

Mercy and the Rule of Law: A Theological Interpretation of "Amoris Laetitia." Gerald J. Bednar. Collegeville, Minnesota: Liturgical, 2021. 212 pages. ISBN 978-0-8146-6655-5.

Gerald Bednar's *Mercy and the Rule of Law* helps Catholics think through the applications of *Amoris laetitia*, especially for the divorced and remarried. A central piece of his argument is that Catholicism articulates a Rule of Law (guided by truths divinely revealed or discovered by a community), not a Law of Rules (that the posited rules and statutes of a people fully and accurately express the law). He contends that popes and major Catholic thinkers embrace this Rule of Law, but there are many others employing a Law of Rules who are troubled by Pope Francis's *Amoris laetitia*. Bednar's book demonstrates both the orthodoxy and the pastoral wisdom in this apostolic exhortation.

A second important theme in this book is that mercy and the law are not in opposition in Christianity. Rather, Christian application of the law requires mercy. He states plainly, "Mercy is not an alternative to the law. It is a way of applying the law" (18). Too often Catholic leaders talk as though they need to choose between mercy and law. Bednar correctly claims that this approach demeans both mercy and law: "The choice is never between mercy and law. The choice is whether the law will be applied mercifully or harshly" (46).

Bednar devotes a chapter to responding to major theologians and scholars who have taken issue with aspects of *Amoris laetitia*, including the well-known "*Dubia*." He outlines the central pieces of each argument and, in a cogent and systematic way, shows where they fall short or simply misunderstand *Amoris laetitia*. Throughout his work, Bednar firmly roots Francis in two millennia of tradition: The Church has always managed the marital bond through the power of the keys and consistently with an eye to mercy. This book is valuable in its distinguishing between doctrine and the pastoral application of teaching, which may be a starting point of dialogue for those concerned with orthodoxy and doctrinal continuity in *Amoris laetitia*.

Two other notable strengths of the book are its attention to children and its use of cases. First, Bednar accurately identifies that the vast majority of Church discussion regarding the divorced and remarried is centered on the spousal relationship. *Mercy and the Rule of Law* includes this focus but offers an important corrective in also examining the well-being of children in these relationships, as well as the parent-child bond.

Second, his arguments are brought into lived, pastoral reality through the examination of cases. These cases, brief but vivid, illustrate couples caught in a variety of dilemmas who approach the Church for pastoral care. These dilemmas show that the remarried individuals are caught in a situation in which all choices result in morally bad outcomes. There are no morally good choices but only choices of greater or lesser evil. This bind, a bind that he shows is not new to the Church's ministry, warrants a merciful, pastoral approach.

To suggest a space for improvement in his analysis, I would have liked to see a different use of language when he discussed justice. Bednar clarifies when he first uses this term that US Americans have a distinct way of using *justice* that only partially aligns with what the term signals in Jesus's context. He goes on to say that, in the Scriptures, one sees that "American courtroom 'justice' takes a back seat to mercy" (30). However, if one understands justice in Catholic terms, justice and mercy would be integrated, not mutually opposed.¹ I would have liked to see him reclaim justice and weave this into his analysis (e.g., that mercy illuminates justice's application) rather than create a hierarchy against a more American understanding of the term.

However, this is a small point that does nothing to detract from the overall importance of the book. It would be an excellent book in a Catholic ethics course—graduate or undergraduate—for professors wanting students to think through the pastoral application of Church teaching. It should be high on the list of required reading for those seeking careers in ministry, both lay students and seminarians. This book would be helpful for Church leaders in thinking through their own implementation of *Amoris laetitia*, as well as their demonstration of the continuity of this document with Church teaching historically. Further, Bednar's thinking on the connection between mercy and law has implications for a wide variety of pastoral questions, far beyond simply the divorced and remarried that he focuses on for this book. In sum, this is an excellent book that I highly recommend for students, leaders, and scholars.

Maureen K. Day

Franciscan School of Theology, San Diego, California

¹ See, for example, *Catechism of the Catholic Church*, Holy See, § 2446, https://www.vatican.va/archive/ENG0015/_index.htm.