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Introduction

Jesus Christ is our Master before all others and our only Lord. He alone has the "words of eternal life" (*Jn* 6:68). This is also true regarding the vocation of the person and the family. The message of Christ is not easy to accept, because it places demands, requiring a conversion of heart. Nevertheless, it is a truth which sets us free. The fundamental goal of the Christian proposal for the family must be "the joy of the Gospel" that "fills the heart and the whole life of those who encounter Jesus" and who "accept his offer of salvation" and thereby experience liberation "from sin, sorrow, inner emptiness and loneliness", as taught by Pope Francis in *Evangelii gaudium* (1). For this reason, it is appropriate to recall the importance of the themes of hope (cf. *Gaudium et Spes*, 1) and mercy, so much emphasized by Pope Francis (cf. *Evangelii gaudium*, 119, 198).

This proclamation, then, is expressed in a proposal, in a dialogue and journeying together. Pope Paul VI, in his classic Apostolic Exhortation *Evangelii nuntiandi* (3) insisted: "It is absolutely necessary for us to take into account a heritage of faith that the Church has the duty of preserving in its untouchable purity, and of presenting it to the people of our time, in a way that is as understandable and persuasive as possible."

The basis and the content of this proclamation is the faith of the Church on marriage and the family, summarized in various documents, especially in *Gaudium et Spes*, *Familiaris consortio* of Pope St. John Paul II — who Pope Francis called the "Pope of the Family" — *The Catechism of the Catholic Church* and many other texts of the Magisterium. The family today is not only the object of evangelization but also the primary agent of proclaiming the good news of Christ in the world, which necessitates a continual understanding and realization of the Gospel of the Family as the Spirit suggests to the Church. The most serious of family problems themselves are considered "signs of the times" to be discerned in the light of the Gospel and read with the eyes and heart of Christ and from his perspective in the house of Simon the Pharisee (cf. *Lk* 7.36 -50).

1. The Gospel of the Family in the Context of Evangelization

a) *The Method of Discernment concerning the Family*

The search for pastoral responses takes place in the cultural context of the present moment. Many people today have difficulty in thinking in a logical manner and reading lengthy documents. We live in an audio-visual culture, a culture of feelings, emotional experiences and symbols. Places of pilgrimage, in many countries — even in highly secularized ones — are increasingly popular. Tens of thousands of married couples, for example, have visited the Marian shrine of Šaštín, Slovakia, to invoke the help of the Virgin Mary in their marital difficulties. Many look upon their lives not as a life-long endeavour but a series of moments in which great value is placed on feeling good and enjoying good health. From this vantage point, any firm commitment seems insurmountable and the future appears threatening, because it may happen that in the future we will feel worse. Even social relationships may appear as limitations and obstacles. Respect and "seeking the good" of another person can even call for sacrifice. Isolation is oftentimes linked, therefore, with this cult of a momentary well-being. This general culture is reflected in the large number of responses to the series of questions in the *Preparatory Document* of this synodal assembly, that highlight situations which are verifiable almost everywhere in the world, namely, the decline of civil marriages and the increasing trend of living together without any religious or civil marriage. Avoiding marriage is seen as not only a sign of individualism but also a symptom of the crisis of a society already burdened by formalisms, obligations and bureaucracy. Avoiding marriage is seen as a sign of a poor character and a weakness in the individual in facing increasingly "complicated" structures. In this context, we must proclaim the Gospel of the Family.

Yet, the culture of the word has not disappeared. The transmission of the Gospel takes place, while keeping in mind the richness of the teaching of the Church. We need the power of the Holy Spirit to seek paths to truth in charity, responses which express justice and mercy at the same time, because these two are inseparable. *Hesed* and *tzedaka*, mercy and justice in the Old Testament, are the attributes of God that exist together in him. We confidently invoke his assistance in our work.

It should be pointed out that the Gospel of the Family is first of all the good news of a grace given by the Holy Spirit in the Sacrament of Marriage, a renewed opportunity, offered to a person in his fragility, to welcome and celebrate, with joy and gratitude, at both the personal and communal levels. The obligations arising from marriage must not be forgotten, but seen as the demands of the gift which the gift itself makes possible. The wise words of Pope Francis are applicable here: "If something should rightly disturb us and trouble our consciences, it is the fact that so many of our brothers and sisters are living without the strength, light and consolation born of friendship with Jesus Christ, without a community of faith to support them, without meaning and a goal in life" (*Evangelii gaudium*, 49).

The crystal clear and whole truth of the Gospel gives the light, meaning and hope which humanity needs today. The Church must offer this "truth cure" so that it can be recognized in the present moment as a "remedy" for the many problematic, oftentimes burdensome, family situations. In other words, without detracting from the truth, this must also be proposed from the perspective of those who "struggle" to recognize it as such and to live it.

b) *The Method of Work for the Synod*

In the present culture, where we are inclined to forget essential truths and the wider picture and are tempted to get lost in details, it is particularly useful for the bishops of the local

communities to be offered clear guidelines to help those living in difficult situations. Indeed, it is unrealistic to expect that by themselves they will find the right solutions in conformity with the truth of the Gospel and nearness to individuals in particular situations. In this regard, episcopal collegiality, which has a privileged expression in the Synod, is called to lend this character to its proposals, blending a respect for and promotion of the specific experiences of the individual episcopal conferences in a search for shared pastoral guidelines. This must also apply at the level of the local churches, avoiding the improvisations of a "do-it-yourself ministry" which ends in making the acceptance of the Gospel of the Family more difficult. It should also be recalled that the Extraordinary General Assembly of 2014 is the first step in a journey which will lead the Church to the Ordinary General Assembly of 2015. It follows that the language and the indications of this synod must be such as to promote the most elevating theological examination so as to listen with the utmost attention to the message of the Lord, while encouraging, at the same time, the participation and listening of the entire community of the faithful. For this reason, it is important to pray that our work will produce the best fruit; what God wants.

2. The Gospel of the Family and Family Ministry

a) *The Educational Challenge of the Family: School of Humanity, School of Social and Ecclesial Relations and School of Holiness*

The care of the bishops and faithful towards younger generations is expressed, in a particular way, in their effort at forming those who undertake, with courage and hope, the road, leading to marriage. Therefore, it is the proper task of the pastoral care of families to take up the educational challenge, in its various stages, of educating young people in love, in preparation for marriage, after marriage and especially in more difficult situations, so that the family might be a real school of humanity, a school of social and ecclesial relations and a school of holiness. The family is the *school of humanity*, because it is the school of love in the life and development of a person (cf. *Gaudium et Spes* 52: Family: "School of Humanity") and because of the relationship which marriage requires and establishes between spouses and between parents and children (cf. *Gaudium et Spes* 49; *Familiaris consortio*, 11). The family is a *school of social relations*, because it helps a person develop his social skills and builds society (cf. *Familiaris consortio* 15, 37). In a similar manner, the family is the *womb of the Church's life*, which teaches us to live in communion with the Church and to be active participants in it (cf. *Familiaris consortio* 48, 50). Finally, the family is also the *school of holiness*, in which the path towards sanctification of married couples and children is undertaken and sustained (cf. *Gaudium et spes* 48; *Familiaris consortio* 56, 59). For these reasons, the Church proclaims the value and beauty of the family. In this way, the Church renders crucial service to a world which asks, almost begs, to be enlightened by hope.

The multi-faceted profile of the family which emerges in the *Instrumentum laboris*, shows how, in different socio-cultural contexts, a consensus might exist — broader than first thought — that marriage and family are goods originating in the culture of humanity, a legacy which must be guarded, promoted and, when necessary, defended. Today, the majority of human beings seek personal happiness in life in a permanent bond between a man and a woman, together with the children of their union. Today, the family is certainly encountering many difficulties, but it is not an outdated model, because of a widely diffused indication among the young of a renewed desire to form a family. This is demonstrated in the witness of many happy marriages and Christian families. These positive experiences are not to be overlooked, despite the widespread serious and irregular situations.

Among the members of the Church, the fundamentals of the teaching on marriage in the New Testament and *The Catechism of the Catholic Church* appear well-enough known. But, the specific aspects of doctrine and the Church's Magisterium on marriage and family are not always sufficiently well-known by the faithful. Apart from the question of knowledge, the teaching on marriage and the family is oftentimes not put into practice. This does not mean that the teaching, in principle, is put in doubt by the vast majority of believers and theologians. In the form in which it is presented by the Second Vatican Council (cf. *Gaudium et spes*, 47-52), and summarized in the *Instrumentum laboris*, this teaching enjoys a broad consensus among practicing Catholics. This is the case, particularly with regard to the indissolubility of marriage and its sacramental nature among those who are baptized. The teaching on the indissolubility of marriage as such is not questioned. Indeed, it is unchallenged and for the most part observed also in the pastoral practice of the Church with persons who have failed in their marriage and seek a new beginning. Therefore, what is being discussed at this synod of an intense pastoral nature are not doctrinal issues, but the practical ones — nevertheless inseparable from the truths of the faith.

Finally, two clear aspects emerge from the *Instrumentum laboris* on homosexuality. First, there is a broad consensus that people with a homosexual orientation should not be discriminated against, as reiterated in *The Catechism of the Catholic Church* (2357-2359). Secondly, it is quite clear that the majority of the baptized — and all episcopal conferences — do not expect that these relationships be equated with marriage between a man and a woman, nor is there a consensus among a vast majority of Catholics on the ideology of gender theories.

Instead, many want to see a change in the traditional roles in society which are culturally conditioned and in discrimination against women, which continues to be present, without denying, in the process, the differences by nature between the sexes and their reciprocity and complementarity.

Therefore, feelings of doom or surrender have no place in the Church. A legacy exists of a faith clearly and widely shared, from which the synod assembly can depart and of which the faithful ought to be rendered more aware through a more intense catechesis on marriage and the family. On the basis of this fundamental conviction, a shared reflection is possible on the missionary tasks of Christian families and on the issues of a just pastoral response to difficult situations.

It would be desirable that this Synod, starting from the common basis of faith, might look beyond the group of Catholics who practice their faith and, considering the complex situation of society, treat the social and cultural difficulties which weigh heavily on marriage and family life today. We are not dealing with only problems involving individual behaviour but the structures of sin hostile to the family, in a world of inequality and social injustice, of consumerism, on the one hand, and poverty, on the other. Rapid cultural change in every sphere is distorting families, which are the basic unit of society, and putting into question the traditional family culture and oftentimes destroying it. On the other hand, the family is fast becoming the last welcoming human reality in a world determined almost exclusively by finance and technology. A new culture of the family can be the starting point for a renewed human civilization.

b) Soundness and Clarity in Formation Programmes

At this time, taking a closer look at the pastoral care of families who are just beginning the process of formation, reveals an uncertainty among many young people who, with hope, aspire for a stable and enduring love. Turning to the Church, they ask — though not always explicitly — for the wherewithal to conquer their legitimate fears and a hearing by a community which bears witness to them on the beauty and the reality of married life, despite its real difficulties, particularly

in relationships and economic situations. The desire for a family borne in their hearts needs to be affirmed and supported by a solid catechesis which also invites them to be a part of the community of believing families. These communities are present in many parishes around the world and are a very encouraging sign of our times.

In this sense, engaged couples need to be assisted in coming to a clear understanding of what marriage is in the Creator's plan, namely, a covenant which, between baptized persons, has always enjoyed the dignity of a sacrament (*CIC*, can. §§ 1055: 1-2). The fundamental elements and essential qualities of this plan (unity, fidelity, fruitfulness), not simply disregarded but positively excluded by an act of will, make a marriage invalid. On the other hand, a person's faith assists in the reception of sacramental grace, for which Christian marriage is verified, in the responsible pursuit of its essential goods. Despite the words of the liturgy which the bride and groom speak explicitly, many approach the Sacrament without a clear awareness before the Lord of assuming an unconditional and life-long commitment to welcome the other and make a total gift of self to the other. Indeed, under the influence of the existing culture, many reserve the "right" not to observe conjugal fidelity, to divorce and remarry, if the marriage might not be successful or not be open to life. The calm and courageous assumption of this responsibility, however, is a sign of a personal choice of faith, without which the Sacrament, though valid, is not effective. Marriage, in fact, besides being a personal relationship and a spiritual bond, is necessarily also an institution of society. This means that the marital status of the person in front of God, a reality that is not perceivable by the human senses, must be upheld in the truest way possible, also by the community. Therefore, some assumptions are necessary about the marital status of the person. From the very nature of presumptions, there is, however, the possibility of a discrepancy between what is expected and the actual, sacramental state of the person. In fact, even if love is not in itself a reality, which is the subject for review and verification by a third party, the institution of marriage and the family is undoubtedly a reality, given its important social and ecclesial relevance.

Over the centuries, the Church has wanted to safeguard the truth of what it means to be human even with juridic norms designed to ensure that this free commitment, which is consciously undertaken in an act of consent, would not be equated with any other commitment. The Church's pastoral effort in assisting engaged couples to marry will have more and more to show the value and attractiveness of a life-long bond.

c) The Family as the Star of Evangelization

In addition to the primary, special vocation of the family in the human and Christian upbringing of children, the mission of family members is to transmit the faith and bear witness to the faith before others. The family is also the core of the parish community. In many countries of the world, vibrant communities exist in parishes, composed of married couples or entire families, who meet regularly, pray together, study and thoroughly discuss *The Catechism of the Catholic Church*, read the Bible and talk about everyday problems, difficulties and the beauty of life lived in common by couples and treat questions concerning the upbringing of their children. In other words, they strive to combine faith with life. They help each other in times of illness, unemployment or other problems. Many of them participate in the work of *Caritas*. Many help in the preparation of engaged couples for marriage in strengthening their relationship of friendship which is to endure long after their wedding. Groups of young Catholic mothers with young children also accommodate mothers without any religious affiliation or non-believers, thus creating a new form of mission. Families are forming various new communities which assist couples in crisis or help women in existential or psychological difficulty. It seems important to promote such initiatives and encourage them throughout the Church.

d) Pastoral Action in Crisis Situations

The *Instrumentum laboris* notes "the loss of a sense of meaning, or even the breakdown within a family, can be the means of strengthening the marriage bond. Families, willing to offer support to a couple in this difficult situation, can help them overcome this crisis. In particular, the parish must draw near married couples and the family as the 'family of families'" (63).

e) Difficulties within the Family and Outside Pressures

The widespread difficulty in creating a serene atmosphere of communication in some families is due to multiple factors: business and economic worries; differing views on the upbringing of children from various models of parenting; a reduction in time for dialogue and relaxation. In addition, there are disruptive factors like separation and divorce, with the consequences of a blended family, and, conversely, single parenting, where a relationship with the other parent is confused or limited, if not totally absent. Finally, this lack of communication can result from a widespread selfish mentality that closes in upon itself, with the disturbing consequence of the practice of abortion. The same selfishness can lead to the false idea of parents that children are objects or their property, who can be produced by them as they desire.

Especially where poverty is widespread, women and children in particular suffer from violence and abuse. However, in even the most developed countries disruptive factors are present due to various forms of dependence, such as alcohol, drugs, gambling, pornography, sexual addiction and other forms of social networking. Faced with these challenges, the Church feels an urgency to evangelize the family through a proclamation which is simple and essential, encouraging the value of personal relationships, sensitivity towards the poor, the ability to make responsible use of the *mass media* and the new technologies, while respecting the dignity of persons, especially the weakest and most defenseless, who pay the highest price in loneliness and marginalization.

With regard to external pressures, increasing job insecurity is a nightmare for many families; migration often creates large imbalances in the family, such as those experienced by people who move from their own country — oftentimes because of war and poverty — or by those receiving them in their own country. The concrete support of the Church for these families is unable to be done without a pro-active commitment through appropriate policies by governments and public agencies responsible for the protection and promotion of the common good.

3. Difficult Pastoral Situations

a) The Church as the "House of the Father" (Evangelii gaudium, 47)

Pope Francis has said: "The family is experiencing a profound cultural crisis, as are all communities [...]. In the case of the family, the weakening of these bonds is particularly serious because the family is the fundamental cell of society" (*Evangelii gaudium*, 66).

In this regard, the *Instrumentum laboris* notes: "Under the heading of so-called marriage difficulties, the responses consistently recount stories of great suffering as well as testimonies of true love. 'The Church is called to be the house of the Father, with doors always wide open, [...] where there is a place for everyone, with all their problems' (*Evangelii gaudium*, 47)" (80). True pastoral urgency calls for providing the opportunity for these persons to take care of their wounds, to heal and resume their journey of life, together with the entire ecclesial community.

To address these situations properly, the Church must first affirm the indispensable value of the truths of the indissolubility of marriage, already founded in the original plan of the Creator (*Gen* 1:27; 2:24; cf. *Mt* 19: 4-9). With regard to the sacramental dignity, however, which the baptized enjoy, the Church affirms its foundation in the profound connection between the marriage bond and the indissoluble union between Christ and the Church (*Eph* 5:22-33). Secondly, renewed and appropriate action needs to be taken in the pastoral care of the family, which is to lend support to the couple in their commitment to mutual faithfulness and their dedication to their children. Furthermore, thought needs to be given on how best to accompany people who find themselves in these situations, so they do not feel excluded from the life of the Church. Finally, forms and suitable language needs to be devised to proclaim that all are and remain God's children and are loved by God the Father and the Church as Mother.

b) *Truth and Mercy*

In recent decades, the issue of mercy has emerged more prominently as an important perspective in proclaiming the Gospel. The mercy of God, already presented extensively in the Old Testament (cf. *Ex* 34:6; *2 Sam* 24:14, *Psa* 111:4, etc.), is supremely revealed, especially in the actions and preaching of Jesus. In the Parable of Merciful Father (cf. *Lk* 15:11-32), as well as in the entire New Testament, mercy is a core teaching: God is rich in mercy (cf. *Eph* 2:4). According to St. Thomas Aquinas, mercy is the most important attribute of God (cf. *Summa theol* II / II q. 30 a. 4; *Evangelii gaudium*, 37); mercy expresses the absolute sovereignty of God and manifests the creative fidelity to himself of God who is love (cf. *1 Jn* 4: 8,16). To receive this mercy the prodigal son returns to the Father, asks for forgiveness and begins a new life. The most decisive manifestation of divine mercy towards humanity is the Incarnation of Christ and the work of salvation. According to the Gospel of St. Mark, Christ himself begins the proclamation of the Good News with the call to conversion: "Repent and believe the Gospel" (*Mk* 1:15). Indeed, God never tires of forgiving the sinner who repents and he does not tire of giving him this possibility again and again. This mercy is not a justification to sin but rather the sinner's justification, to the extent that he converts and aims to sin no more.

Mercy means to give beyond what is due, ordered or by way of help. Only God's mercy can achieve true forgiveness of sins. In sacramental absolution, God forgives us through the ministry of the Church. What remains for us to do is to bear witness to God's mercy and to perform the spiritual and corporal works of mercy which were already known in Old Testament times. The privileged place for putting these acts of mercy into action is precisely in the family.

The meaning of mercy for the Church today was emphasized by Pope St. John XXIII at the opening of the Second Vatican Council. He said that the Church in every age must oppose error. Today, however, the Church must have recourse to the medicine of mercy rather than to oppose error with the weapons of rigidity. In this way, the Pope gave a basic tenor to the Council. Pope St. John Paul II again reverted to this spirit in his second encyclical *Dives in Misericordia* (1980) and designated the Second Sunday of Easter as Divine Mercy Sunday. Pope Benedict XVI presented the subject in the encyclical *Deus caritas est* (2005). At the beginning of his pontificate, Pope Francis said: "God never tires of forgiving, ever! [...] We sometimes tire in asking for forgiveness" (*Angelus*, 17 March 2013). In the case of family, marriage and the value of its indissolubility, the words of Pope Francis apply: "The salvation which God offers us is the work of his mercy. No human efforts, however good they may be, can enable us to merit so great a gift. God, by his sheer grace, draws us to himself and makes us one with him. He sends his Spirit into our hearts to make us his children, transforming us and enabling us to respond to his love by our lives. The Church is sent by Jesus Christ as the sacrament of the salvation offered by God" (*Evangelii gaudium*, 112). The

Church is "a place of mercy freely given, where everyone can feel welcomed, loved, forgiven and encouraged to live the good life of the Gospel" (*Evangelii gaudium*, 114).

Mercy, the central theme of the God's revelation, is highly important as a hermeneutic for the Church's actions (cf. *Evangelii gaudium*, 193 ff.). Certainly, she does not do away with truth nor relativize it, but seeks to interpret it correctly in the hierarchy of truths (cf. *Unitatis redintegratio*, 11; *Evangelii gaudium*, 36-37). Nor does she do away with the demands of justice.

Consequently, mercy does not take away the commitments which arise from the demands of the marriage bond. They will continue to exist even when human love is weakened or has ceased. This means that, in the case of a (consummated) sacramental marriage, after a divorce, a second marriage recognized by the Church is impossible, while the first spouse is still alive.

c) *Cohabitation and Civil Marriages*

The responses to the questions and their summarizing in the *Instrumentum laboris* point out various difficult or irregular situations which cannot be strictly treated in the same manner (cf. 52), but require discernment on a case to case basis. In this sense, a new dimension of pastoral care of the family today reveals itself through considering the reality of civil marriages and, despite the differences, even cohabitation. Consequently, when these relationships are obviously stable in a publicly recognized legal bond, they are characterized by deep affection, display a parental responsibility towards their offspring and an ability to withstand trials and they can be seen as a seed to be nurtured on the path towards celebrating the Sacrament of Marriage. Very often, however, couples choose to cohabitate not in light of the possibility of a future marriage, but without any intention to marry at all.

The Church cannot fail to take advantage of an opportunity, even in situations which, at first sight, are far from satisfying the criteria of the Gospel, and to draw close to people in order to bring them to a conscious, true and right decision about their relationship. There is no human situation which cannot become the occasion for the Church to find adequate language to help people understand the value of the marital union and family life in the light of the Gospel. The challenge which faces us today is being able to show the best part of these situations which oftentimes is not understood or capable of being grasped.

d) *The Pastoral Care of Divorced and Remarried Persons*

First of all, among the great number of pastoral challenges keenly felt today is that of divorced and civilly remarried persons (see *Familiaris consortio*, 84). Indeed, in some countries this problem is not present, due to the fact that civil marriages do not exist. In other countries, the percentage of divorced and remarried tends to decrease because of the unwillingness to contract a new marriage — even civil one — after the failure of the first marriage. The responses to the questions show that this problem has different nuances in different regions of the world (cf. *Instrumentum laboris*, 98-100).

In light of what has already been said, the situation does not put in question Christ's words (cf. *Mt* 19:3-12) or the truth of the indissolubility of marriage (cf. *Denzinger - Hünermann*, 1327, 1797, 1807; *Gaudium et spes*, 49) or even maintain that these are no longer in force. Furthermore, it would be misleading to concentrate only on the question of the reception of the sacraments. The

answer, then, can be sought in a more comprehensive pastoral care of the young and those in marriage preparation. An intensive pastoral care programme on marriage and the family is also needed, especially for those in crisis situations.

As regards the divorced who are civilly married, many have said that the distinction needs to be made between the one who is guilty for the break-up of the marriage and the innocent party. The Church's pastoral care should extend to each of them in a particular way.

Divorced and civilly remarried persons belong to the Church. They need and have the right to receive care from their pastors (cf. *Sacramentum charitatis*, 28). They are invited to listen to the Word of God, to participate in the Church's liturgy and prayer and perform the good works of charity. The Church's pastoral care must be extended to them in a very special way, taking into account the unique circumstances of each person. Consequently, in each particular Church, at least one duly prepared priest is needed, who can offer counsel, without charge, as a first step for the parties in ascertaining the validity of their marriage. Indeed, many spouses are unaware of the criteria for the validity of a marriage, much less the possibility that a marriage can be invalid. After divorce, this verification must be carried out in a pastoral dialogue on the causes of the failure of the previous marriage and identifying possible grounds for nullity, while avoiding every appearance of a formal bureaucratic process or any economic interest. If all this is done in a serious manner in search of the truth, the declaration of nullity process for the parties will be truly a liberating experience in conscience.

e) Matrimonial Cases According to Canon Law and Those Outside the Juridical Process

The *Instrumentum laboris* describes a rather broad consensus in favour of simplifying marriage cases from the pastoral point of view (cf. 98-102) and recounts increasing instances of a divorce mentality in the valid celebration of the Sacrament. With this in mind, it does not seem hazardous, as mentioned earlier, to believe that many marriages celebrated in the Church may be invalid. To ensure an effective and streamlined process in the possibility of invalidity of the bond, many feel that the procedure needs review; in the first place, the obligation for two appeals of confirmation on the declaration of nullity of the marriage bond and proceed to the second instance only if, within a defined framework, there is no appeal from either or both parties or from the defender of the bond. A possible solution of this kind should, in any case, avoid any type of mechanics or impression of granting a divorce. Nevertheless, in some cases, other guarantees might be necessary, for example, the obligation of the defender of the bond to make an appeal so as to avoid solutions which are unjust and scandalous.

Secondly, the aforementioned prevalence of a divorce mentality in many societies and given the practice of civil courts or tribunals to grant divorces frequently leads parties to enter into a canonical marriage, while reserving the right to divorce and to contract another wedding should difficulties occur. This simulation, even without their being fully aware of the ontological and canonical aspects, renders a marriage invalid. To prove that a person did not consider marriage indissoluble, the party who went through this simulation of marriage needs to admit and attest to the circumstances and other elements (cf. *CIC*, can. 1536 § 2, 1679). If such a procedure already exists in judicial practice, it is conceivable that in some cases, the same can be done as part of an administrative process. Furthermore, according to authoritative proposals, the faith of those to be married needs to be evaluated in ascertaining the validity of the Sacrament of Marriage, according to the general principle that the validity of a sacrament requires that the party intends to do what the Church does. (Cf. Benedict XVI, *Discourse to the Tribunal of the Roman Rota*, 26 January 2013, 4). This *via extra-giudiziale* (a solution outside the juridical process) — according to them — could

provide a manner to know, discern and thoroughly examine whether, because of invalidating circumstances, the process could conclude with a declaration of nullity by the diocesan bishop, who would also propose a way to raise consciousness and conversion in the concerned party in light of a possible future marriage, where this simulation would not be repeated.

Thirdly, resolving certain cases can possibly be done by reverting to the "Pauline Privilege" (cf. *CIC*, can. 1143-1147) or the "Petrine Privilege" (in marriages of disparity of cult). Finally, we must also keep in mind the possibility of the nullity of a ratified and not consummated marriage, "by favour".

f) The Practice of the Orthodox Churches

The *Instrumentum laboris* relates that some responses suggest further examining the practice of some of the Orthodox Churches, which allows the possibility of a second or third marriage, marked by a penitential character (cf. 95). Examining this matter is necessary to avoid any questionable interpretations and conclusions which are not sufficiently well-founded. In this regard, studying the history of the discipline of the Churches in the East and West is important. Possible contributions might also come from considering the disciplinary, liturgical and doctrinal traditions of the Eastern Churches.

4. The Family and the Gospel of Life

a) Proclaiming the Gospel of Life

Given the diversity of culture and traditions in the different areas that make up the Catholic Church, the contribution of individual episcopal conferences provide great assistance in the work of evangelization and the inculturation of the Gospel. Similar to what takes place in episcopal communion, this synergy in proclamation needs to be done *cum Petro et sub Petro*.

Openness to life is not extraneous to conjugal love, nor is it imposed from without nor is it optional or a matter of choice; openness to life is an essential part, an intrinsic requirement of conjugal love, because this love is directed towards communion and communion begets life. In the Western world, it is not uncommon to find couples who deliberately choose not to have children. Paradoxically, on the other extreme, there are those who do everything possible to have a child. In both cases, the possibility of procreating a child is reduced to one's ability of self-determination and to an attitude which puts oneself at the centre, where the wishes, expectations and realization of one's own plans are done without consideration of others.

Conjugal love and a married couple's relationship in general must never become a closed circle. Welcoming children implies accepting the other and others with whom one learns to discover and build the human family. To welcome a child is not just bringing another human being into the world but procreating him in his unique otherness and giving him the gift of life.

The idea of openness to life cannot be limited to conception and birth, but finds its fullness in the upbringing of children and offering them support in their development. Even this aspect requires an outlook which touches upon the dynamics of culture and society, especially the relationship between various generations.

b) The Family in a Relational Context

It is also true, however, that welcoming life, assuming responsibility in procreating life and the care required are possible only if the family is not conceived as an isolated unit but an active part in a network of relationships. Education in accepting a child comes about in a relational context, one of relatives, friends and institutions, both civil and ecclesial. Increasing importance is being given to not leaving the family and families on their own, but to accompanying and supporting them in their everyday journey. When this does not happen, tensions and inevitable fatigue occur in communication in the life of the family and in the relationship between spouses or between parents and children, which can sometimes be so dramatic as to explode into acts of destructive madness. Family tragedies are oftentimes the result of desperation, loneliness and a painful cry which no one knew how to discern.

To truly welcome life within the family and provide for its constant care, from conception to natural death, requires the rediscovery of the meaning of a diffused and concrete solidarity; and the reawakening in the community of its responsibility for formation, especially the ecclesial community; creating, at the institutional level, the conditions which make this care possible so as to make the members of the community see that welcoming the birth of a child as well as assistance to the elderly is a social good to be protected and promoted. Ecclesial communities need to organize programmes of pastoral care to meet the needs of the family. The tendency towards the privatization of love needs to be overcome. The Western world risks making the family a reality entrusted exclusively to the choices of the individual, totally detached from a regulatory and institutional framework. A similar privatization weakens family ties and gradually empties them of their meaning.

The relationships which give life to a family and the relationships which are established within it are the point of intersection between private and social life. In traditional societies, the social dimension of marriage and the family is so much under the control of the community that it is sometimes suffocating. A right balance must be struck between these different dimensions, both essential to the life of the family and the person, who always has private and social aspects.

Family life provides an experience of how the transcendent dimension might be present in a person's innermost choices. Opening themselves to life makes the spouses experience a mystery which transcends us. The love which unites the couple and becomes the beginning of a new life is the love of God.

c) The Responsibility of the Church and Education

The Church is called to proclaim and witness the supreme dignity of the human person. The Church does not limit herself to words, telling the faithful and all people of good will what they should do but she expresses solidarity with them in deeds. She shares their hopes, their desires and their difficulties. This is a strong sign of credibility in the eyes of the world.

In this sense, particular care needs to be given to education in love and sexuality. Indeed, to know how to appreciate it and explain its value is first and foremost. In this regard, the importance of programmes of formation needs to be stressed. Witness on the part of adults adds credibility to the ideals which must be presented with clarity. Undoubtedly, younger generations are inspired by a married couple's testimony of a strong, enduring love and faithfulness, which is seen in tenderness, respect, mutual acceptance, forgiveness and able to grow over time without being lost in the present moment. At the same time, however, trivializing, superficialities and forms of "tolerance" which hide a basic indifference and inability to be attentive, need to be avoided.

Moreover, in treating conjugal love, continual attention needs to be given to its personal

aspect as set forth by the Second Vatican Council (cf. *Gaudium et Spes*, 49), while also bearing in mind the great challenges from the way love and family are presented in many areas of the mass media, another subject which deserves further study.

d) *Topics relating to Humanae vitae*

From this vantage point, the positive message of *Humanae vitae* can be re-proposed through a suitable historical hermeneutic, which knows how to grasp historical factors and concerns underlying its writing by Paul VI. In other words, the Encyclical needs to be re-read as Pope Paul VI indicated in the audience of 31 July 1968: "...the document does not simply declare a prohibition in moral law, namely, the exclusion of an action which seeks to make procreation impossible (14). Instead, the document mainly presents the positive aspects of morality in conjugal life ordered to its mission of love and fertility 'in the integral vision of the human person and his vocation, not only that which is natural and earthly but also that which is supernatural and eternal'(7). While it clarifies a fundamental chapter of the personal, marital, family and social life of humanity, it is not a full treatment of matters concerning the human being in the field of marriage, the family and integrity in behaviour, vast areas to which the teaching of the Church could, and perhaps should, return with a more inclusive, organic and detailed plan."

He then specified that the moral norm cited in the document needs to be considered in light of the "law of gradualness," according to the suggestions already made in 34 of *Familiaris Consortio*: keeping in mind that each person is a historical being, who "... knows, loves and accomplishes moral good in stages of growth."

Conclusion

If we look at the origins of Christianity, we see how it has managed — despite rejection and cultural diversity — to be accepted and welcomed for the depth and intrinsic force of its message. Indeed, Christian revelation has manifested the dignity of the person, not to mention love, sexuality and the family.

The challenge for this synod is to try to bring back to today's world, which in some way resembles that of the early days of the Church, the attractiveness of the Christian message about marriage and the family, highlighting the joy which they give, but, at the same time, respond, in a true and charitable way (cf. *Eph* 4:15), to the many problems which have a special impact on the family today and emphasizing that true moral freedom does not consist in doing what one feels or living only by one's feelings but is realized only in acquiring the true good.

In a real way, we are called upon, above all, to put ourselves alongside our sisters and our brothers in the spirit of the Good Samaritan (cf. *Lk* 10: 25-37): being attentive to their lives and being especially close to those who have been "wounded" by life and expect a word of hope, which we know only Christ can give us (cf. *Jn* 6:68).

The world needs Christ. The world needs us too, because we belong to Christ.

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