflict, but that both conscience and moral norms serve as instruments of a single person (Christ) in whom there is “no confusion, no change, no division, no separation.”⁴¹ Neither conscience nor absolute moral norms should be revered in themselves; rather, the object of reverence is the divine Lawgiver who communicates through these two “organs” of truth.

In *Veritatis Splendor*, this unitive theory of conscience and moral norms is maintained by teaching that conscience itself is a norm (specifically, a proximate norm), making it impossible to separate the concept of conscience in *Veritatis Splendor* from the concept of norms. This intrinsic unity between conscience and norms has been maintained in *Amoris Laetitia*, for any exceptions to norms for the divorced and remarried are rooted in the authority of God who, in the words of Aquinas, “is superior to the law of marriage” (*De Malo*, q. 15, a. 1, ad 8). Following Aquinas, *Amoris Laetitia* argues that a person’s conscience can never be too scrupulous in aligning itself to the personal dictates, and not just the recorded decalogue, of this Lawgiver.

The above objections of Finnis and Spaemann have additional value, for they draw attention to two perennial and interrelated concerns which further illustrate the complementary, not contradictory, interaction between norms and conscience in the Catholic moral tradition.

The first perennial concern is this: while an autonomous conscience is always distrusted for reasons defended clearly by Finnis and Spaemann, autonomous moral norms are equally dangerous. When moral norms are given authority to such an extent that they refuse subordination to the voice of Christ (or to one of his vicars, either aboriginal or historical), they have become auto-nomous by relying on the voice of man and not God; they have become, in the words of *Veritatis Splendor*, a “merely ‘human’ morality,” a type of morality with its own capacity to justify heinous acts (no. 36). Without this subordination of norms to their primordial source of authority, persons like the Pharisees would be justified in their autonomous “religious” system, thereby transforming Christ into a person who is no longer freedom’s advocate but rather freedom’s restrainer.⁴² In

⁴⁰ Joseph Ratzinger, “Concerning the Notion of Person in Theology,” in *Anthropology and Culture*, ed. David C. Schindler and Nicholas J. Healy (Eerdmans, 2013), 114.

⁴¹ Council of Chalcedon, *Definition of the faith*, trans. Robert Butterworth, in *Decrees of the Ecumenical Councils*, vol. 1, ed. Norman Tanner (Sheed and Ward, 1990), 86.

⁴² Spaemann notes the presence of autonomous and destructive consciences in hyper-religious environments: “All sorts of things can be concealed by the term *conscience*.”

such situations, divine authority is reduced to the autonomous (though no doubt religious) minds of pharisaical rule-creators who claim authority just as potent as the “personal and pastoral discernment” envisioned by Francis. At its logical terminus, giving moral norms absolute authority over conscience would be only a smoke-screen for returning moral theology to a foundation built on autonomy and not divinity, an autonomy such moral norms had supposedly eliminated.⁴³ Rightly, then, does the Church defend the need for moral discernment to depend on both moral norms and conscience, refusing to reduce one to the other but rather preserving them both in a mutually enriching and convergent relationship.

The second perennial concern for the church is the dissolution of conscience by appealing to conscience itself. Such dissolution of conscience is inevitable if moral theology were to travel one of two paths: first, if an autonomous conscience were made equivalent to the voice of Christ, then “right conscience” becomes only a fanciful term for group-think and self-will, which Ratzinger decries as “the canonization of subjectivity.”⁴⁴ A second path is less discussed but equally fatal to conscience, and it is traveled by those who want to give moral norms (and other systems) complete and strict equivalence to the voice of Christ, turning “right conscience” into a fanciful term for “doing what the norm/system/equation has already determined.” The first path leads to the canonization of subjectivity, but the second leads to a canonization of moral systems; the first leads to a dictatorship of relativism, the second to a dictatorship of Pharisees;

Christ himself tells us this is possible: ‘The hour is coming when whoever kills you will think he is offering service to God’ (John 16:2). Christ was no more inclined to teach us simply to follow our conscience than was Socrates” (“Conscience and Responsibility,” 117). Francis likewise notes that the Pharisees, “even when they obey the commandments and do good works, are centered on themselves; they fail to realize that goodness comes from God. . . . They become closed in on themselves and isolated from the Lord and from others; their lives become futile and their works barren, like a tree far from water” (*Lumen Fidei*, no. 19). For both Spaemann and Francis, religious rules can function as cloaks for autonomous, self-willed moral systems which lead to slavery, not freedom.

⁴³ Newman has already warned that “if the pope [were to] speak against Conscience in the true sense of the word, he would commit a suicidal act. . . . On the law of conscience and its sacredness are founded both his authority in theory and his power in fact” (“Letter to His Grace,” 138). But if this is true for the pope, then it is true for all theologians: to “speak against” a christonomous conscience in such a way that an absolute moral norm would become more authoritative than the christonomous conscience would be equivalent to overriding the divine foundation which gives authority to such norms. Far from defending absolute norms, Newman demonstrates how such logic destroys the authority of absolute norms.

⁴⁴ Ratzinger, “Conscience and Truth,” 6. He similarly notes that “it will not do to identify man’s conscience with the self-consciousness of the I, with its subjective certainty about itself and its moral behavior” (“Conscience and Truth,” 16).

the first leads to an abuse of conscience, the second to the neglect of right conscience, and thereby a neglect of Christ. A great anxiety over the hyper-subjectivity of the modern age has prepared the church well to avoid the first path, but such anxiety is not fully equipped to avoid the second; indeed, a hyper-fixation on avoiding the first path can lead to travelling down the second. Just like Christology after Chalcedon, moral theology after *Veritatis Splendor* is destined to journey forever along a route that is not circuitous but rather precarious.

Furthermore, an appeal to conscience is not always done in order that a theologian may “carefully introduce” subtle logic which eventually destroys the validity of absolute norms (this is Spaemann’s concern) but rather to help answer specific questions the norm alone cannot resolve. The norm is helpful in the abstract, but something is needed to clarify the concrete (and thus proximate) reality, for remote concepts begin to destabilize as all persons, including popes and the Doctors of the Church, zoom into the concrete details of what, *hic et nunc*, is to be done in light of the norm. The general prohibition against contraceptive sexual intercourse is clear, but the application of this norm to a detailed and complex situation (such as the use of a condom by a male prostitute with AIDS) puts the church on “shaky ground,” and even the colloquial opinion of Benedict XVI is not enough to stabilize the difficulty.⁴⁵ Similarly, the general norm prohibiting sexual intercourse between unmarried persons is clear, but the application of this norm to some situations involving the divorced and remarried is not so clear to Francis, whose magisterial statements on the matter do not appear any more influential than Benedict XVI’s colloquial statements. Regardless of the degree of receptivity, both papal teachings demonstrate the Magisterium’s reliance on an authority that speaks to remote realities (absolute moral norms) and another authority that speaks to proximate realities (conscience), and situations continue to arise in which it can be difficult to translate between the two.⁴⁶ Moral norms clarify questions from a distance,

⁴⁵ Such difficulties are a recurring theme in all of ethics and not just “situation ethics” (*Veritatis Splendor*, no. 53), illustrated well in one paper which carefully distinguishes “abortion” from “induction before viability to eliminate a grave and present danger posed by a life-threatening condition resulting from the interaction of a normally functioning placenta with diseased organs of the mother” (Ascension Health, “Medical Intervention in Cases of Maternal-Fetal Vital Conflicts: A Statement of Consensus,” *The National Catholic Bioethics Quarterly* 14, no. 3 [2014]: 477–489). This difficulty of normative precision is the basis of Newman’s claim that “conscience cannot come into direct collision with the Church’s or the Pope’s infallibility; which is engaged only on general propositions, or the condemnation of propositions simply particular” (“Letter to His Grace,” 134).

⁴⁶ Jean Porter interprets Aquinas as one who would think that “there are logical limits to the certainty and the degree of consensus that can be attained in moral judgment, even among those who share the same basic moral concepts and attempt to apply them

whereas conscience clarifies questions immediately in view; moral norms can be infallible but not precise, whereas conscience is precise but sometimes errs. The conscience may not be fully reliable, but it is absolutely necessary for translating the norm into its practical expression; so necessary, in fact, that to disregard the command of conscience is a mortal sin, which is the most unstable ground of all.

Thus, the precarious journey of moral theology will always lead to some situations in which conscience must function as a sort of “black box” for moral questions. Every moral norm stands on shaky ground as that norm gets closer to the concrete realities of a particular act, sometimes transforming an act which, upon inspection by the great Doctors of the Church, should only be considered an “exception” to an established moral norm. One of the challenges for moral theologians is to make room for these anomalies without turning the exception itself into a complete moral system or a threat to a system that already exists. The legal maxim “hard cases make bad law” is important to uphold in these situations, for both Benedict XVI and Francis have advocated for complicated cases to be treated individually and not extrapolated to a broad range of erroneous systems that destroy, rather than build upon, fundamental elements of *Veritatis Splendor*.

Although the power of systems-thinking remains attractive as an absolute answer to the most difficult cases, even Aquinas abandoned some difficulties to divine and not human authority. There is nothing in *Veritatis Splendor*, nor subsequent pontificates, that encourages hard moral cases to be resolved only through norms, and divine authority will not be lacking for those tasked with discerning these hard cases. **M**

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in all good faith. . . . There will always be some hard cases about which we, as individuals, just cannot judge, or about which we, collectively, cannot agree” (“The Moral Act,” 287).