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On annulments, pope warns of 'pseudo-pastoral claims'

Cindy Wooden Catholic News Service | Jan. 29, 2010

VATICAN CITY -- True pastoral charity and concern can never lead the church to grant an annulment to a Catholic whose marriage is valid according to church law, Pope Benedict XVI said.

"One must shun pseudo-pastoral claims" that look only at the desire of divorced Catholics to return to the sacraments, the pope said Jan. 29 in his annual speech to officials of the Roman Rota, a tribunal that mainly deals with appeals filed in marriage annulment cases.

The pope said helping Catholics be able to go to confession and receive the Eucharist is important, but it cannot be done without taking into account the truth about their church marriage.

The church cannot act charitably toward its faithful without upholding justice and truth, he said.

Charity without justice is "only a forgery because charity requires that objectivity that is typical of justice and which must not be confused with inhumane coldness," the pope said.

For the Catholic Church, he said, a marriage celebrated with the full consent of the couple and following the correct form is always presumed to be valid, and a valid marriage is indissoluble.

Pastors and those who work in church tribunals must beware of "the widespread and deeply rooted tendency" to see justice and charity as totally competing values, the pope said.

Within the church, he said, the idea leads some to think that "pastoral charity could justify any step" taken to grant an annulment for a couple who wants to return to the sacraments.

Defending the permanent bond of a valid marriage is a matter of both justice and love, he said, because it is designed to protect the human and spiritual good of the couple and "the public good of the church," which teaches that marriage is forever and does not use annulments as a sort of church-sanctioned divorce.

"It would be a fictitious good, and a serious lack of justice, to nevertheless smooth the way toward their reception of the sacraments," the pope said

Pope Benedict told members of the Roman Rota that those who work on church marriage tribunals must cultivate the virtues of prudence and justice, but especially the virtue of fortitude, especially "when the unjust way appears easier to follow because it means condescending to the desires and hopes of the couple."

"Both justice and charity require love for the truth and essentially lead to a search for the truth," he said.

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