# LATEST EXPOSED SCANDAL IN OUR DIOCESE THAT REQUIRES ACTION

# ATTACK ON CHRISTIAN MARRIAGE AND THE MAGISTERIUM BY THE CLEVELAND DIOCESE

Documented with the following <u>OPEN LETTERS</u> to BISHOP ANTHONY M. PILLA, ARCHBISHOP GABRIEL MONTALVO and to GAYLE CILIMBURG, Pastoral Associate St. Christopher Church and Coordinator Catholic Divorce Recovery for the Diocese of Cleveland.

Literature used in the Diocese stripes away any real meaning for the Sacramental Vow in Marriage, promotes dissent toward authoritative Church teaching, promotes divorce over the preservation of marriage and injustice toward the conscientious party:

- 1. The recommended resources by this Diocese, the North American Conference for Separated or Divorced Catholics (NACSDC), makes oblique references to church law, that one *used to* need permission before obtaining a divorces.
- 2. "How the Church views divorce" article from NACSDC's publication "Jacob's Well Professional Newsletter" makes no reference to any church teaching, other than one thirteen word excerpt from Pope John Paul II.
- 3. This literature promotes subconscious psychological reasons for invalidating marriages.
- 4. This literature suggests it is acceptable to make choices with no consideration of church teaching.
- 5. The Diocese recommends NACSDC which encourages dissent from authoritative church teachings.
- 6. The Diocese recommends NACSDC, which proposes a "new perspective on being the church versus obeying the church."
- 7. The Diocese recommends NACSDC which intimates the church condones divorce with no exception.
- 8. Approved literature states "don't judge", and omits the obligation to defend justice, which includes fraternal correction.
- 9. The Cleveland Diocese works in cooperation with NADSDC, which promotes the diocese seminars.

March 10, 2004

Archbishop Gabriel Montalvo Apostolic Nuncio to United States of America 3339 Massachusetts Avenue, NW Washington, DC 20008 (202) 333-7121

Most Reverend Gabriel Montalvo,

On behalf of local parishioners we are submitting to you the following documentation of serious dissent from Catholic faith being disseminated in the Cleveland Diocese some of which has the imprimatur of Bishop Anthony M. Pilla.

Sincerely yours,
David J. Webster
Save Our Church, P.O. Box 1404, Medina, OH 44258, <a href="mailto:dwebster@saveourchurch.org">dwebster@saveourchurch.org</a>

E-mail attachments of this entire document and letters requesting response have been sent to Bishop Anthony M. Pilla: <a href="mailto:bishop@dioceseofcleveland.org">bishop@dioceseofcleveland.org</a> and Gayle Cilimburg: <a href="mailto:gcilimburg@yahoo.com">gcilimburg@yahoo.com</a>

March 10, 2004 Bishop Anthony M. Pilla 1027 Superior Ave Cleveland, OH 44114-2560 info@dioceseofcleveland.org

Your Excellency:

We are writing to advise you of our concerns about the information distributed and recommended by the Coordinator of Catholic Divorce Recovery regarding divorce, separation and annulment. Please see the attached outline sent to Gayle Cilimburg (Pastoral Associate at St. Christopher Parish,) in which we describe our observations and questions.

Of particular concern are the apparent inconsistencies between the Dioceses' publications and those from our sacred Pastors at the Vatican. We would sincerely appreciate any help you could provide in clarifying the meaning of certain excerpts from the Catechism, canon law, the Pontifical Council for the Family, the Congregation for the Clergy, Vatican II, and from our Pope's teachings, which are all quoted in the message to Gayle Cilimburg.

- 1) If there is not an immediate danger, does canon 1153 §1 require one to get the approval from the local ordinary or ecclesiastical authority before separating from one's spouse? Who is this local ordinary or ecclesiastical authority? (1153 §1. If either of the spouses causes grave mental or physical danger to the other spouse or to the offspring or otherwise renders common life too difficult, that spouse gives the other a legitimate cause for leaving, either by decree of the local ordinary or even on his or her own authority if there is danger in delay.)
- 2) What does canon 1153 §1 mean by the term too difficult, or according to another translation, the term unduly difficult?
- 3) According to the Catholic Church, if living with one's spouse does not threaten the souls or bodies of family members, does one have the right to get separated because one concludes (either independently or with the counsel from a local ordinary or ecclesiastical authority) that marriage is too hard when either of the spouses loses the feeling of love for the other, feels bored, disagrees on issues, has trouble communicating, wants to be with a new partner, doesn't experience the communion of life which they had

expected, wants to believe the marriage is irretrievably broken down, disagrees on how to raise the kids, is tired of one's dull spouse or overactive spouse, is selfish, tired of one's passive spouse or controlling spouse, feels the one isn't being affirmed enough, or doesn't have an exciting enough sex life, and other such reasons?

- 4) Could it be a grave sin to move out of one's home, or force one's spouse to move out of the family home? If this could be a grave sin, under what circumstance would this occur?
- 5) Could it be a grave sin to seek or obtain a divorce from one's spouse? If this could be a grave sin, under what circumstances?
- 6) Do you know anything about the North American Conference for Separated or Divorced Catholics NADCSC or the authors they recommend, Fr. Henry Fehren, and William J. Bausch? Are they reliable sources for trustworthy Catholic information regarding divorce, annulments, and the obligations of Catholics?

Besides those specific questions, we have other concerns and as Bishop we hope you can offer us some insight or direction.

As we understanding it, the Church has taught about divorce: 1) For the child, his/her parents' divorce will be the most important and painful event in the years of his growth, the event that affects him/her most deeply. 2) Divorce is immoral because it introduces disorder into the family and into society. This disorder introduced by divorce brings grave harm to children traumatized by the separation of their parents, and often torn between them. 3) Children have the right to be loved, accepted and educated in a family. Parents are the ones who must create a family atmosphere animated by love and respect for God and man, in which the well-rounded personal and social education of children is fostered. Hence the family is the first school of the social virtues (and of the richest form of humanism) that every society needs. (Sources cited below)

When one spouse wants to get divorced, believes he has the right to get divorced, and thinks he is a likely candidate for annulment, and the other spouse desperately wants to keep the family together, the 'rights' of the first spouse are opposed to the 'rights' of the other spouse and children. Fifty years ago, the spirit of the civil divorce laws was similar to the spirit of canon 1153.1; no one could get divorced without proving the other spouse had done something wrong. The present civil laws allow one spouse to force divorce for any reason or no reason, and offer no protection to a spouse and children who are unjustly abandoned. According to the canon 1151, "Spouses have the obligation and the right to maintain their common conjugal life, unless a lawful reason excuses them." However, from a 'modern' perspective, any Catholic's divorce seems morally justified because virtually every marriage could be nullified if one party requested it. After divorce, the spouse who desperately wanted to keep the family together is placed the horrible position of not living with one's spouse and having no recourse, while church pastors, staff, and volunteers advise him/her not to be certain there ever was a valid sacramental marriage. In our opinion, the policy of only requiring annulment investigations before second marriages favors the "rights" of the person wanting the divorce over the rights of the abandoned spouse and children. Why isn't the church telling the spouse who wants to divorce that the marriage is most likely valid? Why isn't the church insisting the couple get the help needed to strengthen their troubled marriage?

With the present system, we fear great scandal is being caused to children in divorced families. The church appears to say to these children, "Your divorcing parent has done nothing wrong, and we can't know if your parents even had a valid marriage until we let the local tribunal look for sophisticated latent psychological conditions, which will only occur if your Daddy or Mommy wants to marry a new person." What a horrible thing to say to a child about the sacrament of marriage! We fear these children and their unjustly abandoned parent's hearts are being broken, their families are being torn apart, their trust in the church is being threatened, and we wonder if the church's current procedures for applying its own law regarding separation, divorce and annulment enable these tragedies.

Pope Leo XIII's Encyclical, ARCANUM (On Christian Marriage) states, "Marriage has God for its Author... it ought not to be regulated and administered by the will of civil rulers... it is plainly absurd to maintain that even the very smallest fraction of such power has been transferred to the civil ruler. Let no one, then, be deceived by the distinction which some civil jurists have so strongly insisted upon - the distinction, namely, by virtue of which they sever the matrimonial contract from the sacrament, with intent to hand over the contract to the power and will of the rulers of the State... A distinction, or rather severance, of

this kind cannot be approved; " (4) Supporting legal separation and civil divorce, without asking couples to seek annulment appears to sever the civil contract from the sacramental obligations and rights. Could the church enforce canon 1153.1 and require ecclesiastical approval for all Catholics who get separated, and require that couples have an annulment before they get separated or divorced?

If you have any wisdom to offer which would explain the existing church's annulment procedures in light of our reflections, the encyclical Arcanum, and canon law, we would appreciate it. We look forward to your reply.

May God give you peace, zeal, strength, courage, and wisdom as you execute your responsibilities as Bishop. Please send your response to David J. Webster, Save Our Church, P.O. Box 1404, Medina, OH 44258 who has organized this correspondence and is representing us.

#### Sincerely.

Concerned parishioners of yours of the Cleveland Diocese

cc: Archbishop Gabriel Montalvo, Apostolic Nuncio to United States of America

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#### Footnotes:

- (1) Conclusions of the 15th Plenary Assembly of the Pontifical Council for the Family. Rome, 17-19 October 2002, Section III Consequences of divorce on children.

  <a href="http://www.vatican.va/roman\_curia/pontifical\_councils/family/documents/">http://www.vatican.va/roman\_curia/pontifical\_councils/family/documents/</a>
  rc pc family doc 20021019 xv-plenary-conclusions en.html
- (2) "Children, Springtime of the Family and Society", Pontifical Council for the Family, Jubilee of Families, Themes for Reflection and Dialogue in Preparation for the Third World Meeting of the Holy Father with Families, Rome, October 14-15, 2000, Section 9, Children, Orphans of Living Parents, Grave problems for children. <a href="http://www.vatican.va/roman\_curia/pontifical\_councils/family/documents/">http://www.vatican.va/roman\_curia/pontifical\_councils/family/documents/</a> rc\_pc\_family\_doc\_20001014\_rome-jubilee-of-families-preparatory- texts\_en.html
- (3) Ibid., Section 10, The Right of Children to Be Loved, Accepted and Educated in a Family, The school of humanity.
- (4) Pope Leo XIII, Arcanum (On Christian Marriage), February 10, 1880, Section 19,20,23 <a href="http://www.ewtn.com/library/ENCYC/L13CMR.HTM">http://www.ewtn.com/library/ENCYC/L13CMR.HTM</a>

March 10, 2004
Gayle Cilimburg
Pastoral Associate St. Christopher Church,
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Dear Gayle,

We have some observations and questions about the information you distribute and promote. Ten items are listed below and each item has a title, an observation, quotes from your sources, quotes from church teaching, and possible interpretations with questions.

We look forward to learning your answers to our questions. Please send your response to David J. Webster, Save Our Church, P.O. Box 1404, Medina, Oh 44258 who is mediating this correspondence.

#### Sincerely.

Concerned members of parishes in the Cleveland Diocese

cc: Bishop Anthony M. Pilla, Archbishop of Chicago

cc: Archbishop Gabriel Montalvo, Apostolic Nuncio to United States of America

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## 1. CANON 1153.1

1a. Your recommended resources, North American Conference for Separated or Divorced Catholics (NACSDC), makes oblique references to church law, that one used to need permission before obtaining a divorce.

#### 1b. Your literature states,

A recommended resource for information is NACSDC, North American Conference for Separated or Divorced Catholics. You distribute NACSDC's Resource Catalog, and link to them from your website. (http://www.clevelandcatholiccharities.org/mfm/divorce.htm) NACSDS's website states,

"Although it has been commonly assumed that the Catholic Church does not allow or condone divorce, this is not actually the case. For many years, the Church required the faithful who wanted a divorce to obtain permission from Church authorities. What the Church has always taught, however, is that a civil divorce does not render the marriage bond nonexistent. ... If you are divorced and not remarried there are no penalties."

(http://www.nacsdc.org/aware/aware01.html)

# 1c. Church teaching states,

Canon 1141. A marriage which is ratified and consummated cannot be dissolved by any human power or by any cause other than death.

1151. Spouses have the obligation and the right to maintain their common conjugal life, unless a lawful reason excuses them.

1153 §1. If either of the spouses causes grave mental or physical danger to the other spouse or to the offspring or otherwise renders common life too difficult, that spouse gives the other a legitimate cause for leaving, either by decree of the local ordinary or even on his or her own authority if there is danger in delay.

1153 §2. In all cases, when the cause for the separation ceases, conjugal living must be restored unless ecclesiastical authority has established otherwise.

## 1d. Possible interpretations

By omitting the requirement in canon 1153.1 to obtain permission for separation from the local ordinary or ecclesiastical authority, someone could conclude if they feel their marriage is too hard for any reason, then is natural and good to separate from one's spouse, without checking with any church authority first. These reasons could be anything: losing the feeling of love for the other, getting on each other's nerves, feeling bored, disagreeing on issues, having trouble communicating, wanting to be with a new partner, not experiencing the communion of life which one had expected, disagreeing on how to raise the kids, being tired of their dull spouse or overactive spouse, being tired of their passive spouse or controlling spouse, feeling they aren't being affirmed enough, or not have an exciting enough sex life, or other such reasons.

As Coordinator of the Catholic Divorce Recovery Ministry, we'd assume that you would want to clarify any incomplete information which might support peoples' decision to get divorced for reasons that aren't morally justified. Will you please consider providing some moral guidelines on your literature or website explaining the Church's understanding of the term "too hard," and explain the role of the local ordinary and appropriate ecclesiastical authority.

#### 2. CATECHISM 2382 ABSENT

2a. "How the Church views divorce" article from NACSDC's publication "Jacob's Well Professional Newsletter" makes no reference to any church teaching, other than one thirteen word excerpt from Pope John Paul II.

- 2b. Your literature states, in the "How the Church views divorce" article, "Divorce is one of the many bad things that can happen to good people. ..."A divorced Catholic woman told me, 'Most people don't want a divorce. Unfortunately, they just don't have the skills to stay married.' ...
- " 'Various reasons can unfortunately lead to the often irreparable breakdown of valid marriages,' Pope John Paul II wrote in his 1981 message on the family...
- "A first step for parish members and leaders is to acknowledge the existence of divorced Catholics in their midst and make them feel included in the life of the community." (Winter 1996, "How the Church Views Divorce," Jacob's Well Professional Newsletter, published by North American Conference for Separated or Divorced Catholics (NACSDC)

#### 2c(i) Church teaching states,

CCC 2382. The Lord Jesus insisted on the original intention of the Creator who willed that marriage be indissoluble. He abrogates the accommodations that had slipped into the old Law. Between the baptized, "a ratified and consummated marriage cannot be dissolved by any human power or for any reason other than death."

2383. The separation of spouses while maintaining the marriage bond can be legitimate in certain cases provided for by canon law. Cf. CIC, canon. 1151-1155. If civil divorce remains the only possible way of ensuring certain legal rights, the care of the children, or the protection of inheritance, it can be tolerated and does not constitute a moral offense.

2384. Divorce is a grave offense against the natural law. It claims to break the contract, to which the spouses freely consented, to live with each other till death. Divorce does injury to the covenant of salvation, of which sacramental marriage is the sign. Contracting a new union, even if it is recognized by civil law, adds to the gravity of the rupture: the remarried spouse is then in a situation of public and permanent adultery: If a husband, separated from his wife, approaches another woman, he is an adulterer because he makes that woman commit adultery, and the woman who lives with him is an adulteress, because she has drawn another's husband to herself.

2386. It can happen that one of the spouses is the innocent victim of a divorce decreed by civil law; this spouse therefore has not contravened the moral law. There is a considerable difference between a spouse who has sincerely tried to be faithful to the sacrament of marriage and is unjustly abandoned, and one who through his own grave fault destroys a canonically valid marriage.

- 2c(ii) Church teaching states, Canon 1060. Marriage enjoys the favor of law. Consequently, in doubt the validity of a marriage must be upheld until the contrary is proven.
- 2c(iii) Church teaching states, CCC 2385. Divorce is immoral also because it introduces disorder into the family and into society. This disorder brings grave harm to the deserted spouse, to children traumatized by the separation of their parents and often torn between them, and because of its contagious effect, which makes it truly a plague on society.
- 2c(iv) Church teaching states, from Pontifical Council for the Family; What is needed then is for human societies, and the families who live within them, often in a context of struggle between the civilization of love and its opposites, to seek their solid foundation in a correct vision of man and of everything which determines the full "realization" of his humanity. Opposed to the civilization of love is certainly the phenomenon of so-called "free love"; this is particularly dangerous because it is usually suggested as a way of following one's "real" feelings, but it is in fact destructive of love. How many families have been ruined because of "free love"! To follow in every instance a "real" emotional impulse by invoking a love "liberated" from all conditionings, means nothing more than to make the individual a slave to those human instincts which Saint Thomas calls "passions of the soul". "Free love" exploits human weaknesses; it gives them a certain "veneer" of respectability with the help of seduction and the blessing of public opinion. In this way there is an attempt to "soothe" consciences by creating a "moral alibi". But not all of the consequences are taken into consideration, especially when the ones who end up paying are, apart from the other spouse, the children, deprived of a father or mother and condemned to be in fact orphans of living parents.

Being rooted in the personal and total self-giving of the couple, and being required by the good of the children, the indissolubility of marriage finds its ultimate truth in the plan that God has manifested in His revelation: He wills and He communicates the indissolubility of marriage as a fruit, a sign and a requirement of the absolutely faithful love that God has for man and that the Lord Jesus has for the Church.

(Pontifical Council for the Family, Jubilee of Families, October 14-15, 2000, Themes for reflection and dialogue in preparation for the third world meeting of the Holy Father with families, "Children, Springtime of the Family and Society", item 9 "Children, Orphans of Living Parents"; http://www.vatican.va/roman\_curia/pontifical\_councils/family/documents/

rc pc family doc 20001014 rome-jubilee-of-families-preparatory- texts en.html )

## 2d. Possible interpretations.

By distributing literature titled "How the Church Views Divorce" which omits teachings stating divorce is a grave offense; divorce is immoral; there is a considerable difference between a spouse who has sincerely tried to be faithful to the sacrament of marriage and is unjustly abandoned, and one who through his own grave fault destroys a canonically valid marriage; the canonical validity of a marriage is upheld until proven otherwise; and following one's "real" feelings is in fact destructive of love; the uninformed reader could conclude that it is natural and good for one to get divorced if feels his marriage is too hard for any reason. He could believe he has the "right" to a marriage which is not hard.

As Coordinator of the Catholic Divorce Recovery Ministry, we'd assume that you would want to clarify any incomplete information which might support peoples' decision to get divorced for reasons that aren't morally justified. Will you please consider providing some moral guidelines explaining how divorce is a grave offense and immoral? Will you explain the difference between the person being unjustly abandoned and the person destroying a valid marriage? Will you explain the canonical validity of a marriage, and will you explain how "real" feelings can be destructive of love?

# 3. PSYCHOLOGICAL REASONS FOR ANNULMENT

3a. Your literature promotes subconscious psychological reasons for invalidating marriages.

3b. Your literature states, in a 59 page booklet, titled "Unlocking the Healing Power of Catholic Annulment," by Dennis and Kay Flowers, with a Nihil Obstat from The Reverend Mark Q. Fedor, JCD, MDiv, Censor Deputatus, and an Imprimatur from The Most Reverend Anthony M. Pilla, D.D., M.A., Bishop of Cleveland,

"When viewed as a binding covenant that is indissoluble, marriage within the Catholic Church becomes a matter not to be taken lightly. In a contract, or covenant, marriage, both spouses have to be willing right from the start to serve each other and God. To look after each other's needs first, to be willing to work out conflicts and talk over grievances, to allow God to work in themselves and in the marriage, and to be open to life and children so as to raise them Christian by example, deed, and instruction. This is what the Tribunal looks for when an annulment is sought; was this "content" ever present in the marriage? If there was no "content," can it be said that the marriage was a loving, binding contract, as God intended?

"In other words, the couples who feel called of God to have a permanent, indissoluble marriage covenant will need the free-flowing grace of God in their lives in order to make their marriage sacramental in nature. They should be able to say that, of their own free wills, they are making a covenant before God to love, honor, cherish, obey and be faithful to each other until death, no matter what happens.

"Willingly, thy agree to place each other's needs and the needs of their family before their own, to try to resolve conflicts, to support and help their spouse's relationship with Christ; in short, they are promising to love each other with God's sacrificial, unconditional love. ("Put on then, as God's chosen ones, holy and beloved, heartfelt compassion, kindness, humility, gentleness, and patience, bearing with one another and forgiving one another... as the Lord has forgiven you, so must you also do. And over all these put on love... let the peace of Christ control our hearts" Col. 3:12-15).

"Such a covenant before God is a sacrament and indissoluble, as stated in Mark 10:9. In the sight of god, and with His blessings, the Catholic Church joyously joins the bride and groom who come to the altar with these loving intentions.

"But suppose a bride or groom (or both) comes to the wedding altar with less permanent, less caring intentions, either conscious or subconscious. Already, that marriage harbors pre-existing conditions that can prevent the couple from making a binding commitment. Such a seriously flawed marriage does not have the proper foundation to be sacramental in nature." (Page 9)

3c(i) Church Teaching states, Canon 1060. Marriage enjoys the favor of law. Consequently, in doubt the validity of a marriage must be upheld until the contrary is proven.

3c(ii) Church teaching publicized, "This morning, the dean, judges, promoters of justice, defenders of the bond, officials and attorneys of the Roman Rota, were received by the Pope on the occasion of the inauguration of the judicial year.

"The tendency to increase the number of annulments through manipulation, forgetting the perspective of objective truth, implies a structural distortion of the entire process. The fundamental dimension of the justice of marriage which bases its existence on a intrinsically juridical reality, is substituted by empirical theories which are sociological, psychological in nature, etc, as well as by different ways of juridical positivism.'

(The Pope to Roman Rota: Presumption of the validity of marriage. Vatican City, Jan. 29, 2004 Vatican Information Service;

http://www.ewtn.com/vnews/getstory.asp?number=43327

#### 3c(iii) Church teaching publicized

"However, sources in Rome report that the pontiff has this week placed his firm backing behind the present system in a move clearly calculated to protect the Sacrament of Marriage. ...

"As the rules currently stand, there have to be serious grounds for a Catholic to be granted an annulment.

"These can include one party being forced to marry; the decision by one party, from the beginning, to exclude having children; the non-acceptance of the indissolubility of marriage by one party; the imposition of certain conditions when entering marriage which are against the essence of marriage: or the concealment of grave defects such as permanent impotency before the marriage."

(The Universe; the most popular Catholic newspaper in the UK and Ireland, News Archives, January 26, 2004, Pope's hard line on annulments; <a href="http://www.totalcatholic.com/">http://www.totalcatholic.com/</a>)

3c(iv) Church teaching states, from the Holy Father, "5. Then what can one say to the argument which holds that the failure of conjugal life implies the invalidity of the marriage? Unfortunately, this erroneous assertion is sometimes so forceful as to become a generalized prejudice that leads people to seek grounds for nullity as a merely formal justification of a pronouncement that is actually based on the empirical factor of matrimonial failure. This unjust formalism of those who are opposed to the traditional favor matrimonii can lead them to forget that, in accordance with human experience marked by sin, a valid marriage can fail because of the spouses' own misuse of freedom.

"Admission of true nullities should rather lead to ascertaining with greater seriousness at the time of the marriage the necessary prerequisites for matrimony, especially those concerning the consent and true disposition of the engaged couple. Parish priests and those who work with them in this area have the grave duty not to surrender to a purely bureaucratic view of the pre-matrimonial examination of the parties, specified in can. 1067. Their pastoral intervention must be dictated by awareness that at precisely that moment, people are able to discover the natural and supernatural good of marriage and consequently commit themselves to pursuing it."

(Address of John Paul II to the Members of the Tribunal of the Roman Rota for the Inauguration of the Judicial Year, Thursday, 29 January 2004;

http://www.vatican.va/holy father/john paul ii/speeches/2004/january/documents/hf jp-ii spe 20040129 roman-rota en.html)

#### **3d.** Possible interpretations

Readers will not be aware of Church teaching that states marriage is assumed to be valid until proven otherwise, or the Pope's comments about replacing intrinsic justice with sociological and

psychological theories. These readers might justify divorce by independently determining their marriage is invalid because of latent psychological reasons, simple immaturity, or lack of emotional health. They'd believe they are following the leadership of the Marriage Tribunals. If we are all sinners, how can any couple satisfy the requirements described in this booklet?

As Coordinator of the Catholic Divorce Recovery Ministry, we'd assume that you would want to clarify any confusing information which might support peoples' decision to get divorced for reasons that aren't morally justified. Will you please consider providing some clear explanations of the magisterium's understanding of psychological grounds for annulment, and the relevance of emotional health, mental or emotional illness, maturity, simple sinfulness, and psychological and sociological empirical theories in contrast to intrinsically juridical reality?

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# 4. OBLIGATIONS TOWARD MAKING CHOICES, NO REFERENCE TO CHURCH TEACHING

4a. Your literature suggests it is acceptable to make choices with no consideration of church teaching.

4b(i). Your literature states, on a 8.5 inch x 14 inch flyer, titled "Words of Hope and Comfort, 10 Things to Say and Do When Someone You Love is Newly Separated or Divorced, A Guide for Catholics" published by the Department For Marriage and Family Ministries, Cleveland Diocese, "As someone who is close to a recently separated or divorced individual, you have a great opportunity to be of help during a difficult time. You, perhaps more than anyone else, have the opportunity to bring support, affirmation, and a kind of spiritual healing to someone in great pain. What you say and do can make this time more bearable. Your words and actions will make real for your loved one the presence of God and the love of the Christian community in a way that no one else can. . . .

"3. Do be a good listener. One of the healthiest ways to work through painful feelings is by expressing them to someone who listens without judging.

"Don't give advice or try to rush to provide solutions to problems. When the time is right, they will be able to make their own choices and solve problems on their own. . . .

4b(ii). Your literature states, in a poem titled, "God, me, and the Church," published on page 47 of the book, "Prayers for Catholics experiencing divorce", published by Liguori Publications, Imprimi Potest: James Shea, C.SS.R. Provincial, St. Louis Province, The Redemptorists; Imprimatur: Monsignor Maurice F. Byrne, Vice Chancellor, Archdiocese of St. Louis; copyright 1993 by Liguori Publications; distributed by St. Christopher Church, Rocky River, OH; and advertised on page 9 of NACSDC 2002-2003 Resource Catalog; "I have become a misfit in an institution that places high regard for intact, two-parent families. To be human is to expect change, to lose, to recover, to grow, to stumble, to begin anew. It seems all those things are acceptable while we're married. But should we feel called to a different response — to separate or divorce — we are...what? Suddenly less than human? Lord, help this Church that I love, that helped me grow into adulthood, soften her heart. Help her reach out to those of us who are alienated, hurt, or broken by life. Help her find ways to offer us healing and peace. Help her set aside judgments, hear our pain, hold our fear. Help her reach out to us, not out of some code of law but out of genuine compassion and Christlike love. The divorcing process surrounds us with laws; let it be the Church that surrounds us with love and mercy. My sinfulness is not in leaving my marriage, for sometimes the kindness act of all is in letting go of another. Let my Church see this."

4c(i) Church teaching states, in Vatican II. "That discernment in matters of faith is aroused and sustained by the Spirit of truth. It is exercised under the guidance of the sacred teaching authority, in faithful and respectful obedience to which the people of God accept that which is not just the word of men but truly the word of God." (Lumen Gentium, no. 12, paragraph 2)

"The laity should, as all Christians, promptly accept in Christian obedience decisions of their spiritual shepherds, since they are representatives of Christ as well as teachers and rulers in the Church." (Lumen Gentium, no. 37, paragraph 2; <a href="http://www.vatican.va/archive/hist\_councils/ii\_vatican\_council/documents/vat-ii\_const\_19641121">http://www.vatican.va/archive/hist\_councils/ii\_vatican\_council/documents/vat-ii\_const\_19641121</a> lumen-gentium en.html

4c(ii) Church teaching states, CCC 1269. Having become a member of the Church, the person baptized belongs no longer to himself, but to him who died and rose for us. From now on, he is called to be subject to others, to serve them in the communion of the Church, and to "obey and submit" to the Church's leaders, holding them in respect and affection.

1785. In the formation of conscience the Word of God is the light for our path, we must assimilate it in faith and prayer and put it into practice. We must also examine our conscience before the Lord's Cross. We are assisted by the gifts of the Holy Spirit, aided by the witness or advice of others and guided by the authoritative teaching of the Church.

1790. IV. Erroneous Judgment. A human being must always obey the certain judgment of his conscience. If he were deliberately to act against it, he would condemn himself. Yet it can happen that moral conscience remains in ignorance and makes erroneous judgments about acts to be performed or already committed.

1791. This ignorance can often be imputed to personal responsibility. This is the case when a man "takes little trouble to find out what is true and good, or when conscience is by degrees almost blinded through the habit of committing sin." In such cases, the person is culpable for the evil he commits.

1792. Ignorance of Christ and his Gospel, bad example given by others, enslavement to one's passions, assertion of a mistaken notion of autonomy of conscience, rejection of the Church's authority and her teaching, lack of conversion and of charity: these can be at the source of errors of judgment in moral conduct.

1793. If - on the contrary - the ignorance is invincible, or the moral subject is not responsible for his erroneous judgment, the evil committed by the person cannot be imputed to him. It remains no less an evil, a privation, a disorder. One must therefore work to correct the errors of moral conscience.

1794. A good and pure conscience is enlightened by true faith, for charity proceeds at the same time "from a pure heart and a good conscience and sincere faith."

The more a correct conscience prevails, the more do persons and groups turn aside from blind choice and try to be guided by objective standards of moral conduct.

4c(iii) Church teaching states, Canon 212 §1. Christ's faithful, conscious of their own responsibility, are bound to show Christian obedience to what the sacred Pastors, who represent Christ, declare as teachers of the faith and prescribe as rulers of the Church.

#### 4d. Possible interpretations

Uninformed readers would not be aware that Catholics are bound to obey the teaching of "sacred Pastors" and "Spiritual Shepherds" or to "obey and submit" to the Church's leaders. They may not understand what constitutes a "mistaken notion of autonomy of conscience." Those reading your literature could conclude that the Cleveland Diocese recommends that they "make their own choices and solve problems on their own" it is natural and good to reject the "authoritative teaching of the church" when one "feels called to a different response," and this rejection is justified if one perceives he has an informed conscience and has no responsibility to find out what is true and good according to Catholic teaching. One could conclude that if according to his conscience, it seems good to separate from one's spouse and get a civil divorce, he must follow his conscience; that there is no sinfulness in leaving one's family; and he is welcome to disobey any church teaching which states such behavior is immoral and a grave offense.

As Coordinator of the Catholic Divorce Recovery Ministry, we'd assume that you would want to clarify any misleading or confusing information regarding these matters which might support peoples' decision to get divorced for reasons that aren't morally justified. Will you please consider providing clear explanations of the magisterium's understanding of what constitutes an informed conscience?

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5a. You recommend North American Conference for Separated or Divorced Catholics (NACSDC) which encourages dissent from authoritative church teachings.

5b. Your literature states, A recommended Resources for information is NACSDC, North American Conference for Separated or Divorced Catholics. You distribute NACSDC's Resource Catalog, and link to them from your website. (<a href="http://www.clevelandcatholiccharities.org/mfm/divorce.htm">http://www.clevelandcatholiccharities.org/mfm/divorce.htm</a>) NACSDC has a Catholic book section which sells only four books. The first book in the Catholic section is "While You Were Gone; A Handbook for Returning Catholics and Those Thinking About It", by William J. Bausch. The book's description states, "An overview of the changes that have taken place in the church since Vatican II, presented in a non-threatening and welcoming manner. A very popular book with pastors and leaders" (<a href="http://www.nacsdc.org/estore/ca/ca.html">http://www.nacsdc.org/estore/ca/ca.html</a>)

In his book, Bausch writes, "The council [of Trent] wrapped the church in isolation and fashioned it into a kind of self-sufficient island kingdom untouched by the world. All kinds of self-protecting regulations were passed: the Index of Forbidden Books, rubrics standardizing the liturgy all over the world, and a single formulation of dogma (up to that time there were many legitimate formulations.) It was the beginning of a static period only ending with the Second Vatican Council in our lifetime (p. 22). The church had to declare loud and clear: We have all the truth; others don't. We would be saved; other lost. Authority was strict, dialogue was out, and obedience in, and we saw to it that people would be kept safe from "dangerous" ideas. Even though many wonderful securities and benefits and a rich Catholic devotional life were evident, this ghetto mentality, this separation from the world couldn't hold forever. It officially burst with Vatican II (p. 24). They [people who have been hurt at the hands of the church] hate those authoritarian representatives of the church who are supposed to represent a loving God and God's mysterious and pervasive love and box it into rigid rules and regulations. ... Many disagree with the church's stand on sexuality, from masturbation and premarital sex to abortion (p 31). Others are involved in divorce and remarriage and they simply don't know where they stand in the church and they are aggrieved that they can't receive the Eucharist (p 32). Eighty-seven percent of Catholics think the church should permit couples to make their own decision about forms of birth control, (p. 64). You can dissent and remain a faithful Catholic (p. 65). For most people like yourself, the parish is what you identify as "the church." Most don't care what the Vatican does, or the pope or the bishop... the pastor is more significant than the pope (p. 67). There is something to be said about the church's traditional morality of chastity before marriage and fidelity after. But, of course, there is also unfinished business brought on by modern insights and technology. What about birth control?... Should there not be nuances within the couple's lives that permit it? What about sex between those already betrothed, already publicly committed? How about those who are radically homosexual and cannot live a life of chastity and should not live a life of promiscuity?...Other questions: Is every single instance in every circumstance of an early abortion sinful? That sixty-eight percent of the Baby Boomers deny that one must obey the church's teaching on abortion shows how wide the gap is and how much dialogue there must yet be. These are question that have to be continually examined within the framework of great Catholic moral teaching. Sexual morality is part of our unfinished agenda; it requires a continually formed conscience and a great respect for a communal, not merely a person, context (p. 91 & 92). The challenge is to finish up the business God gave you to do and to make a difference. To correct where you can, change what you might... You too, after all, as we never tire of saying, are the church (p 94).

5c. Church Teaching States, CCC 85, The task of giving an authentic interpretation of the Word of God, whether in its written form or in the form of Tradition, has been entrusted to the living teaching office of the Church alone. Its authority in this matter is exercised in the name of Jesus Christ." This means that the task of interpretation has been entrusted to the bishops in communion with the successor of Peter, the Bishop of Rome.

2271. Since the first century the Church has affirmed the moral evil of every procured abortion. This teaching has not changed and remains unchangeable. Direct abortion, that is to say, abortion willed either as an end or a means, is gravely contrary to the moral law: You shall not kill the embryo by abortion and shall not cause the newborn to perish. God, the Lord of life, has entrusted to men the noble mission of safeguarding life, and men must carry it out in a manner worthy of themselves. Life must be protected with the utmost care from the moment of conception: abortion and infanticide are abominable crimes.

2322. From its conception, the child has the right to life. Direct abortion, that is, abortion willed as an end or as a means, is a "criminal" practice (GS 27 § 3), gravely contrary to the moral law. The Church imposes the canonical penalty of excommunication for this crime against human life.

2396. Among the sins gravely contrary to chastity are masturbation, fornication, pornography, and homosexual practices.

2399. The regulation of births represents one of the aspects of responsible fatherhood and motherhood. Legitimate intentions on the part of the spouses do not justify recourse to morally unacceptable means (for example, direct sterilization or contraception).

2400. Adultery, divorce, polygamy, and free union are grave offenses against the dignity of marriage.

2322. From its conception, the child has the right to life. Direct abortion, that is, abortion willed as an end or as a means, is a "criminal" practice (GS 27 § 3), gravely contrary to the moral law. The Church imposes the canonical penalty of excommunication for this crime against human life.

## 5d. Possible interpretations

As Coordinator of the Catholic Divorce Recovery Ministry, we'd assume that you would want to clarify any misleading or confusing information which contradicts the church's teaching on abortion, birth-control, masturbation, homosexuality, divorce and papal authority. Will you please consider providing clear and supportive explanations of the Church's position on these matters whenever you recommend NACSDS as a source for Catholic information?

## 6. OBEYING THE CHURCH IS IRRELEVANT TO "BEING CHURCH"

6a. You recommend North American Conference for Separated or Divorced Catholics NACSDC, which proposes a "new perspective on being the church versus obeying the church."

#### 6b. Your literature states,

A recommended Resource for information is NACSDC, North American Conference for Separated or Divorced Catholics. You distribute NACSDC's Resource Catalog, and link to them from your website. (http://www.clevelandcatholiccharities.org/mfm/divorce.htm) NACSDC has a Catholic book section which sells only four books. The second book is "Good News for Alienated Catholics with Reflection Questions for Teachers and Preachers", by Fr. Henry Fehren. The book's description states, "If you are a Catholic who feels left out, discriminated against, labeled, ignored or discouraged by Church laws, these commentaries and the accompanying discussion questions will inspire hope, rebuild self-esteem, and give new perspective on being the church versus obeying the church." http://www.nacsdc.org/estore/ca/ca.html

In his book, Fehren writes, "Mature Catholics, I emphasize, do not confuse the way, the truth, and the life of Jesus with man-made rules (yes, man-made - women, unfortunately, do not yet make rules in the church) (preface p v) 'All Catholics have the right to a voice in all decisions that affect them including the choosing of their leaders'...'Divorced and remarried couples in great numbers, with and without church approbation, consider themselves good Catholics and do not hesitate to come forward for communion'... Finally, 'Why You Can Disagree and Remain a Faithful Catholic' by Father Philip Kaufman, O.S.B. ... This is a carefully researched book, direct and to the point on, among other things, birth control, divorce and remarriage, democracy in the church and 'infallible teaching" (p 52-53). 'But isn't the pope the vicar of Christ?' The bishop of Rome is not THE vicar of Christ; he is A vicar of Christ and so are you. ...'Will my marriage be a sacrament?' The simplest answer: It will be if you make it such.... Theologians are still discussing what makes a marriage a sacrament. ... 'But now the authorities, the theologians and the canonists are turning to the married to find out what marriage is - and therefore what the sacrament is (p 75-76). The "Magisterium" is another ill-used word. Theologians who teach are to swear loyalty to it and others are to 'suffer for the truth in silence.' In effect, the magisterium is one person (he appoints others who agree with him). 'All alike share in the Magisterium, or the teaching authority of the Church' (p 90). Gays and lesbians, for instance, experience this rejection. ... Because of prejudice against them, many remain in hiding, 'in the closet,' for they are afraid to be as God in love make them. ... God does not make clones; each person is different, a tribute to God's creativity. If we are to love our neighbor as ourself, we must accept people as they are (p 116). No one person makes up the whole church. That's why 'Will the church recognize my marriage?' is such a stupid question. Each one of us is as much church as the other (p 123). A writer for the Catholic press must learn to write within the ecclesiastical picket fence that surrounds him. ... [Editors] know they can be sacked if they do not conform. John Paul II's latest encyclical, Veritatis Splendor, confirms this. Overstepping his rights as bishop of Rome, he alone appoints every bishop in the world and controls every word in canon law, in the new Roman catechism, taught in the seminaries and written in nearly every publication of the Catholic press. He has summed up or compacted into one person, himself, the 'church' and the magisterium (the 'teaching church') (p 144). What many Catholics will no longer continence is the gospels being replaced by The Code of Canon Law. (p 145). The Association for the Rights of Catholics in the Church is also worried: 'The style and numerous measures of the Roman authorities,' it says, 'tend to obstruct our ministry and create either a climate of mistrust, of anxiety, of indifference and eventually, of leaving the church, or an equally questionable religious obedience to human laws' (p 146). Over the years I have heard more and more complaints about the increasing authoritarianism in the church, but I have also seen the laity become more mature and independent. ... I encourage the making of a 'holy rule' for oneself (p 147).

6c. Church teaching states, see 4c(i), (ii), (iii) and 5c above.

# 6d. Possible interpretations

As Coordinator of the Catholic Divorce Recovery Ministry, we'd assume that you would want to clarify any misleading or confusing information which contradicts the church's teaching on homosexuality, divorce and papal authority. Will you please consider providing clear and supportive explanations of the Church's position on these matters whenever you recommend NACSDS as a source for Catholic information?

#### 7. INTIMATE THAT CHURCH CONDONES DIVORCE

7a. You recommend North American Conference for Separated or Divorced Catholics (NACSDC) which intimates the church condones divorce with no exception.

7b. Your website states, A recommended Resources for information is NACSDC, North American Conference for Separated or Divorced Catholics. You distribute NACSDC's Resource Catalog, and link to them from your website. (<a href="http://www.clevelandcatholiccharities.org/mfm/divorce.htm">http://www.clevelandcatholiccharities.org/mfm/divorce.htm</a>) NACSDC has an "Awareness" section which provides information about divorce, "what it is and what it isn't."

NACSDC states, "Although it has been commonly assumed that the Catholic Church does not allow or condone divorce, this is not actually the case. For many years, the Church required the faithful who wanted a divorce to obtain permission from Church authorities.

"... The attitude toward divorce and divorced persons has gradually evolved. All of the canonical penalties related to civil divorce have been dropped. Rather than expect an attitude of condemnation or accusation, divorced persons now can go to their parishes for support, encouragement and help in working through the trauma that goes with the breakdown of a marriage and family (Source: Our Sunday Visitor's Catholic Encyclopedia, 1991, page 318).

"If you are divorced and not remarried there are no penalties. There are no laws preventing a divorced Catholic from active participation within a parish." (http://www.nacsdc.org/aware/aware01.html)

7c. Church teaching is states, from the Pope, "Today's strongly secularized mentality tends to affirm the human values of the institution of the family while detaching them from religious values and proclaiming them as fully independent of God. Influenced as it is by models of life that are too often presented by the mass-media, today's mentality asks, "Why must one spouse always be faithful to the other?" and this question is transformed into an existential doubt in situations of crisis. Marital difficulties can take various forms, but in the end they all amount to a problem of love. For this reason, the preceding question can be reformulated in this way: why it is always necessary to love the other spouse even when so many apparently justifying reasons, would lead one to leave?

"Many replies can be given; among them the very powerful ones are the good of the children and the good of the entire society, but the most fundamental reply comes through the recognition of the objectivity of

being spouses, seen as a reciprocal gift, made possible and guaranteed by God himself. The ultimate reason, therefore, for the duty of faithful love is none other than what is the basis of the divine covenant with the human person: God is faithful. To make possible the fidelity of heart to one's spouse, even in the hardest cases, one must have recourse to God in the certainty of receiving assistance. The way of mutual fidelity passes, moreover, through an openness to Christ's charity, which 'bears all things, believes all things, hopes all things, endures all things' (I Cor. 13,7). In every marriage the mystery of redemption becomes present, brought about by a real participation in the Cross of the Saviour, accepting the Christian paradox that joins happiness with the bearing of suffering in the spirit of faith."

(Address of John Paul II to the Prelate Auditors, Officials and Advocates of the Tribunal of the Roman Rota, January 30, 2003; Section 5 paragraph 2;

http://www.vatican.va/holy father/john paul ii/speeches/2003/january/documents/hf jp-ii spe 20030130 roman-rota en.html)

## 7d. Possible interpretations

When the diocese recommended resource, NACSDC, intimates that the church has no objections to divorce and states, "There are no laws preventing a divorced Catholic from active participation within a parish," inquiring readers who feel their marriage hard, may think the diocese is supporting them when they decide to get divorced. Uninformed visitors will be unaware of the information promulgated by the Pope. Specifically, Christ offers solutions to marital problems; one has recourse to God in the certainty of receiving assistance, and being married is made possible and guaranteed by God himself. "God is faithful."

As Coordinator of the Catholic Divorce Recovery Ministry, we'd assume that you would want to clarify any misleading or confusing information which contradicts the church's teaching on divorce. Will you please consider providing clear and supportive explanations of the Church's position on these matters whenever you recommend NACSDS as a source for Catholic information?

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## 8. DON'T JUDGE

8a. Your literature states "don't judge", and omits the obligation to defend justice, which includes fraternal correction.

8b. Your literature states, on a 8.5 inch x 14 inch flyer, titled "Words of Hope and Comfort, 10 Things to Say and Do When Someone You Love is Newly Separated or Divorced, A Guide for Catholics" published by the Department For Marriage and Family Ministries, Cleveland Diocese,

"4. Do focus on religious values and faith. Faith can be a source of great comfort.

"Don't moralize about their marriage or judge what they have done. It is the rare Catholic who doesn't already know what their Church says about the permanency of marriage. It is the rarer person who makes the decision to divorce easily or without great anguish. They know what the Church says about the sacrament. They need much more to hear from a loved one about the mercy and strength God provides. One of the strongest things Jesus ever said was when he condemned those who pass judgment on others. Moral questions are best handled between the individual and confessor or between pastor and parishioner."

## 8c(i). Church teaching is states,

CCC 1435 Conversion is accomplished in daily life by . . . the exercise and defense of justice and right, by the admission of faults to one's brethren, fraternal correction, revision of life, examination of conscience, spiritual direction, acceptance of suffering, endurance of persecution for the sake of righteousness. Taking up one's cross each day and following Jesus is the surest way of penance.

CCC 1829 The fruits of charity are joy, peace, and mercy; charity demands beneficence and fraternal correction;

8c(ii). Church teaching is states, from the Congregation for the Clergy, "the teaching of Christ on community life, recounted in the Gospel of St Matthew, calls for attitudes which it is for catechesis to inculcate: the spirit of simplicity and humility ('unless you turn and become like little children...' Mt 18,3); solicitude for the least among the brethren ('but whoever causes one of these little ones who believe in me to

sin...' Mt 18,6); particular care for those who are alienated ('Go and search of the one that went astray...' Mt 18,12); fraternal correction ('Go and tell him his fault...' Mt 18, 15); . . ."

(Congregation for the Clergy, General Directory for Catechisis, >From the Vatican, 15 August 1997, Education for Community Life, paragraph 86 a;

http://www.vatican.va/roman curia/congregations/cclergy/documents/

 $rc\_con\_ccatheduc\_doc\_17041998\_directory\text{-}for\text{-}catechesis\_en.html~)$ 

## 8d. Possible interpretations

If someone is divorcing one's spouse, his friends and family members who read your website might feel obligated to remain silent, and suspend judgment - even if their first inclination is to believe that this divorce is wrong and would plead with the person to work on reconciling his/her marriage. As Coordinator of the Catholic Divorce Recovery Ministry, we'd assume that you would want to clarify any misleading or confusing information which contradicts the church's teaching on divorce. Will you please consider providing clear and supportive explanations of the Church's position on fraternal correction?

## 9. N.A.C.S.D.C. PUBLICIZES CLEVELAND'S PROGRAMS

9a. Apparently the Cleveland Diocese works in cooperation with the North American Conference for Separated or Divorced Catholics (NADSDC), which promotes the diocese seminars.

## 9b(i). NACSDC's website states,

"Cleveland Catholic Parishes of the Suburban West District and Catholic Charities each sponsor a number of eight- to ten-week Divorce Recovery Groups which meet at a variety of locations in the greater Cleveland area. The groups are designed to give direction and support to Catholics recently separated or divorced. All participants must pre-register for these sessions. Brochures and registration forms are available. Contact Gayle Cilimburg at (440) 331-5372 or via e-mail at gcilimburg@yahoo.com, or call Catholic Charities at (440) 352-6191 for more information. In addition to the above, the Diocese's divorce ministry web page lists numerous 8 - 10 week Divorce Recovery Groups and ongoing Support Groups at various locations in the Diocese." (http://www.nacsdc.org/rgn/r6/r6oh.html#cleveland)

## 9b(ii). Your website states,

"North American Conference for Separated and Divorced Catholic (NACSDC) is an advocate for Catholics experiencing separation and divorce; offers regional and national conferences. E-Mail: ACSDC@pdx.oneword.com

"Special sessions addressing issues of concern to the separated and divorced will begin at 7 p.m. at the following locations:

"The following parishes are hosting 8-10 week divorce recovery groups. Call to sign up or for more information." (<a href="http://www.clevelandcatholiccharities.org/mfm/divorce.htm">http://www.clevelandcatholiccharities.org/mfm/divorce.htm</a>)

## 9c. Possible interpretations

Readers will assume the Cleveland Diocese agrees with NACSDC's understanding of divorce, annulments, and the obligations of Catholics. Is this an acceptable conclusion?

## 10. ONE CANNOT GIVE IN TO THE DIVORCE MENTALITY

10c(i) Church teaching states, from the Pope, "One cannot give in to the divorce mentality: confidence in the natural and supernatural gifts of God to man prevents that. Pastoral activity must support and promote indissolubility. The doctrinal aspects should be transmitted, clarified and defended, but even more important are consistent actions. Whenever a couple is going through difficulties, the sympathy of Pastors, and of the other faithful must be combined with clarity and fortitude in remembering that conjugal love is the way to work out a positive solution to their crisis. Given that God has united them by means of an indissoluble bond, the husband and wife by utilizing all their human resources, together with good will, and

by, above all, confiding in the assistance of divine grace, can and should emerge from their moments of crisis renewed and strengthened. . . .

"At times, in recent years some have opposed the traditional "favor matrimonii" in the name of a "favor libertatis" or "favor personae". In this dialectic it is obvious that the basic theme is that of indissolubility, but the antithesis is even more radical with regard to the truth about marriage itself, more or less openly relativized. Against the truth of a conjugal bond, it is not right to invoke the freedom of the contracting parties, who, in freely consenting to that bond, were bound to respect the objective demands of the reality of marriage that cannot be altered in the name of human freedom. Judicial activity must therefore be inspired by a "favor indissolubilitatis"; that clearly does not mean prejudice against just declarations of nullity, but an active conviction of the good at stake in the processes, together with the ever renewed optimism that derives from the natural character of marriage and from the support of the Lord for the spouses." (Address of John Paul II to the Prelate Auditors, Officials and Advocates of the Tribunal of the Roman Rota, January 28, 2002, Section 5, paragraph 2; and Section 7, paragraph 3; <a href="http://www.vatican.va/holy\_father/john\_paul\_ii/speeches/2002/january/documents/hf">http://www.vatican.va/holy\_father/john\_paul\_ii/speeches/2002/january/documents/hf</a> jp-ii spe 20020128 roman-rota en.html

10c(ii) Church teachings, as addresses from the Pope to the Tribunal of the Roman Rota are all are available on the internet. <a href="http://www.vatican.va/holy\_father/john\_paul\_ii/speeches/index\_spe-roman-rota.htm">http://www.vatican.va/holy\_father/john\_paul\_ii/speeches/index\_spe-roman-rota.htm</a>

#### 10d. Possible interpretations

Catholics in this diocese will know that the diocese is interested in helping them get their annulment, but they won't know if they'll be receiving guidance which is consistent with the highest church authority's understanding of annulment. What sources do you as the Coordinator of the Catholic Divorce Recovery Ministry; use to determine your understanding of annulment, and Catholicism?