

DOCTRINE

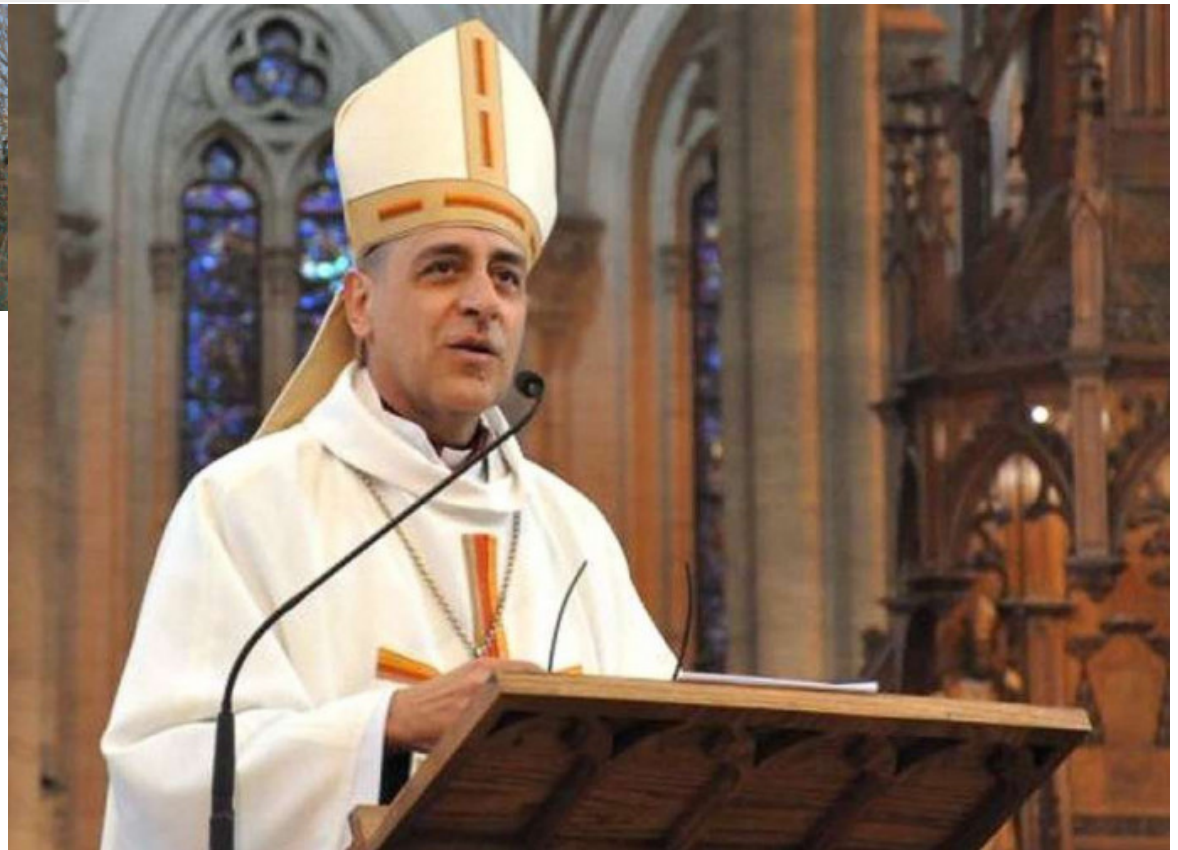
Fernandez: new custodian of faith contradicts *Humanae Vitae*

ECCLESIA

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The new Prefect of the Dicastery for the Doctrine of the Faith has already repeatedly complained that he has received specious accusations against his person; i.e., he alleges that his book about kissing has been used to debase his theological preparation, in

support of which he talks about his books and articles of high standing.

Objection accepted. But perhaps it would have been better for Msgr Fernández not to expose himself so much, because the worst is to be found in his academic publications. "There is also the case of sexual abstinence that contradicts the Christian hierarchy of values crowned by charity. We cannot close our eyes, for example, to the difficulty a woman faces when she perceives that family stability is jeopardised by subjecting her non-practising husband to periods of continence. In this case, an inflexible refusal of any use of condoms would make respect for an external rule prevail over the serious obligation to care for loving communion and marital stability that charity most directly demands". End quote.

This is an article that Víctor Manuel Fernández, at the time vice-rector of the Pontificia Universidad Católica Argentina, wrote for *Revista Teología*, the quarterly of the university's Faculty of Theology (*La dimensión trinitaria de la moral, II. Profundización del aspecto ético a la luz de "Deus caritas est"*, Tomo XLIII, no. 89, April 2006, 133-163). The article was intended as a critique of the book *La plenitud del obrar cristiano. Dinámica della acción y perspectiva teológica de la moral* (2001), written by Msgr Livio Melina, José Noriega, Juan José Pèrez Soba.

The authors, according to Fernández, had not considered the primacy of charity, "slavishly submitting charity to the moral virtues and natural law, said to be those that ensure its authenticity" (*La dimensión trinitaria*, 145). In this way, fraternal charity would no longer be the fundamental hermeneutical principle of morality, and the moral life of the Christian would lose its "evangelical fragrance". In essence, his criticism lies in the fact that charity, according to Melina *et al.*'s perspective, would have no object of its own, because good is only specified by the moral virtues and natural law.

If we focus on the opening paragraph, which is accepting of contraception "in certain cases", it is evident that the former rector de facto demolishes all Catholic moral doctrine. From that statement alone, it is already sufficiently clear that Paul VI's 1968 encyclical can go straight into the recycling bin (as can *Veritatis Splendor*). Because *Humanae Vitae* did not condemn contraception *ut in pluribus*, but in an absolute manner, excluding "any action which (...) proposes, as an aim or as a means, to prevent procreation" (HV, 14).

Paul VI had explicitly taught that the reason why it was not possible to justify recourse to contraception in any way lay in the fact that it was intrinsically evil, that is, in no circumstance could it be ordered to the good: "it is never lawful, even for the gravest

reasons, to do evil, so that good may come of it, in other words, to intend directly something which of its very nature contradicts the moral order, and which must therefore be judged unworthy of man, even though the intention is to protect or promote the welfare of an individual, of a family, or of society in general”.

Msgr Fernández's statement is the exact contradiction of HV, because it affirms in the particular what HV denies in the universal. Who knows if it was also this article that ended up under the lens of the then Congregation for the Doctrine of the Faith, which decided not to allow Fernández's promotion to rector of the Catholic University of Buenos Aires?

To this conclusion totally contrary to Church teaching, Fernández arrives via the following line of reasoning: 1. the good of a moral virtue can be "correctly interpreted in relation to fraternal charity and never prescinding from it" (p. 143); 2. in the hierarchy of virtues, charity has primacy in the practical order; 3. in some difficult situations, a "true *competitive* relationship between fraternal charity and moral virtues" can occur (p. 147); 4. in these situations the practical content of fraternal charity must have primacy.

We shall have the opportunity and time to show the fallacy of this reasoning.

What we would like to stress is that this not only makes recourse to condoms licit, as the act that would best translate, in the concrete situation, the primacy of fraternal charity - "the obligation to care for loving communion and conjugal stability that charity most directly demands" - but would also make it ethically wrong to refuse to use contraception.

And in fact, this is exactly what Fernández argues: "It should not be forgotten that an objectively correct decision, in the context of a certain stage of personal history, could entail a real egocentric backlash on a path of personal growth". The "egocentric backlash" would be in the fact that, in the name of observing natural law, fraternal charity would be mortified. This is a completely erroneous assertion, based on the alleged absurd "competition" between charity and the moral virtues in determining the proximate purpose of an action. Nevertheless, one can see how for Fernández the moral law is completely extrinsic to man, to the point of having to be sacrificed, "in certain cases", for man to become morally good.

With this approach, the wide range of consequences becomes immediately apparent: why should recourse to contraception only be good for a couple of which one of the spouses is not practising? If the spouse is practising, but cannot contain him/herself, and threatens to break up the marriage, should not the "primacy of charity"

be observed here, according to Fernández's interpretation? Or why couldn't a sterile married couple, in order to safeguard the conjugal union, avail themselves of artificial fertilisation techniques? Or again: why two people living *more uxorio* and with children still needing care, should not be able to continue the acts proper to spouses, if this were essential to keep the children's father and mother united? In the new Prefect's logic, if they did not do so, they would actually be selfish!

And indeed Fernández does not rule out this expansion. "Therefore, in *all* ethical questions, *in various ways*, the concrete discernment of each person is required to integrate the fundamental hermeneutic principle of fraternal self-transcendence" (p. 151). Note the italics in the original text: *all* ethical issues, none excluded, will not only be able, but will have to undermine, *in various ways*, the proper good of the virtues, to give way to the supposed primacy of fraternal charity. The resulting reality is the distortion of charity, the mutilation of moral virtues, and the pulverisation of intrinsically evil acts. Catholic morality is finished.

This is why we said that Fernández would be the greatest and perhaps most decisive support for the new Pontifical Academy for Life, under the adulterated version of Msgr Vincenzo Paglia, and for the new John Paul II Theological Institute, under the leadership of Msgr Philippe Bordeyne. Now, at the Dicastery for the Doctrine of the Faith there will be no brakes, but only accelerators.