

Pope cautions tribunals against granting annulments too easily

VATICAN CITY – Granting marriage annulments too easily and without real cause plays into a modern form of pessimism that basically says human beings are not able to make lifelong commitments to loving another person, Pope Benedict XVI said.

“We run the risk of falling into an anthropological pessimism which, in the light of today’s cultural situation, considers it almost impossible to marry,” the pope said in a speech Jan. 29 to members of the Tribunal of the Roman Rota.

The tribunal mainly deals with appeals filed in marriage annulment cases.

Pope Benedict said there is still a need to deal with a problem Pope John Paul II pointed out in a 1987 speech to the Roman Rota, that of saving the church community from “the scandal of seeing the value of Christian marriage destroyed in practice by the exaggerated and almost automatic multiplication of declarations of nullity.”

Pope Benedict said he agreed with Pope John Paul that too often members of church tribunals see a failed marriage and grant the annulment on the basis of an ill-defined case of “immaturity or psychic weakness.”

According to canon law, the validity of a marriage requires that both the man and woman freely and publicly consent to the union and that they have the psychological capacity to assume the obligations of marriage.

Pope Benedict said tribunal judges must remember there is a difference between the full maturity and understanding that people should strive to develop over time and “canonical maturity, which is the minimum point of departure for the validity of a marriage.”

In addition, he said, granting an annulment on the basis of the “psychic incapacity” of the husband or wife requires that the tribunal establish and document the fact that the person had a serious psychological or psychiatric problem at the time the

wedding was celebrated.

In defending the permanent and sacramental nature of marriage, tribunals are not making life difficult for couples that want to split up, the pope said.

Defending the marriage bond gives witness to the fact that the ability to love and to pledge oneself to another forever is part of human nature, he said.

The church's insistence that it is possible for the vast majority of people to make a lasting commitment to marriage can help couples "discover the natural reality of marriage and the importance it has in the plan of salvation," Pope Benedict said.

It is true that human nature is limited and imperfect, but that does not mean that people, "exercising human freedom supported by grace," cannot make a commitment to loving each other and raising a family together, he said.