

*Fr. Perozich comments —*

*Studied ambiguity, lack of clarity, slogans, euphemisms, redefining terms, denials, attacks are all political techniques to change belief and practice.*

*This is present in the Catholic church today from Rome through dioceses into the parishes, catechesis, to the hearts and minds of the faithful.*

*It is disturbing.*

*One remedy is to ask for clarification classically by presenting the dubium, the question in doubt, to the competent authority for an answer.*

*The dubia were presented to Pope Francis who is the ultimate authority. He, however, refused to respond.*

*The first article below says that pope emeritus Benedict XVI did indeed respond to bring clarity where Pope Francis did not.*

*The second article is a response to the frustrations of some Catholics which led them to say that Pope Francis is in heresy. Jimmy Akin, using classic Catholic teaching, language, shows that this is not the case.*

*It does not ease the discomfort of the sheep who might feel their shepherds either have abandoned them or are leading them to pastures not of the Lord Jesus, but it does seem to exonerate the Holy Father from the charge of heresy.*

## **THE DUBIA WERE ANSWERED**

By Elizabeth A. Mitchell  
SATURDAY, MAY 11, 2019

Perhaps it was because Notre-Dame de Paris was burning. Perhaps it was because the best place to hide something from view is in plain sight. Or perhaps it was because we look for power in

wind, earthquake, and fire, but miss the “still small voice” of God when He passes by. (1 Kgs 19:11-13)

Whatever the reason, the world watched, read, and missed the answers to the *dubia* proposed by Pope Emeritus Benedict XVI in his April essay, “The Church and the Scandal of Sexual Abuse.”

In offering a three-part response to the crisis in the Church, he indirectly answers the five *dubia* that Cardinals Brandmüller, Caffarra, Meisner, and Burke presented years ago to Pope Francis. The pope emeritus fulfilled a duty that Pope Francis has not, namely, to maintain the bishops and all the faithful in the unity of the Church’s constant teaching on faith and morals.

What did the pope emeritus say? He gives the Church and the world an unequivocal No, Yes, Yes, Yes, and Yes. Five questions, five answers:

**Dubium One:** *It is asked whether, following the affirmations of “Amoris Laetitia” (nn. 300-305), it has now become possible to grant absolution in the Sacrament of Penance and thus to admit to Holy Communion a person who, while bound by a valid marital bond, lives together with a different person “more uxorio” (in a marital way) without fulfilling the conditions provided for by “Familiaris Consortio” n. 84 and subsequently reaffirmed by “Reconciliatio et Paenitentia” n. 34 and “Sacramentum Caritatis” n. 29. Can the expression “in certain cases” found in note 351 (n. 305) of the exhortation “Amoris Laetitia” be applied to divorced persons who are in a new union and who continue to live “more uxorio”?*

Benedict’s response: *No.* “We run the risk of becoming masters of faith instead of being renewed and mastered by the Faith. Let us consider this with regard to a central issue, the celebration of Holy Eucharist. Our handling of the Eucharist can only arouse concern. . . .What predominates is not a new reverence for the presence of Christ’s death and resurrection, but a way of dealing with Him that destroys the greatness of the Mystery. . . .The Eucharist is devalued into a mere ceremonial gesture when it is taken for granted

that courtesy requires Him to be offered at family celebrations or on occasions such as weddings and funerals to all those invited for family reasons. . . .[I]t is rather obvious that we do not need another Church in our own design. Rather, what is required first and foremost is the renewal of the Faith in the Reality of Jesus Christ given to us in the Blessed Sacrament. . . .And we must do all we can to protect the gift of the Holy Eucharist from abuse.”

**Dubium Two:** *After the publication of the Post-synodal Apostolic Exhortation “Amoris Laetitia” (cf. n. 304), does one still need to regard as valid the teaching of St. John Paul II’s Encyclical “Veritatis Splendor” n. 79, based on Sacred Scripture and on the Tradition of the Church, on the existence of absolute moral norms that prohibit intrinsically evil acts and that are binding without exceptions?*

Benedict’s response: Yes. “Pope John Paul II, who knew very well the situation of moral theology and followed it closely, commissioned work on an encyclical that would set these things right again. . . .It was published under the title *Veritatis splendor*. . .and did indeed include the determination that there were actions that can never become good. . . .He knew that he must leave no doubt about the fact that the moral calculus involved in balancing goods must respect a final limit.”



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**Dubium Three:** *After “Amoris Laetitia” (n. 301) is it still possible to affirm that a person who habitually lives in contradiction to a commandment of God’s law, as for instance the one that prohibits adultery (cf. Mt 19:3-9), finds him or herself in an objective situation of grave habitual sin (cf. Pontifical Council for Legislative Texts, Declaration, June 24, 2000)?*

Benedict’s response: Yes. “A society without God – a society that does not know Him and treats Him as non-existent – is a society that loses its measure. . . .Western society is a society in which God is absent in the public sphere and has nothing left to offer it. And that is why it is a society in which the measure of humanity is increasingly lost. At individual points it becomes suddenly apparent that what is evil and destroys man has become a matter of course.”

**Dubium Four:** *After the affirmations of “Amoris Laetitia” (n. 302) on “circumstances which mitigate moral responsibility,” does one still need to regard as valid the teaching of St. John Paul II’s Encyclical “Veritatis Splendor” n. 81, based on Sacred Scripture and on the Tradition of the Church, according to which “circumstances or intentions can never transform an act intrinsically evil by virtue of its object into an act ‘subjectively’ good or defensible as a choice”?*

Benedict’s response: *Yes.* “There are goods that are never subject to trade-offs. There are values which must never be abandoned for a greater value and even surpass the preservation of physical life. . . .God is (about) more than mere physical survival. A life that would be bought by the denial of God, a life that is based on a final lie, is a non-life.”

**Dubium Five:** *After “Amoris Laetitia” (n. 303) does one still need to regard as valid the teaching of St. John Paul II’s encyclical “Veritatis Splendor” n. 56, based on Sacred Scripture and on the Tradition of the Church, that excludes a creative interpretation of the role of conscience and that emphasizes that conscience can never be authorized to legitimate exceptions to absolute moral norms that prohibit intrinsically evil acts by virtue of their object?*

Benedict’s response: *Yes.* “The crisis of morality. . .was chiefly the hypothesis that morality was to be exclusively determined by the purposes of human action that prevailed. . . .Consequently, there could no longer be anything that constituted an absolute good, any more than anything fundamentally evil; (there could be) only relative value judgements. There no longer was the (absolute good), but only the relatively better, contingent on the moment and on circumstances. . . .But there is a minimum set of morals which is indissolubly linked to the foundational principle of faith and which must be defended if faith is not to be reduced to a theory but rather to be recognized in its claim to concrete life. All this makes apparent just

how fundamentally the authority of the Church in matters of morality is called into question. Those who deny the Church a final teaching competence in this area force her to remain silent precisely where the boundary between truth and lies is at stake.”

Benedict’s response ends the deafening silence with regard to the fundamental questions of faith addressed by the *dubia*. He answers them, clearly and unequivocally. He knows the hour is late.

Benedict warns us that “the very faith of the Church” is being called into question. “It is very important to oppose the lies and half-truths of the devil with the whole truth: Yes, there is sin in the Church and evil. But even today there is the Holy Church, which is indestructible. . . .Today God also has His witnesses (*martyres*) in the world. We just have to be vigilant to see and hear them.”

**\*Photo:** Pope Emeritus Benedict XVI (with Archbishop Georg Gänswein) [Photo: Andrew Medichini/Associated Press]

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# KEEP READING BELOW



## ON CHARGING A POPE WITH HERESY

*If you are going to charge anybody (especially the pope) with heresy, you need to prove your case, and this letter doesn't.*

Jimmy Akin

There are multiple problems with the recent Open Letter to the Bishops of the Catholic Church that charges Pope Francis with heresy, but here we will focus on the core problem: the letter fails to sustain the charge of heresy.

This fault is likely due to the lack of familiarity that the 19 signatories have with the details of the concept.

A cursory review of the list of signatories indicates that none have doctorates in the relevant fields of canon law or sacred theology, though a few have licentiates (the equivalent of master's degrees).

None seem to be specialists in ecclesiology—the branch of theology that deals most directly with the Magisterium of the Church—and none seem to have published a book on the Magisterium and how it engages its infallibility.

From this perspective, some of the flaws in the letter may be understandable, but from another perspective, they are not. If you are going to charge *anybody* with heresy—but *especially* if you are going to charge a pope with it—you need to prove your case, and this letter doesn't.

## **What Heresy Is**

According to the *Code of Canon Law*, “heresy is the obstinate denial or obstinate doubt after the reception of baptism of some truth which is to be believed by divine and Catholic faith” (CIC 751; cf. CCC 2089).

For heresy to occur, the following conditions must be met:

1. The person committing it must be baptized
2. Afterward, he must refuse to believe (doubt or deny) a particular truth
3. He must do so obstinately
4. The truth in question must be one that is to be believed by “divine and Catholic faith”

## **What Divine and Catholic Faith Is**

“Divine and Catholic faith” is a term of art that is explained in the previous canon:

A person must believe with divine and Catholic faith all those things contained in the word of God, written or handed on, that is, in the one deposit of faith entrusted to the Church, and at the same time proposed as divinely revealed either by the solemn magisterium of the Church or by its ordinary and universal magisterium (CIC 750 §1).

This requires some unpacking, but for a truth to require divine and Catholic faith, the following conditions must be met:

1. It must be divinely revealed (i.e., be found in Scripture or Tradition)
2. The Magisterium must have proposed it *to be* divinely revealed
3. The Magisterium must have done so, either by (a) the solemn magisterium or (b) the ordinary and universal magisterium.

“The solemn magisterium” means an infallible definition issued either by a pope or an ecumenical council.

“The ordinary and universal magisterium” means an infallible exercise of teaching performed by the bishops in union with the pope, even though they are not gathered in an ecumenical council.

Consequently, a truth that requires divine and Catholic faith is a truth that, one way or another, the Magisterium has infallibly defined *to be divinely revealed*.

We have a name for such truths: *dogmas*.

## **What Dogma Is**

A dogma is a special kind of Church teaching. Any time the Church authoritatively teaches something, it is a doctrine (Latin, *doctrina* = “teaching”).

Within the set of doctrines is a smaller set of teachings that have been infallibly defined by the Magisterium. These are infallible doctrines.

Within the set of infallible doctrines is a smaller set that consists of those infallible teachings that the Magisterium has infallibly defined *to be divinely revealed*. These are the dogmas.

Note that just because something is infallible, that doesn’t make it a dogma. The Magisterium has to have infallibly said that it is divinely revealed for that to be the case.

The distinctions between these categories, as well as examples of doctrines that belong to them, are discussed in a 1998 commentary by Joseph Ratzinger and Tarcisio Bertone.

\_\_\_\_\_ They are also discussed, at length, in my book *Teaching With Authority: How to Cut Through Doctrinal Confusion & Understand What the Church Really Says*.

To give one example of how a doctrine can be infallible but not a dogma, Ratzinger and Bertone note that the Magisterium *has* infallibly defined that the priesthood can be conferred only on men, but it has not yet defined that this truth is divinely revealed.

Consequently, the reservation of the priesthood to men is an infallible doctrine but not a dogma—at least not yet.

### **Preliminary Consolidation**

Putting the above together, the following conditions need to be met to sustain a charge of heresy:

1. The person committing it must be baptized
2. Afterward, he must refuse to believe (doubt or deny) a particular truth
3. He must do so obstinately
4. The truth in question must be a dogma—that is, a truth the Magisterium has infallibly defined *to be divinely revealed*.

This is where the flaws in the Open Letter come in.

### **Failing to Demonstrate that Dogmas are Involved**

The Open Letter lists seven propositions that the signatories take to be heresies, or denials of dogmas.

To support each claim, they cite various biblical passages and Church documents.

The biblical passages are neither necessary nor sufficient to demonstrate a dogma. They are not necessary because a dogma can be based in Tradition rather than Scripture.

They are not sufficient because, at most, they show that a truth is found in divine revelation. They do not show that the Magisterium has infallibly defined it *to be divinely revealed*.

This means that, to demonstrate a dogma, we need to focus on the Church documents.

Unfortunately, many of the documents they cite are simply not relevant to this endeavor. Many do not contain any infallible definitions, and nobody has ever claimed that they do.

Others do contain infallible definitions, but it is not clear that they give rise to dogmas. Remember: To be a dogma, the Magisterium must infallibly define that a truth is *divinely revealed*, not just that it is true.

In some cases, the documents use language indicating infallibility (e.g., the word “anathema,” though one has to be careful about this word, as it is sometimes used without making a definition, see *Teaching With Authority* §§480-488).

But to create a dogma, the Magisterium needs to go further and, in some way, indicate that a truth is divinely revealed (e.g., by saying “is divinely revealed” in the case of a positive expression of dogma or by saying “is heretical” in the case of a doctrinal violation).

The signatories of the Open Letter make no attempt to do the needed work. They either do not quote the language used by Church documents or they do not argue that the language they do quote shows that a truth has been infallibly defined *as divinely revealed*.

Instead, they cite passages as if the sheer number of them proves their case, which it doesn't.

Indeed, it isn't even clear that the passages they cite mandate the specific propositions they have in mind.

This is sloppy. It may sound impressive to someone not familiar with this area, but it is simply inadequate to the task they are attempting.

### **Failure to Demonstrate the Allegation**

In addition to failing to demonstrate dogmas, the Open Letter also fails to demonstrate that Pope Francis obstinately doubts or denies dogmas.

One of the requirements for doing this is showing that his statements or actions *cannot* be understood in another sense.

If they can be understood consistently with dogma then the obligation of charity—and Pope Benedict's “hermeneutic of continuity”—requires that they be taken this way.

Many of the Open Letter's charges deal with the issue of divorce and civil remarriage, as discussed in the apostolic exhortation *Amoris*

*Laetitia*, but as Cardinal Gerhard Müller has shown, the relevant statements in this document can be understood in harmony with Church teaching.

You can't make a successful charge of heresy as long as this is the case.

Neither does the piling up of questionable staffing decisions—which the Open Letter does at length—prove the case. Staffing decisions are influenced by multiple factors, and you can't cherry pick the data to support a claim of heresy, especially when the person in question is on record supporting Church teaching (e.g., regarding homosexuality).

### **Summing Up**

The Open Letter has many other flaws, but its chief one is that it fails to make the case that the present pope is guilty of heresy. To do that, it would need to show the following:

1. The Magisterium has infallibly defined some *specific* truth
2. It has infallibly defined that this specific truth is *divinely revealed*, creating a dogma
3. The pope has been baptized (that's easy)
4. The pope's words or actions indicate that he refuses to believe the dogma
5. His words or actions cannot be understood in a way consistent with the dogma
6. He does so obstinately

If you can't do those things, then don't waste the public's time.

In particular, don't waste our time citing irrelevant documents that don't prove your point, and don't waste our time—as the signatories of the Open Letter do—with loopy charges regarding a pastoral staff that the pope has carried or a cross he has worn.

It's one thing to ask for clarifications, voice concerns or express disagreement, but making charges of heresy is another matter.

It's gravely reckless and irresponsible to charge anyone with an ecclesiastical crime as serious as heresy if you can't prove it, and it's even worse to do so with regard to the pope, given the scandal, confusion, and risk of individual schism that it will create for the faithful.