

# Debate without end

In our last issue we reported the Uniting Church's taking over of the NSW safe injecting room trial to be operated originally by the Sisters of Charity. As that issue appeared, commercial interests were criticising the location of the facility in a disused pinball parlour in the heart of Sydney's Kings Cross. They said it was spoiling "Australia's welcome mat for overseas tourists".

**Bruce DUNCAN** comments on continuing discussion, particularly in Melbourne, on the nature and status of the Vatican's ban on the Sisters operating the facility.

**D**ebate over the Vatican intervention in the safe-injecting room dispute has dismayed many, particularly because of exaggerated claims made for the authority of the Roman Church.

Writing recently in Melbourne's Catholic magazine *Kairos*, Dr Joseph Santamaria criticised Church authorities in Sydney for failing to veto the proposal. He claimed the Vatican had no alternative but to intervene against this "persisting 'heresy'" by the "alternative magisterium" inside the Church. He continued that the Roman decision "rouses the ire of the secularists, both inside and outside the Church".

To clarify,

\* the Vatican statement was not an uninvited Vatican intrusion into local affairs. Cardinal Ratzinger, head of the Vatican's Congregation for the Faith, was replying to a request by Sydney's Archbishop Cardinal Clancy. This reply did not come from the Pope, who may indeed have known nothing about it.

\* Cardinal Clancy was concerned that the proposal had become so contentious that he asked for Cardinal Ratzinger's opinion so that the Sydney Church would not be unnecessarily divided—not an unreasonable course of action, especially given he is due to retire as Archbishop shortly.

\* The view of the moral theologians advising the Sisters of Charity was that the safe-injecting room proposal did not involve "formal co-operation", ie it was not intended to promote the evil of drug addiction. On the contrary the project was designed to save lives and put in place counselling and other facilities to help people combat their addiction. Any co-operation was therefore, in the technical jargon, 'material', and hence not necessarily immoral.

\* Cardinal Ratzinger based his reply not so much on the danger of scandal locally, which he recognised the Sisters had done much to avert, but on the possibility of scandal internationally. More significantly, he recognised there were still strong arguments against the proposal.

\* He decided that it was "not practical" and that the Sisters of Charity should withdraw from the program.

As Cardinal Clancy pointed out, the Vatican said nothing about the moral principles but based its decision on practical

grounds.

In other words, Ratzinger made what is normally regarded as a "prudential decision", without denying that Roman Catholics in good faith could hold other points of view. His reply can be seen as a decision for 'good order'. It could perhaps be revised if the experiment with safe injecting rooms proves a success. In such matters, the Roman Church will tend to favour the safer course until innovative views become better accepted.

Even in the case of **papal** statements (which this decision was not), Ratzinger wrote in 1969 that "criticism will be possible and even necessary, to the degree that they lack support in Scripture and the Creed, that is, in the faith of the whole Church", and hence "a definitive decision is not possible. Were one formally to take place while conditions for such an act were lacking, the question would have to be raised concerning its legitimacy."

In complex social matters like this, the Roman Catholic Church does **not** claim to make decisions binding in faith. Indeed, the Vatican has often changed its position on such issues.

As Cardinal Clancy wrote in the Australian Catholic Bishops' 1992 document, *Common wealth for the common good*, in socio-economic matters Church teaching authority is invoked only for doctrinal principles. "Christians can differ from each other about the practical measures that need to be adopted."

This is clearly the case with the safe injecting rooms, though the Vatican directive that no Catholic agencies take part in the experiment, for the moment at least, still stands. If a stronger case can be made for the safe injecting rooms, conceivably Cardinal Ratzinger could change his assessment. It is for advocates of the proposal to advance a stronger case or await results of the experiment conducted by other agencies.

Meanwhile, spokespeople should take care not to make exaggerated claims for authority, lest those Catholics who conscientiously disagree with the decision, or the way it was made, feel they are being illegitimately coerced on grounds of religious obligation.

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