

## ARTICLE 35

### Legio Sanctae Familiae – The Legion of the Holy Family

#### Marriage a gift from God

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#### Marriage! The Prophet Continues

##### **The Bishops did not express disapproval of Contraception Legislation**

We are looking at the year 1978 when the Irish Bishops issued a total of three statements, none of which expressed disapproval of proposed legislation which would make the sale and importation of contraceptives legal in Ireland for the first time. We are also looking at the comments of one prophetic professor of moral theology and canon law in regard to those statements, particularly to the statement issued in April of that year.

Again I want to make it very clear that these articles are not simply about criticising bishops but we must also be very clear that our bishops, being human, can and do make mistakes, and if they cause confusion to the faithful in certain statements that they make, then there is an onus on other members of the faithful to speak out and to offer fraternal correction always in a spirit of charity.

The 1983 Code of Canon Law explains this as follows

##### **The Duty of the Laity to Speak Out**

Canon 212 §3 *“They [the faithful] have the right, indeed at times the duty, in keeping with their knowledge, competence and position, to manifest to the sacred Pastors their views on matters which concern the good of the Church. They have the right also to make their views known to others of Christ’s faithful, but in doing so they must always respect the integrity of faith and morals, show due reverence to the Pastors and take into account both the common good and the dignity of individuals.”*

My reason for quoting this particular professor is that he gives great insight into how those in authority should proceed in the governance of the Church and in their dealings with the state. The sad fact of the matter is that he felt compelled to go public because he saw that this sacred authority was not being properly used and that confusion was being caused amongst the faithful. His insights are as valid today as they were then and what he said then, needs to be said once again today.

One bishop spoke, after the release of their statement, of the ball being put firmly back in the governments court and was reported as saying that *“the Bishop’s view was that the Church did not need the State to bolster up its teaching”*. The professor, after noting the lack of seeming seriousness that could be inferred from the use of a sporting analogy in such a serious matter, then addresses what he calls the disturbing fact that this bishop and those who share his view have missed the whole point of what was involved in this particular issue.

##### **Masterful Elucidation of the Faith**

He masterfully points out that *“The fact is that the teaching in question is not just the Church’s teaching. It is the teaching of God Himself in his divine, natural law, which the Church merely declares — and must declare — with her God-given authority. It is not a question of whether the Church needs the State to bolster up its teaching, but whether the law of God, which is necessarily taught by the Church established by Christ, should at least not be contravened or its infringement authorised by the State, whose only authority also comes ultimately from God as the Church’s does.”*

If we read this statement in light of the fact that today, our government are once again proposing to contravene God's laws on marriage, it becomes clear that our bishops have a duty to tell the faithful that they cannot vote in favour of so called 'same-sex' marriage and remain in communion with Christ's Catholic Church because, to do so, would be to contravene the law of God.

### **Another Bishop's Erroneous Comment**

Another bishop was reported that August as saying that, with regard to contraceptive legislation, *“The decisive criterion to be applied in questions of this kind is not whether a particular practice is contrary to Catholic teaching, but whether the removal of legislation prohibiting it would be so harmful to public morality as to outweigh any advantages accruing from the greater freedom which would thereby be permitted to individuals”*

Once again this professor responded with a masterful exposition of Church teaching stating that with regard to the use of contraceptives *“the decisive criterion to be applied is, in fact, whether it is contrary to Catholic teaching, not, it is true, considered formally as Catholic teaching, but considered as teaching that declares the natural, moral law of God, which is necessarily taught by the one, true Church of Christ, whose prerogative and duty it is to declare and interpret the moral law of God,”* He then went on to deal with the criterion which the bishop had declared was correct and contradicted him saying,

### **The Correct Application of Church Teaching**

*“The speaker appears to be appealing here to a criterion which applies, not to an action that is morally wrong in itself, but to an action that is in itself morally neutral, that is one that may be morally good or morally bad, depending upon the circumstances.*

*But, in the matter being considered here, there is not question of a morally neutral action, that is, if we assume that here, as would appear, the speaker is talking of the availability of contraceptives (by way of sale, which is prohibited by civil legislation). There is question of the availability of contraceptives, whose essential use is necessarily for an action that is morally wrong in itself.*

### **Certain Actions are always Morally Wrong**

*When this Bishop speaks, therefore, of “any advantages accruing from the greater freedom which would thereby be permitted to individuals”, he is evidently contemplating “the greater freedom” to do morally wrong actions, and contemplating also “advantages” accruing from this greater freedom as the good effect of the removal of the legislation prohibiting the availability of these means of doing what is morally wrong.*

*Does the Bishop really consider that “the greater freedom” to do morally wrong actions would be a good effect? Does he consider that what would accrue from providing such freedom would be “advantages,” which could perhaps outweigh the harm to public morality resulting from the removal of the legislation in question?*

### **The Bishops seemed to proceed on a false understanding of the situation**

*Incidentally, is what here appears to be an application of a mistaken criterion merely a correct reflection of the application of the same criterion by the Bishops in their Statement, when they say in No. 4: “The law-maker has to consider the effects which new legislation in this area is likely to have. He must weigh the good against the bad. The good which a law may do must be set against the harm which it can do”?*

### **No Surprise as heretical professors formed the priests**

We should not be surprised to find that some of our bishops are applying mistaken moral criteria to certain situations given that the professors of moral theology, who espoused heretical views on contraception, were permitted to continue teaching and forming men for the priesthood, some of whom would eventually become bishops. We will leave this prophetic professor with what is perhaps his most important point. A question that even today, needs to be answered, if we are to begin a new evangelisation of the Irish people.

### **Why did the bishops not disapprove**

*“The question is: Why did the Bishops not express disapproval of any legislation? Either they approve or they disapprove of it. Presumably on this issue they cannot be credited with a blank mind, nor, we hope, with a divided one — notwithstanding a fairly common belief that some Irish Bishops favour unacceptable views concerning the Church’s teaching on contraception or its force.”*

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Author: John Lacken  
Founder: Legio Sanctae Familiae – The Legion of the Holy Family  
E-Mail: [john@truedevotions.ie](mailto:john@truedevotions.ie)  
Website: [www.truedevotions.ie](http://www.truedevotions.ie)