

# The Prudential Turn?

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Natural Law after  
*Veritatis Splendor* and *Amoris Laetitia*



By Diego Poole

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**THE PRUDENTIAL TURN? NATURAL LAW AFTER VERITATIS SPLENDOR  
AND AMORIS LAETITIA**

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By Diego Poole

Universidad Rey Juan Carlos (Madrid, SPAIN)

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### Abstract

The specific contribution of this paper lies in challenging the very opposition between moral norms and prudence on which much of the debate is commonly framed. It argues that prudence is neither an alternative nor an exception to natural law, but rather the way in which natural law becomes a concrete practical judgment. On this basis, the paper distinguishes between the prudential specification of affirmative precepts and the exceptionless character of negative precepts prohibiting intrinsically evil acts. It further suggests that the main difficulty posed by *Amoris Laetitia* lies in the ambiguous and confusing way in which its message is presented.

**Keywords:** Natural law; prudence; moral norms; conscience; intrinsically evil acts; *Veritatis Splendor*; *Amoris Laetitia*; objective immorality; subjective culpability; moral absolutes.

### Resumen

La aportación específica de este trabajo consiste en cuestionar la propia contraposición entre norma moral y prudencia sobre la que suele plantearse buena parte del debate. Se sostiene que la prudencia no constituye una alternativa ni una excepción a la ley natural, sino el modo en que esta se convierte en juicio práctico concreto. A partir de ahí, se distingue entre la determinación prudencial de los preceptos afirmativos y el carácter inderogable de los preceptos negativos que prohíben actos intrínsecamente malos. El trabajo sugiere además que la principal dificultad planteada por *Amoris Laetitia* reside en su modo ambiguo y confuso de presentar el mensaje.

**Palabras clave:** ley natural; prudencia; norma moral; conciencia; actos intrínsecamente malos; *Veritatis Splendor*; *Amoris Laetitia*; inmoralidad objetiva; culpabilidad subjetiva; absolutos morales.

## 1. Introduction

Many years ago, when I was explaining the concept of justice to my law students, at the end of class, just as I was about to leave the classroom, a young female student approached me and said something that has remained etched in my heart ever since: “The path that leads to Heaven is a heaven; and the path that leads to hell is a hell.”

Why do I say this? Because when we professors teach moral philosophy to people, we are not imposing any burden or heavy load on anyone, but simply helping them with what matters most: that their lives may be truly happy, both on this earth and in eternity.

The encyclical *Amoris Laetitia* (AL), like quite a few statements by the late Pope Francis, sometimes presents the image of the moralist as a rigid, legalistic man who places heavy burdens on others, without understanding or mercy. Expressions such as: «It is reductive simply to consider whether or not an individual’s actions correspond to a general law or rule» (AL 304), or this one: «a pastor cannot feel that it is enough simply to apply moral laws to those living in “irregular” situations, as if they were stones to throw at people’s lives» (AL 305), or this one: «I want to remind priests that the confessional must not be a torture chamber» (Evangelii Gaudium, 44). Statements like these, full of adjectives, not only weaken the argument but also predispose perhaps the less discerning reader to favor the Pope’s message, while turning those with even a minimal Christian education against it.

It is common for many people, when they hear about the natural law, to think of a standard of behavior imposed on human freedom. They fail to realize that the natural law is the expression—which may be oral or written—of the most appropriate means for human beings to attain the fullness of their form. Every human being naturally desires the fullness of their nature. This is the most fundamental desire and the root of every choice. Human freedom presupposes this natural desire for fulfillment, happiness, self-realization—or whatever one wishes to call it. And natural law is the expression of the means to achieve that end. Therefore, the natural moral law is not a force that limits freedom, but rather the expression or determination of the path to realize it in the best possible way. For this reason, whoever teaches the path of natural law teaches the path to freedom. And whoever distorts or conceals this law is limiting human possibilities, keeping man halfway between nothingness and being. It is not charity to minimize the demands of the law, but rather the exact opposite. It is as if a doctor, so as not to upset the patient, were to tell him that the harmful diet he is following is good for him and that he can continue with it. Something similar happens with those “moralists”—priests or professors—who, under the pretext of charity, do not speak the whole truth. Do we truly help people when we tell them they should not seek a cure for their illness? Or, worse still, do we help the sick person when we tell them that what they have is not an illness?

Leonardo Castellani poetically expressed this same idea:

“To a man who wishes to deceive himself,  
what punishment should we give?  
Let him deceive himself, my friend.  
There is no worse punishment.”<sup>1</sup>

I am a lawyer and a professor of philosophy of law. I am not a theologian. But I am a Christian, and I care deeply about what the Church says—not only for my own sake, but also because I am convinced that the Church is the light of the world and that, when this light dims, the world becomes dehumanized to the same extent. Cardinal Ratzinger said that the moral crisis in the West—which has spread throughout the world since the late 1960s—was a consequence of

<sup>1</sup> «A un hombre que se quiere engañar / ¿qué castigo le hemos de dar? / Pues dejar que se engañe, amigo. / No hay peor castigo». Leonardo Castellani, *Cristo y los fariseos* (Mendoza: Jauja, 1954), 9.

the spiritual crisis in the post-conciliar Church.<sup>2</sup> A crisis that has not yet been overcome and that even seems to have worsened during the pontificate of Pope Francis.

The title of my presentation today —“*The Prudential Turn? Natural Law after Veritatis Splendor and Amoris Laetitia*”— was not my choice. I chose the topic. The title was chosen by Professor Fulvio di Blasi, and I am very grateful to him for it, because it is a provocative title, more of a catchphrase. But do not think that I am going to argue here that *Amoris Laetitia* focuses on prudence, while *Veritatis Splendor* focuses on the norm. No, quite the opposite.

To me, it is evident that Pope Francis’s magisterium has been marked by ambiguity. A prime example of this is the Post-Synodal Apostolic Exhortation *Amoris Laetitia*, in which the language used is uncertain and ambiguous. This ambiguity has been exacerbated by the lack of a response to the *dubia* presented by four cardinals of the Curia regarding certain obscure points in this document

The fundamental theme of my presentation is to examine whether Pope Francis’s *Amoris Laetitia* contradicts the teachings of *Veritatis Splendor* regarding moral absolutes, and to consider to what extent the difficulties of a specific situation can make that situation morally acceptable if certain conditions are met. The primary and most frequent case is that of a married person who is cohabiting with someone other than their spouse.

In my view, the most ambiguous point in *Amoris Laetitia* is found in paragraph 303, where it states—and I quote verbatim—

«Yet conscience can do more than recognize that a given situation does not correspond objectively to the overall demands of the Gospel. It 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». (italics added)

To begin with, we might ask whether this rigid way of understanding morality, against which the Pope directs his criticism, is really so widespread. Is there truly a significant tendency in contemporary moral theology and pastoral practice to reduce morality to the mechanical application of general norms, with little or no attention to particular circumstances? Or could it be that a somewhat exaggerated picture of this approach is being constructed in order to justify a move in the opposite direction—one that risks disregarding the general norm altogether?<sup>3</sup>

To address the topic of my presentation, I will focus on the following five points:

1. The meaning of the moral norm
2. The meaning of intrinsically evil acts
3. Recalling the classic distinction between objective immorality and culpability
4. Recalling the role of prudence in relation to the law
5. Recalling the role of conscience in relation to the law

<sup>2</sup> Joseph Ratzinger and Vittorio Messori, *Informe sobre la fe*, trans. José Luis Legaza, Bartolomé Parera, and Gonzalo Haya (Madrid: Biblioteca de Autores Cristianos, 1985), 91–97; Joseph Ratzinger, *Una mirada a Europa: la Iglesia y la modernidad en la Europa de las revoluciones* (Madrid: Rialp, 1993), 197–200.

<sup>3</sup> On the “straw man” or “Aunt Sally” fallacy frequently employed by Pope Francis, see my post <https://www.infocatolica.com/?t=opinion&cod=48687>

## 2. What is a moral norm?

Some authors and the general public have presented a contrast between VS and AL as a contrast between law and prudence—between the rigor of the law and the understanding of prudence. But this simplification does not reflect the approach of AL, much less that of VS.

Moral norms—true moral norms—are formulations that express the necessity of the means for achieving the fullness of the human condition. The more necessary a means is for achieving an end, the more necessary and binding is the norm that expresses it. A norm can be formulated at various levels of generality: from the most universal norm—“You shall love God above all things and your neighbor as yourself”—to the most particular one, which describes in detail the specific circumstances of a given action. In both cases, the formulation of the norm is a matter of prudence. The purpose of the norm is the correctness of the action. The person who observes the norm does so not out of a love of duty or out of respect for the norm itself, but for the sake of the good toward which that norm directs us. The foundation of the obligation is not the will of the one who imposes the norm, but the good toward which the norm directs. Therefore, it is a mistake to posit an alternative between natural law and prudence, as if one had to choose between two opposites. Prudence is always involved in every measure of action. The end of every norm is action, and action is always particular. *Prudence is not an exception to natural law; it is natural law becoming practical judgment.*

If natural law expresses the means to achieve the fullness of the human form, it can do so in two ways: positively or negatively. Positively, by specifying the actions necessary or appropriate to achieve the end; and negatively, by specifying those actions that lead us away from it. Among the actions that lead us away from the end, there are some that are so harmful that they should never be performed under any circumstances. The norms that prohibit them admit of no exceptions—such as, for example, killing an innocent person, engaging in adultery, torturing another person, or unjustly taking what belongs to another.<sup>4</sup>

Since prudence is a virtue insofar as it enables us to choose promptly and easily the means that lead us to the end of our lives—an end established by God when He created us—and since natural law expresses the necessity of the means to achieve that end, prudence and the norm are mutually reinforcing: the norm strengthens prudence, and perfected prudence formulates the norms. Therefore, if prudence contradicts what natural law absolutely prohibits, it ceases to be prudence.

*Amoris Laetitia*, contrary to what it seems, does not introduce prudence into moral discourse as if it were something new. The necessity of prudence in the application of the norm is a fundamental issue in moral philosophy, one that has always been taught and which, of course, is also present in *Veritatis Splendor*. To say, therefore, that the novelty of *Amoris Laetitia* consists in introducing prudence into the application of the moral norm is simplistic.

## 3. Intrinsically evil acts

The most debated question is whether *Amoris Laetitia* accepts the traditional teaching that there are actions that are always immoral, without exception of any kind. Or, to put it another way, whether *Amoris Laetitia* still holds that there are absolute moral norms that prohibit intrinsically evil acts without exception. This was precisely one of the questions in the dubia, which, as is well known, the Pope declined to answer. But this is itself already a form of answer.

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<sup>4</sup> Aquinas expressly distinguishes between affirmative and negative precepts. Negative precepts bind always and at all times (*semper et ad semper*), whereas affirmative precepts bind always, but not at every moment (*semper, sed non ad semper*); see Thomas Aquinas, *De malo*, q. 7, a. 1, ad 8. He further explains that what is forbidden by a negative precept must never be done by anyone or in any manner, whereas what falls under an affirmative precept is not to be observed at every time and in every way, but only under the appropriate circumstances of persons, places, causes, and times; determining these circumstances belongs to prudence; see Thomas Aquinas, *Quaestiones disputatae de virtutibus*, q. 3, a. 1.

The confusion generated by *Amoris Laetitia* stems, among many other reasons, from the fact that when it invokes St. Thomas to discuss the indeterminacy of general principles—which require prudent application—it fails to distinguish between prohibitive norms regarding intrinsically evil acts (norms that admit of no exceptions) and positive norms that can be determined in a wide variety of ways.

But the confusion is compounded even further when no distinction is made between objective immorality and culpability. It is not the same to commit murder without being culpable—for example, due to an uncontrollable outburst of passion—as it is to kill another person without committing murder, for example, on the battlefield. The physical act may be the same, as may the absence of culpability, but in the first case, a crime has objectively been committed, and therefore every effort must be made to ensure it does not happen again; whereas in the second case, what was right has been done, and if necessary—and under the same conditions—the act of killing in combat would have to be carried out again.

*Veritatis Splendor* left no room for confusion. The negative precepts of natural law are binding *semper et pro semper*. That is to say, they admit of no exceptions. However, the VS also recognizes that general positive precepts, being determined by prudence in a specific case, may be formulated in the opposite sense. The classic example is the general obligation to return what has been lent, which would be formulated more precisely in the case of a lender who has subsequently gone mad: “One must not return the weapon lent to a lender who has gone mad and intends to kill with it.” Strictly speaking, this is not an exception to the general rule, but rather another, more specific rule. It is a matter of linguistic economy: general rules do not describe every possible case.

In short, prudence determines what should be done in particular circumstances with regard to positive precepts, but it cannot create an exception to the prohibition against an intrinsically evil act. In n. 52 of VS we read: “The negative precepts of the natural law are universally valid. They oblige each and every individual, always and in every circumstance.” And in n. 80 it is stated that acts that are *intrinsically evil* are evil “always and in themselves,” by reason of their object, regardless of ulterior intentions and circumstances.

When Aquinas says that practical reason becomes less determinate as it descends to particulars, he is referring to the prudential specification of general principles whose application depends on particular circumstances, but by no means to exceptions to the prohibition of intrinsically evil acts.

#### 4. Distinguishing between objective immorality and subjective culpability.

I’m not a big fan of slogans, because they often confuse more than they help, but I’m going to use one that is frequently employed in this regard. It is one thing to accept a “law of graduality” in moral demands, and quite another to accept a “graduality of the law”. In the first case, it is assumed that a person who finds themselves in a situation of objective immorality—for example, because they are living in a marital relationship with someone other than their spouse—can gradually rectify their situation as much as possible. It is quite another thing to maintain that the moral requirement itself varies depending on each person’s circumstances.

One might respond that, for practical purposes, it amounts to the same thing: if, due to various circumstances, the current situation is not morally imputable to the person in an irregular situation, how does it differ from a situation that, precisely because of those circumstances, is morally correct? The difference lies in the fact that, in the first case, one must do everything possible to overcome that situation, whereas in the second, provided the same circumstances exist, one must carry out that action. In the case of a person who is sexually involved with someone other than their spouse, even if it is difficult, they must strive to overcome that situation (by living together if necessary, but abstaining from sexual relations). In contrast, someone who has borrowed a weapon from someone who has since gone mad has a moral obligation not to return it. The lack of culpability for an objectively immoral action is not the same, therefore, as the

determination, in a specific case, of a moral action that contradicts the general formulation of the norm—in this case, returning what was borrowed.

Veritatis Splendor fully acknowledges that psychological factors or complex circumstances can diminish subjective culpability. What it denies is that such circumstances can alter the objective moral nature of an intrinsically evil act.

A typical—and, in my view, mistaken—way of framing the issue is as follows. Veritatis Splendor would be understood as asking: “Are there moral limits that no exercise of prudence can ever override?” Amoris Laetitia, by contrast, would be understood as asking: “How does a universal moral norm become a concrete judgment about what this particular person ought to do here and now?”

Why are these questions misguided? Because, as we saw at the beginning, they are based on a certain antagonism between norm and prudence, when in fact the norm is the fruit of prudence.

If that way of framing the issue strikes me as erroneous, it strikes me as even worse to frame the issue as a tension between law and mercy, or between doctrine and pastoral practice. And this dichotomy is false because, as we have seen before, *there is no greater mercy than the truth*.

Prudence is not mere conformity to a difficult situation. «Prudence,” St. Augustine said, “is the knowledge of the things we ought to desire or avoid». <sup>5</sup> Prudence is that disposition by which we are ready to choose those actions that lead us most appropriately to the ultimate end, so that we are not easily led astray by the pleasures and pains that might divert our actions from the ultimate end. Prudence deals with indeterminate means for achieving an end; that is, it deals with means that have no fixed rules, for if they did, it would be an art and not prudence. <sup>6</sup>

Prudence does not operate by reason alone, as art or science does, but also requires the rectitude of the will. That is why it is so difficult for a person accustomed to living in an immoral situation to understand the error of their own situation. In Spanish we often say: “If you don’t live as you think, you end up thinking as you live.” Hence, in the irregular marital situations we referred to earlier, the clarity and strength of the counselor are so important. «Caridad es claridad», we say in Spain.

## 5. Conscience is always binding, but even when it is binding, it can be mistaken

Everyone must follow their conscience. This is a basic truth of moral philosophy. However, based on this truth, moral law and conscience are sometimes unduly pitted against one another. Conscience can be poorly formed, and it may also be the case that the person is not responsible for that poor formation. At other times, they will be responsible, for having refused to receive a proper formation that was within their reach. But having a poorly formed conscience—even if it diminishes or, on occasion, excludes guilt—is not a good thing for anyone. Those who act in accordance with an erroneous conscience can cause great harm to others, even if they are not morally responsible for that harm.

Indeed, the lack of understanding of the social dimension of morality is one of the reasons why it is thought that an immoral action that is not culpable—because it is carried out with an

<sup>5</sup> St. Augustine, *De diversis quaestionibus octoginta tribus*, q. 61, 4.

<sup>6</sup> «Every application of right reason in the work of production belongs to art: but to prudence belongs only the application of right reason in matters of counsel, and such are those wherein there is no fixed way of obtaining the end, as stated in *Ethic.* iii, 3. Since then the speculative reason makes certain things, e.g. a syllogism, a proposition and the like, wherein the procedure follows certain and fixed rules, the notion of art is applicable to them, but not that of prudence. Hence we find a speculative art, but not a speculative prudence». Thomas Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province (New York: Benziger Bros., 1947), II-II, q. 47, a. 2, ad 3.

erroneous conscience—is equivalent to a moral action. This is clearly understood through a basic example: a murderer who does not know that he is doing wrong constitutes a danger to society and causes objective harm, even if, for whatever reason, he is not culpable for his action. Could it be that one of the reasons why it is so difficult to grasp the objective evil of a non-culpable immoral act is precisely the dominant individualistic mindset?

A person who feels no pain over the evil they commit is in a more serious situation than someone who is at least capable of feeling guilt. It is evident that the capacity to feel pain over the evil committed protects us, in much the same way that the capacity to feel physical pain protects us. Cardinal Ratzinger expresses this clearly:

“The feeling of guilt—the capacity to feel guilt—is an essential part of the human psyche. The feeling of guilt, which shatters the false tranquility of the conscience—and which can be called the ‘voice of conscience’ against self-indulgent existence—is as necessary a signal for human beings as physical pain, which alerts us to disruptions in normal vital functions.”<sup>7</sup>

After writing this, Ratzinger refers to Psalm 19:13: “*Who can discern their own errors? Cleanse me of those that are hidden from me.*” To which Ratzinger adds:

«The wisdom of the Old Testament takes a very different line from my professorial colleagues: the loss of the ability to see one’s guilt, the falling silent of conscience in so many areas, is a more dangerous illness of the soul than guilt that is recognized as guilt».

The parable of the tax collector and the Pharisee also illustrates this idea. The Pharisee was proud of his status; he did not consider himself a sinner, whereas the tax collector acknowledged his sin before God. And it was the tax collector who truly went away healed, while the Pharisee remained as he was—or even worse (cf. Lk 18:9–14).

St. Paul states very clearly that personal conscience is not the ultimate authority in moral matters:

“As for me, I care little whether I am judged by you or by any human court; I do not even judge myself. For even if my conscience does not accuse me, that does not mean I am justified; it is the Lord who judges me.” (1 Corinthians 4:3–4)

Every human being possesses an innate openness to the truth and, therefore, the possibility of conversion. St. Paul is particularly clear on this point. On the one hand, he affirms that what can be known about God is revealed to humanity through creation: “God’s invisible attributes—his eternal power and divine nature—have been clearly seen, being understood from what has been made” (Romans 1:20). On the other hand, he maintains that even those who have not received the Law possess a conscience capable of recognizing the difference between good and evil, because they show “the work of the Law written on their hearts,” to which their own conscience bears witness (Rom 2:15).

This means that moral error cannot be explained simply by the absence of explicit revelation or positive teaching. Human reason possesses a natural capacity to recognize certain fundamental truths about God, humanity, and the good. Precisely for this reason, we can speak of responsibility. Ignorance can diminish and even, in certain cases, eliminate subjective guilt; but

<sup>7</sup> The English translation is my own, based on the Spanish edition: Joseph Ratzinger, *Verdad, valores, y poder* (Madrid: Rialp, 2005), 51. The published English translation reads: «Görres points out that guilt feelings, or the ability to recognize one’s guilt, is an essential element of man’s psychological makeup. The guilt feeling that shatters a conscience’s false calm and the criticism made by my conscience of my self-satisfied existence are signals that we need just as much as we need the physical pain that lets us know that our normal vital functions have been disturbed». Joseph Ratzinger, *Values in a Time of Upheaval: Meeting the Challenges of the Future*, trans. Brian McNeil (San Francisco: Ignatius Press, 2006), 80

not all ignorance is innocent. There is also culpable ignorance, born of negligence, habit, passions, or even the resistance of the will to a truth that would require a change of life.

Human beings can close their eyes to the truth, but precisely because they are made to know it, they can open them again. That is why *Christian tradition never equates error with pure innocence*: alongside invincible error there is surmountable error, and alongside a blameless but mistaken conscience there is also a conscience distorted by past decisions.

One of the most serious errors in the moral philosophy of our time is the deification of conscience, as if it were the “final authority” on morality, when in fact conscience is the immediate authority, not the final one. I think that conscience is like a ship’s first-aid kit: one treats an urgent illness with whatever is available, because there are no other resources on board. Thus, each person judges the moral character of their own actions according to their conscience, because, at the moment of moral judgment—which is necessarily personal—there is no further judgment available by which to assess the truth of one’s own judgment.

But conscience is not always right. We have just seen what Ratzinger told us about the sense of pain. And this comparison is especially apt for our time, which is so characterized by relativism. Conscience functions somewhat like the sense of pain, which alerts us when something is not working properly in our body. If we were unable to feel physical pain, we would die at the slightest illness. But sometimes that capacity to feel pain is atrophied. Many quadriplegics die of pneumonia precisely because they do not cough or sneeze when a foreign agent enters their respiratory tract. Years ago, I read a news story about two children who felt no physical pain—at least not in their skin or muscles—and so their hands were tied, because they not only bit their nails but also their fingers. Pain protects us, precisely because it alerts us when something is *truly* harming us.

Well, something similar happens with conscience. By nature, we are oriented toward the good, toward the fulfillment of our own well-being and that of others, and this orientation develops to a greater or lesser degree. If our conscience is well-formed, when we act wrongly, it reacts with a “surge” of unease—which we call a pang of conscience—to warn us that we are harming ourselves. A well-formed conscience protects us. But it can become distorted, failing to warn us when we act wrongly, and then the conscience is not right. *A distorted conscience is precisely that: a judgment without reason*. That is why appealing to conscience as the ultimate authority on morality is a mistake.

About ten years ago, a media campaign was launched against me for having said in class that “violating the law of nature is self-harm.” Indeed, I’m still convinced of that, just like violating the law of respiration. Our body and the structure of our psyche are governed by certain laws that, if respected, allow us to live better: we cannot put just anything into our stomachs and remain unchanged; we cannot steal or lie and remain unchanged without our personality being altered. Whoever kills another person does not merely kill another person; they also kill something within their own personality, and that is why I say it is a form of self-harm. I do not quite understand how this can be denied, much less presented as “news.”

*Conscience is always binding, but it is not always right*. The Kantian idea that each person is the lawgiver of themselves is difficult to reconcile with the Christian conception of conscience. When St. Thomas asks how a person can be bound by their own conscience—since no one can be bound except by something superior to themselves—he answers as follows: a person bound by their conscience is not bound merely to themselves, but to the One by whose virtue they possess a conscience.<sup>8</sup>

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<sup>8</sup> Cf. Thomas Aquinas: *De Veritate*, q. 17, art. 3. Since conscience is the application of knowledge to action, and since the habit of the first practical principles is an impression of divine light within us, conscience is binding by virtue of the light imprinted within us. That is why the weight of conscience carries the same weight as that of the science it presupposes, whose principles are imprinted by God in man through the habit of the first practical principles or synderesis

## 6. Some conclusions

Some interpreters believe that *Amoris Laetitia* introduces a substantive change to the moral paradigm, particularly because of the way it presents conscience and exceptions to the general rule. Others argue that it elaborates on an aspect already present in tradition: the distinction between the objective wrongness of an act and the subjective culpability of the person who commits it.

On a charitable and conciliatory reading, one might say that *Veritatis Splendor* places greater emphasis on the objectivity of moral truth, particularly in response to subjectivism and consequentialism, whereas *Amoris Laetitia* places greater emphasis on the pastoral need to accompany people in irregular situations. From this perspective, the “prudential turn” of *Amoris Laetitia* need not be understood as a departure from natural law, as an affirmation of the absolute authority of individual conscience, or as a denial of the existence of intrinsically evil acts.

It is true that AL, due to its deliberate ambiguity and confusing language, could be interpreted in this way. It is even possible that Francis himself wanted it to be interpreted that way. But it is not a necessary interpretation. During Pope Francis’s pontificate, well-meaning people often qualified his statements and writings by always adding this caveat: “What the Pope really meant was that....” But as this explanation was repeated time and again throughout the years of his pontificate, one could not help but wonder whether what the Pope meant was not simply what he actually said. If not, why did he say it that way?

In education, there is a clear principle: if a rule is stated with all its nuances and exceptions, the message of the rule is diluted. If the rule and its exceptions are initially presented on the same level, the basic structure of the rule may be lost. In communication theory, this can be described as a problem of framing and message hierarchy. A norm may remain formally affirmed while being pragmatically weakened by the way it is presented. When the rule and its exceptions are placed on the same level—or the exceptions receive greater emphasis—and adherence to the rule is portrayed as rigid or even ridiculed, the hierarchy between rule and exception is reversed. The crucial question, therefore, is not only whether the norm is explicitly denied, but whether the framing of the message still allows the norm to function as a norm.

It is evident that *Amoris Laetitia* has reopened a debate that seemed to have already been resolved by VS. Following the publication of *Amoris Laetitia*, it did not take long for the most heterodox moralists to ground their rejection of moral absolutes in the Pope’s “magisterium.” For example, Maurizio Chiodi, a member of the Pontifical Academy for Life, argued in his 2017 lecture *Rileggere Humanae vitae (1968) a partire da Amoris laetitia (2016)* that there may be circumstances in which, precisely out of a sense of responsibility, it is morally required to resort to contraception. Similarly, authors such as Stephan Goertz, Antonio Autiero, and Eberhard Schockenhoff have advocated for a reinterpretation of the category of *intrinsece malum* in light of *Amoris Laetitia*.<sup>9</sup>

Perhaps this is why Germain Grisez and John Finnis, in their open letter to Pope Francis, expressed their concern about the consequences of AL. The problem is not only that some of the most difficult and frequent questions of conjugal morality are left without a clear answer, but that its ambiguity may end up providing reasons for continuing to act wrongly.<sup>10</sup>

<sup>9</sup> Stephan Goertz and Antonio Autiero, eds., *Amoris Laetitia: Wendepunkt für die Moraltheologie?* (Freiburg im Breisgau: Herder, 2016). The title itself is revealing: “*Amoris Laetitia: A Turning Point for Moral Theology?*”

<sup>10</sup> John Finnis and Germain Grisez, “The Misuse of *Amoris Laetitia* to Support Errors against the Catholic Faith: A Letter to the Supreme Pontiff Francis, to All Bishops in Communion with Him, and to the Rest of the Christian Faithful,” November 21, 2016, <http://www.twotlj.org/OW-MisuseAL.pdf>. And at this link, you can read a summary they wrote themselves: <https://firstthings.com/an-open-letter-to-pope-francis/>

I will conclude with a quote from Ratzinger that, in a way, expresses the harm that moralists can cause when, under the pretext of not complicating people's lives, they end up justifying their weaknesses.

«If conscience is reduced to the status of an exculpatory mechanism, rather than representing the transparency of the subject to reflect the divine, then the dignity and greatness of man are also diminished».<sup>11</sup>

Diego Poole

diego.poole@gmail.com

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<sup>11</sup> Joseph Ratzinger, *Verdad, valores y poder* (Madrid: Rialp, 2005), 55.