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Pope's move will make annulment process much more accessible



by **Michael Kelly**
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Francis wants to make Church teaching easier to live without changing it writes Michael Kelly



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Pope Francis has authorised the most far-reaching reform of the Church's marriage annulment process in three centuries.

The Pope has not changed the criteria under which the Church grants annulments – the process by which the Church judges that a union between a man and a woman, even if they had a Church wedding, is not a valid marriage because it fails one of the traditional tests, such as a lack of genuine consent or a psychological incapacity to undertake the obligations – but it does streamline the process and will make it faster, easier and less expensive.

There has long been a sense that Church procedures on nullity have to be applied differently to reflect the modern world. As far back as 1998, Cardinal Joseph Ratzinger cast doubt on the idea that every Catholic marriage was really a valid sacrament.

In 2013, as Benedict XVI he said "lack of faith" on the part of the spouses can affect the validity of a marriage. He seemed to equate a lack of faith with other justifications for an annulment.

At the time, Benedict called for "further reflection," especially in the light of the secularised culture that puts little faith in a person's ability to make life-long commitments.

Now, Francis appears to be acting on some of the same concerns. Canon law on marriage assumes that couples entering marriage know what marriage is. And, indeed, our culture did largely agree with the Church on the understanding of marriage: that it was a permanent commitment. That has not been the case for quite some time. Western culture, at least, no longer understands marriage as permanent. Catholics are not immune to this. Francis knows this means that many Catholic couples whose



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marriages have broken down possibly married invalidly.

But, Francis has made it clear that the idea is not necessarily to grant more annulments, but simply to speed the process along for those who are entitled to such a decree.

"It has not escaped me how an abbreviated judgment might put at risk the principle of indissolubility of marriage," the Pope writes. "For this reason, I wanted in this process that the bishop would be the judge who, by virtue of his pastoral office is, with the Successor of St Peter, the guarantor of unity in Faith and discipline," he insists.

Francis' reforms remove the need for all judgments to be reviewed automatically, getting rid of an extra layer of the process. Bishops have also been given the power to declare a marriage null where the facts are immediately clear and both parties to the marriage are in agreement.

It's telling that the changes will come in to effect on December 8 – the same day that the 'Year of Mercy' jubilee year begins. Like his decision last week to permit all priests to absolve the sin of abortion, Francis sees the revised annulment process as a way of making God's mercy more readily accessible to Catholics.

Inevitably the move will be misrepresented in the secular press. Some will try to see it in the context of a perceived or real left-right divide within the Church. The context to see this, however, is through the Pope's bold vision of mercy. Those who have experience of marriage breakdown often suffer greatly as a result of this, and, for Pope Francis, the Church should make it easier to live the Church's teaching without changing it.

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