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Church reform at all levels

Hans Kung | Dec. 2, 2013
Commentary

Church reform is forging ahead. In his apostolic exhortation *Evangelii Gaudium*, Pope Francis not only intensifies his criticism of capitalism and the fact that money rules the world, but speaks out clearly in favor of church reform "at all levels." He specifically advocates structural reforms -- namely, decentralization toward local dioceses and communities, reform of the papal office, upgrading the laity and against excessive clericalism, in favor of a more effective presence of women in the church, above all in the decision-making bodies. And he comes out equally clearly in favor of ecumenism and interreligious dialogue, especially with Judaism and Islam.

All this will meet with wide approval far beyond the Catholic church. His undifferentiated rejection of abortion and women's ordination will, however, probably provoke criticism. This is where the dogmatic limits of this pope become apparent. Or is he perhaps under pressure from the Congregation for the Doctrine of the Faith and its Prefect, Archbishop Gerhard Ludwig Müller?

In a long guest contribution [1] in *Osservatore Romano* (Oct. 23), Müller demonstrated his ultra-conservative stance by corroborating the exclusion of remarried divorcees from the sacraments who, unless they live together as brother and sister (!), are ostensibly in a state of mortal sin on account of the sexual character of their relationship.

As Bishop of Regensburg, Müller, as a clerical hard-liner who provoked numerous conflicts with parish priests and theologians, lay bodies and the Central Committee of German Catholics, was as controversial and unpopular as his brother bishop at Limburg. That Müller, as a loyal supporter and publisher of his collected works, was nevertheless appointed CDF prefect by Papa Ratzinger, surprised people less than the fact that Francis confirmed him in office quite so soon.

And worried observers are already asking whether Pope Emeritus Ratzinger is in fact operating as a kind of "shadow Pope" behind the scenes through Müller and Georg Gänswein, [Benedict's] secretary and Prefect of the Papal Household, whom he also promoted to archbishop. One remembers how in 1993 Ratzinger as cardinal whistled back the then-bishops of Freiburg (Oskar Saier), Rottenburg-Stuttgart (Walter Kasper) and Mainz (Karl Lehmann) when they suggested a pragmatic solution for the problem of remarried divorcees. It is revealing that the present debate 20 years later was again triggered by the Archbishop of Freiburg, namely Robert Zollitsch, the president of the German bishops' conference. It was Zollitsch who ventured a fresh attempt to rethink pastoral practice as far as remarried divorcees are concerned. And Francis?

For many the situation is self-contradictory: on the one side, church reform, and on the other, remarried divorcees.

The pope wants to move forward -- the CDF prefect puts on the brakes.

The pope has actual people in mind -- the prefect above all has traditional Catholic doctrine in mind.

The pope wants to practice mercy -- the prefect appeals to God's holiness and justice.

The pope wants the coming bishops' synod on family matters in October 2014 to find practical solutions based on feedback from the laity -- the prefect draws on traditionalist dogmatic arguments in order to be able to maintain the unmerciful status quo.

The pope wants the bishops' synod to make new attempts at reform -- the prefect, a former neoscholastic professor of dogmatics, thinks his statements can nip any such attempts in the bud.

Is the pope still in control of his Guardian of the Faith?

As to the subject itself, one must point out the following: Jesus came out quite clearly against divorce: "What therefore God has joined together, let not man put asunder" (Mark 10:9). But he said that above all for the benefit of women, who were legally and socially disadvantaged in comparison to men in society at the time, because in Judaism only husbands could have letters of divorce made out. And thus in following Jesus, the Catholic church, even in a completely different social situation, will emphatically champion the indissolubility of marriage which guarantees the partners and their children a stable and lasting relationship.

But Müller obviously ignores the fact that Jesus pronounced a commandment based on an aim. As with other commandments, this one does not exclude failure and forgiveness. Can one really imagine Jesus sanctioning the present way we treat remarried divorcees? This Jesus who protected the adulteress particularly against the scribes and Pharisees (John 8:1-11), who especially devoted himself to sinners and those who had failed in life, and even dared to declare that they were forgiven? The pope rightly says "Jesus must be freed from the boring templates in which we have wrapped him [translation from the Küng's German]."

The Christians of the New Testament did not understand Jesus' words on divorce as a law but as an ethical directive. The failure of a marriage obviously did not correspond to what men and women were created for. Only dogmatic rigidity, however, cannot take seriously that already in the days of the Apostles, Jesus' words on divorce were applied with a certain flexibility, namely in cases of "porneia/unchastity" (cf. Matthew 5:32; 19:9) and when a Christian and a nonbeliever separated (cf. 1 Corinthians 7:12-15). Already in the early church, one was obviously aware that there were situations when a further life together was unacceptable. However, to assume that remarried divorcees in general just casually and light-heartedly gave up their first marriages for trivial reasons is malicious. There is no more bitter experience than the failure of a love relationship on which one has set the hopes of a lifetime. In view of the millions of Catholics the world over nowadays who, although they are members of the church, cannot take part in its sacramental life, it is of little help to keep quoting one Vatican document after the other without convincingly answering the decisive question as to why there should be no forgiveness just for this particular failure. Hasn't the magisterium already failed miserably as far as contraception is concerned and thus been unable to assert itself in the church? A similar failure in the question of divorce should be avoided at all costs.

It is at any rate no solution if one calls for fresh "pastoral efforts" and wants to see annulments handled more generously, as the archbishop has suggested. For many Catholics, divorce and remarriage are not the real scandal but the shameless hypocrisy of many annulments, even when the couple whose marriage is annulled have several children.

Given the actual number of divorces at the moment, which in Germany alone in 2012 was about 46 percent in proportion to the number of weddings in the same year, and if one adds to that the increasing number of Catholic couples who only married in a registry office or are cohabiting, then in all probability, in Germany

alone, roughly 50 percent of Catholics are excluded from the sacraments. And we should not forget the many children who are affected and suffer under their parents' disturbed relationship with the Church. We are thus concerned with pastoral problems which have far-reaching consequences and which today call the official church's -- but also the pope's -- credibility into question. That is why, in the light of generally available findings in the fields of the social sciences, sexology, the history of theology, ethics, dogmatics and exegesis, bishops have repeatedly cautioned that it is absolutely imperative to undertake a reappraisal of pastoral practice.

It was precisely the reactionary strategy of the CDF which led to the present church crisis and triggered the exit of millions of Catholics from the church, particularly the remarried divorcees as they were excluded from the sacraments. It would hugely damage the Catholic church if, 50 years after the Second Vatican Council, a new "Cardinal Ottaviani", then Prefect of the Congregation for the Doctrine of the Faith -- or rather of the Holy Office or Inquisition, were able to establish himself in the Vatican, and who feels called to impose his conservative beliefs on the pope, the Council and indeed on the whole church.

And it would immensely damage the credibility of Pope Francis if the reactionaries in the Vatican were to prevent him from translating his words and gestures, which are so permeated by mercy and a sense for pastoral work, into action as soon as possible. The enormous capital of credibility that the pope has accumulated in the first months of his papacy must not be squandered by the curia. Innumerable Catholics hope:

- That the pope will see through the Guardian of the Faith's -- that is Müller's -- questionable theological and pastoral stance;
- That he will put the CDF in its place and make his theologically based pastoral line obligatory;
- That the praiseworthy questioning of bishops and laity with regard to the coming Family Synod will lead to clear, biblically-founded and realistic decisions.

Pope Francis has the necessary qualities of a captain to steer the ship of the church through the storms of our time and the trust of the People of God will uphold him. In the face of strong curial headwinds, he will probably often have to take a zigzag course. But we hope he will steer his ship by the Gospel's (and not canon law's) compass and maintain a clear course in the direction of renewal, ecumenism and open-mindedness. *Evangelii Gaudium* is an important stage of that voyage but by far not the final goal.

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--Translated from the German by Christa Pongratz-Lippitt [3]

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