

# Pope Benedict XVI says lack of 'faith' could be used in marriage annulments

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January 29, 2013

VATICAN CITY (RNS) Pope Benedict XVI has asked the Vatican's highest appeals court to consider reviewing church rules on marriage annulments – a statement that may signal a change in tone more than a change in substance.

Speaking on Saturday (Jan. 26) to the members of the tribunal of the Roman Rota, Benedict said that "lack of faith" on the part of the spouses can affect the validity of a marriage.

While the Catholic Church forbids remarried divorcees from taking Communion, church tribunals can declare a marriage void if it can be demonstrated that some key elements – such as a commitment to have children – were missing in the first place.

Catholics who obtain an annulment for their first marriage can then remarry without facing church sanctions.

In his speech to Rota judges, Benedict stressed he wasn't suggesting an automatic link "between the lack of faith and the invalidity of marriage," but seemed to equate a "lack of faith" with other justifications for an annulment.

The pope said he wanted to "draw attention to how such a lack may, although not necessarily, also hurt the goods of marriage," since faith in God is "a very important element for living in mutual dedication and conjugal fidelity."

For the pope, the issue requires "further reflection," especially in the light of today's secularized culture that puts little faith in a person's ability to make lifelong commitments.

According to Miguel Angel Ortiz, a professor at the Pontifical University of the Holy Cross in Rome, Benedict wasn't so much addressing the specific issue of remarried divorcees but addressing the relation between the spouses' personal faith and the validity of marriage, including its commitment to fidelity.

In a 2005 question-and-answer session with priests, the pope said he once believed that lack of faith was enough to declare a marriage invalid. But, after tasking theologians to look into the issue, he had "understood that the problem was very difficult" and required further study.

At the time, Benedict said it was "particularly sad" to see people marry in the church out of tradition instead of a faith commitment only to subsequently find faith and remarry.

For Ortiz, the pope's reflection could "speed up the process of declaring a marriage invalid" without changing the substance of the process itself.