



**September 8, 2015, Tuesday — “A just simplification”**

*“The new procedures do not favor the nullity of marriages, but the expedition of trials, as well as a just simplification.”—Pope Francis, in a letter published today, September 8, Feast of the Birth of Mary, announcing new, simpler procedures for marital annulment cases in the Church*

*“It is therefore the concern for the salvation of souls that — today as in the past — remains the supreme end of the institutions, of the laws, of the legal system [of the Church], that urges the Bishop of Rome to offer to the bishops [of the entire Church] this reforming document, in so far as they share with him the mission of the Church, which is, to safeguard unity in the faith and in the discipline regarding matrimony, the hinge and origin of the Christian family.”—Pope Francis in today’s letter simplifying the procedures for annulment cases*

### **Pope Francis reforms Church law in marital nullity trials**

Pope Francis today issued two Apostolic Letters *motu proprio* — one for the Latin Church, the other for the Eastern Churches — reforming the legal procedures of the Church in dealing with questions of marital nullity.

One of the Letters *motu proprio*, known by its Latin title, *Mitis Iudex Dominus Iesus* — or “The Lord Jesus, Clement Judge” — reforms the Code of Canon Law (CIC) governing the Latin Church, while the other, *Mitis et misericors Iesus* or “Clement and merciful Jesus” — reforms the Code of Canon Law for Oriental Churches (CCEO).

According to the prefatory remarks attached to both Letters, the reforms are the result of an expert group appointed in 2014 — even before last year’s Synod on the Family — to study the current state of law and practice in the Church as far as marriage law is concerned. These letters are the result of that group’s year of work.

The Holy Father in the preface explains that the reforms are guided by seven specific criteria, ample excerpts of which Vatican Radio offers below in its own unofficial English translation (as of this moment, the English translations are not yet available):

1. That there be only **one sentence** in favor of executive nullity — It appeared opportune, in the first place, that there no longer be required a twofold decision in favor of marital nullity, in order

that the parties be admitted to new canonically valid marriages: the moral certainty reached by the first judge according to law should be sufficient.

2. A single judge **under the responsibility of the Bishop** – The constitution of a single judge in the first instance, who shall always be a cleric, is placed under the responsibility of the Bishop, who, in the pastoral exercise of his own proper judicial power shall guarantee that no laxity be indulged in this matter.

3. **The Bishop is judge** – In order that the teaching of the II Vatican Council be finally translated into practice in an area of great importance, the decision was made to make evident the fact that the Bishop is, in his Church – of which he is constituted pastor and head – is by that same constitution judge among the faithful entrusted to him. It is desired that, in Dioceses both great and small, the Bishop himself should offer a sign of the conversion of ecclesiastical structures, and not leave the judicial function completely delegated to the offices of the diocesan curia, as far as matters pertaining to marriage are concerned.

4. **Increased brevity** in the legal process – In fact, beyond making the marriage annulment process more agile, a briefer form of trying nullity cases has been designed – in addition to the documentary process already approved and in use – which is to be applied in cases in which the accusation of marital nullity is supported by particularly evident arguments. In any case, the extent to which an abbreviated process of judgment might put the principle of the indissolubility of marriage at risk, did not escape me [writes Pope Francis – ed.]: thus, I have desired that, in such cases the Bishop himself shall be constituted judge, who, by force of his pastoral office is with Peter the greatest guarantor of Catholic unity in faith and in discipline.

5. **Appeal to the Metropolitan See** – It is fitting that the appeal to the Metropolitan See be re-introduced, since that office of headship of an Ecclesiastical province, stably in place through the centuries, is a distinctive sign of the synodality of the Church.

6. **The proper role of the Bishops' Conferences** – The Bishops' Conferences, which must be driven above all by the anxious apostolic desire to reach the far-off faithful, should formally recognize the duty to share the aforesaid conversion, and respect absolutely the right of the Bishops to organize judicial power each within his own particular Church. The re-establishment of vicinity between the judge and the faithful, in fact, shall not be successful if the stimulus does not come from the Conferences to the single Bishops, along with the necessary assistance, to put into practice the reform of the marital nullity process.

7. **Appeal to the Apostolic See** – It is fitting that the appeal to the ordinary Tribunal of the Apostolic See, i.e. the Roman Rota, be maintained: this, in respect of a most ancient juridical principle, so that the bond between the See of Peter and the particular Churches be reinforced – having care, in any case, in the discipline of the use of said appeal, to contain any and all abuse of right, in order that the salvation of souls be given no cause for harm.

The prefatory remarks make clear that the single most important principle guiding the Holy Father's action and the work of reform undertaken, is that of *salus animarum* – **the salvation of souls** – which is the *suprema Ecclesiae lex* – the supreme law of the Church.

Text found at: [link](#)

*Rome Reports* has two brief videos which summarize the content of these new procedures.

The first, [here](#), says the annulment process will become **free of charge, quicker, and require only one, not two, judicial decisions** for the case to be settled.

“Pope Francis has made the marriage annulment process of the Catholic Church easier,” the report begins. “The changes don’t deal with divorce. The Church still considers all marriages to be indissoluble. But the Church recognizes that marriages can be invalid under some circumstances, for instance when it’s a forced marriage. The Pope has simplified the process by which the Church can recognize these types of cases.”

The reforms include:

- (1) making the annulment process free of charge;
- (2) when the invalidity of the marriage is evident, a brief case will be carried out under the supervision of a bishop;
- (3) one judicial decision will be enough; up until now, the process had to undergo many steps for it to be considered valid.

A 4th important change:

- (4) if one of the spouses doesn’t attend the process after being summoned twice, it is considered that he or she agrees that the annulment process should move forward.

The second video, [here](#), which lasts for more than an hour, contains *the entire press conference today in Rome* to present the two documents.

For those of you who have the time, this long video is worth watching, though much of it is in Italian.

Below is the entire text of both documents in Italian.

But first, the text of the homily of Pope Francis this morning in the Domus Santa Marta, the Pope’s home – which is relevant to today’s publication of these two documents. The homily

offers, as it were, an insight into the thinking of Pope Francis in deciding to reform the annulment process.

### **Pope Francis' Homily at Daily Mass – September 8 – Birth of Mary**

*God walks with all of us, saints and sinners*

Pope Francis says God reconciles and brings peace in the little things and accompanies all of us, saints and sinners. His comments came during his homily at Mass on Tuesday (8th September) in the Santa Marta residence.

Noting that Tuesday was the date on which the Church commemorates the birth of Mary, the Pope's homily took its cue from this to underline how all Christians are called to be humble and close to their neighbours as taught in the Beatitudes. We need, he said, to become like little children in order to enter the Kingdom of God as "God reconciles and brings peace in the little things" of everyday life.

"But (He also does this) by accompanying us. Did our Lord want to bring peace and reconciliation today with a magic wand?: Whoosh! – That's done! No! He set out to walk with his people and we heard this passage from Saint Matthew's gospel: but it's a bit boring, isn't it? It's a list: but this is God accompanying us! God walks with humanity, the good people and the evil people because in this list there are saints and there are criminal sinners as well. There's so much sin here. But God is not frightened by this: He accompanies us. He walks with his people."

The Pope stressed how by walking with us God helps to increase the hope of his people and their hope in the Messiah. He also described how God is dreaming of beautiful things for his people, for each one of us.

"The people were dreaming of freedom. The people of Israel had this dream because they had been promised that they would obtain freedom, peace and reconciliation. Joseph dreams. Joseph's dream is a bit like a summary of the dreams about all the history of God's walk with his people. But it's not only Joseph who dreams. God has dreams. God our Father has dreams and he is dreaming about beautiful things for his people, for each of us because He is our Father and like a Father He is thinking and dreaming about the best for his children."

Pope Francis said although God is great and all powerful he teaches us to carry out great works and bring peace and reconciliation through the little things. He also teaches us to dream great dreams and to aim high. The Pope said today when we commemorate the birth of the Blessed Virgin Mary, "let us implore the grace of unity, reconciliation and peace."

"But always walking and being close to others, as we were taught in the Beatitudes, in Chapter 25 of St Matthew's gospel and with great dreams. And let us continue, now, commemorating our

Lord in the 'little things': a little piece of bread, a little bit of wine ... in the little things. But everything is contained in these little things. There's God's dream, there's his love, his peace, his reconciliation, there's Jesus: He is all of this."

Text found at: [link](#)

=====

***Note: For those who would like to travel with us on pilgrimage:***

***We have several pilgrimages schedule in the coming year. For the complete schedule, [click here](#).***

***On December 8, 2015, and again on November 20, 2016, we will be in Rome when Pope Francis opens the Holy Door to begin the Special Jubilee Year of Mercy, and when he closes the door to end the Jubilee Year. If you would like to join us on one or more of these pilgrimages, [email now](#) for more information... We also often travel to Norcia, in central Italy, where there is a flourishing Benedictine monastery we visit.***

***Every single subscriber is important to us. Please take a subscription — it is a very important help to us. To subscribe, [click here](#):***

***Donations are also appreciated. To donate, [click here](#).***

***What is the glory of God?***

***"The glory of God is man alive; but the life of man is the vision of God." —St. Irenaeus of Lyons, in the territory of France, in his great work Against All Heresies, written c. 180 A.D***