

***Samaritanus Bonus – A Letter about the end of life:  
its answers, and a few questions***

*The Congregation for the Doctrine of the Faith published on September 22, 2020 a document entitled “Letter SAMARITANUS BONUS on the care of persons in the critical and terminal phases of life.” According to the Prefect of the Congregation, this was needed in view of the introduction in many countries of regulations that favored euthanasia, assisted suicide, and advance directives of treatment, in the context of critical and terminal situations at the end of life.*

The document of the Congregation, in the literary genre of a “Letter,” consists of five chapters that I believe can be substantially grouped together in two blocks. The first consists of chs. I to III, and the second consists of the lengthiest chapter, ch. V. Ch. IV is a kind of bridge between the first block and the second. The entire document belongs in an interpretative horizon that permeates it and that is inspired by the paradigm of “care” (hence also the reference in the title to the Good Samaritan). This paradigm is contrasted, following an inspiration that has its origin in the teaching of Pope Francis, with a “throwaway culture.” This concept is employed to identify and evaluate the present-day tendencies present in much of the attitude that is taken to life, including the topic of the end of life that is the subject of this document.

*1. Care as a paradigm*

The choice of care as a paradigm gives the document a tone of empathetic closeness both to those who are in the critical and terminal stage of life and to those who accompany the phases of development and the final exit. This is how we should understand and appreciate the delicate and intense language in the first block of the document. The continuous references to the scene of the Good Samaritan express the double level of the positions that come to light here: the position of extreme fragility of the one who needs care, and the position of attentive helpfulness on the part of the one who reaches down to that person’s need and takes care of him or her. We could say that this outlines the dual significance of what today is usually called “vulnerability.” This is not only an indication of what is lacking, in terms of fragility and neediness; it is also a sign of what exists and of what ought to exist in the human heart, that is to say, the capacity to open one’s eyes to other people’s need, to let oneself be touched and wounded by the condition of need into which human existence so often falls. It is thus not only the unfortunate person who is vulnerable, because he is fragile; the Samaritan too is vulnerable, because he is touched by that person.

This dual significance of vulnerability, to which the philosophical-political culture of thinkers in recent decades has drawn our attention, allows us to understand the dimensions of

the problems of care, including care in the critical and terminal stage. Care is never solely a problem of the relationship between individual subjects, between the one who awaits a response and the other who is clothed in kindness when he accepts that person's request. The attitude and the exercise of care always take place in a context of wider networks that touch collective subjects (families, groups, experiences of belonging together) and societal subjects, whether spontaneous or institutional. To "take care" is ultimately a political, social, and cultural fact that also occurs via structures of legal ordinances, political choices, administrative institutions, and good individual and structural practices.

The document is very attentive to the foundational dimension of the attitude of care. Its first block elaborates a reflection, often in the tone of a good spiritual meditation, on the meaning of life, of illness, of disability, and of death. This teaching undoubtedly helps to provide inspiration on the levels of intention and good practice in the various professions that are involved in the world of health and of the care of health. But it can also help to generate in everyone (whether an actual or a potential subject who needs care) an attitude of acceptance of one's own condition as a creature exposed to fragility, to a boundary, to an end – but also aware of one's responsibility with regard to one's own life and to that of others. We find here a great matrix of thought across the centuries, in various connotations of language and culture, that has succeeded in developing those forms of the *ars moriendi* that not only recalled the ineluctable necessity of dying (*memento mori*), but also helped people to take seriously a kind of naturalness in dying, and that wanted to set people free, where possible, from an excessive and destructive anxiety. This was always contained within a style of participation by the family and societal network in the dying of the individual, who was thus relieved from the distress of loneliness in the final phase of life. In its first block, the document gives a powerful, stimulating, and constructive picture of all this.

## 2. *The ethical elaboration*

After the theological-spiritual elaboration of the first block, the Letter passes to the ethical elaboration of the second block. We note here a change of pace, both in the systematic development and in the use of language. The ethical approach comes into focus in the exposition of the normative responses to the individual situations that can arise. It is impossible to overlook the casuistic undertone of this block. This does indeed establish a direct correlation between the situation that is described and the ethical-normative answer that is declared, but it conspicuously neglects the consideration of the nuances that are born of the uniqueness and the complexity of concrete situations and life stories. There is little space in this second block for attention to the world of the subjects who are involved in the decision-making processes that draw near to the critical and terminal stage of life. The supreme concentration on the normative aspect, on the basis of ethical visions consolidated in the Church's magisterium that are set out again at great length in this block, removes from the perimeter of the moral question every reference that is not directly related to the act in its factuality and to the existing norm in its objective validity.

The discrepancy between the first and the second blocks is extremely obvious, and the reader wonders spontaneously what its roots might be. To understand the development is not

of secondary importance, nor does it mean a desire to be disparaging or hostile towards the consolidated ethical-normative tradition of the Catholic magisterium. It simply means taking responsibility for all the broad significance of the evaluative dynamic when one encounters ethical problematics. Fundamental moral theology surely teaches with sufficient clarity that this task is accomplished through recourse to the anthropological vision in its capacity to generate ethically relevant perspectives. These are not yet ready-made norms; nor are they any longer only theological-spiritual reflections. They are in the middle ground: they gather together, from the universe of philosophy or of religious faith, points of vision on the human being and on the world that give us inspiration and that accompany, by means of shared rational categories, the process of establishing the norms that are to be followed.

### 3. *The anthropological horizon*

In this document, this middle ground is represented by ch. IV and the references that it intends to emphasize. These, however, are reduced to the standard list of the “cultural obstacles that obscure the sacred character of every human life.” The intermezzo that this chapter was meant to provide does not get beyond the negative side of the medal of a culture that throws up obstacles and limits with the sole effect of obscuring the sacred value of life. The text has recourse to a diagnosis that takes appropriate routes (three of which are mentioned), but it does not supply a mirror of the cultural evolution that, especially in the modern age, has tended again and again to emphasize value-aspects of consciousness with regard to the perception of the value of life, of its quality, of the person’s ability to bear responsibility, of his or her relational openness, and ultimately (if we wish to use this word!) of his or her sacrality. The outcome of this intermezzo is an anthropology (let me repeat it) that has more than merely a rhetorical value. It touches the substance of moral discursiveness. It has a negative imprint and rotates solely around the points of fragility in what one goes to see in the anthropological vision of the modern age.

The concentration on this section generates a pessimistic, suspicious anthropological vision that raises red flags. It is in keeping with the convergence, here and there, both inside and outside the Church, of a radical critique of modernity that does not acknowledge the anthropological consciousness that modernity has brought to maturity and has established as a program of possibility for the human being and for his future in a complex world. By associating itself with this kind of group of censors of modernity, the document risks losing the chance to be taken into consideration – both inside and outside the Church – by those who accept the effort of thinking in a critical and responsible manner about the complex anthropological horizon within which we live.

### 4. *A misunderstood modernity*

It is, however, possible that while *Samaritanus Bonus* speaks about the conditionings undergone by contemporary culture, which lead it to obscure the sacred character of life, the document itself yields (perhaps inadvertently) to the conditionings of the diagnosis it elaborates. It is precisely on crucial topics such as the sacrality or quality of life, the autonomy of the patient, the therapeutic alliance, medical paternalism, and the legal regulation of the end of life, that the intense debate in recent decades has inculcated a discursive-

dialogical attitude that is much broader than the baleful dark colors of an anthropology of disaster and of profit.

The paths taken by the recognition of the rights of disadvantaged persons, the education for professional work and voluntary practices in the context of responsibility, the demand that institutional services be implemented to ensure the necessary care – all these are factors that enrich an image of the human being who is not only the predator of life (one's own and that of other people), but is also the gardener who takes care of life in order to accompany its burgeoning, its flourishing, and its ending. The document lacks this kind of anthropological mediation, and it becomes all the more relevant to point this out, when we bear in mind that the anthropological vision of the biblical horizon and of the theological tradition is an immense resource of meaning in this sense. And how is it possible that the vulnerable God whose loving kindness in caring for the wounds of his creation is so prominent – and rightly so – in the first block of the document becomes in the second block exclusively the God who is a legislator and a moral judge? And is God no longer able to recognize in the human being who is the work of his hands the one to whom he has entrusted life and the universe in order that it might flourish in its every crevice? Can he see in the human being only the subject who obeys his unappealable will? These are serious questions. They have both an anthropological and a theological character. The acceptance of their importance could have opened up a much wider space for the document and enabled a better harmonization of its two blocks.

##### *5. A more attentive look*

It is obvious that the defensive and ultimately apologetic spirit of the document has shifted the weight of the systematic and discursive development towards the second part. And the intention of providing directions in view of the legal-normative regulations that have been promulgated in some countries in recent years risks being less effective, given the scanty awareness of what such regulations actually wanted to achieve: namely, to protect the interests of weak persons who are incapable of expressing themselves, and to decriminalize persons who accompany in a functional manner the final decision of the competent person, etc.

One must also ask whether the contrast between the law of God and the laws of the state, without any nuance about the analogical employment of these two terms, helps to generate a greater awareness. Does it not rather lead to the formation of opposing lines of battle? And one must ask whether the true and specific objective of the directives formulated by the Congregation for the Doctrine of the Faith is not the rigor of ecclesiastical discipline (the refusal to allow some critical institutions to continue to define themselves as “Catholic”). This ultimately marginalizes all the theological, spiritual, and relational riches of the discourse on care and on its paradigm that is so well articulated in the first three chapters of the Letter.

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