



The following article is reprinted with permission from *Homiletic and Pastoral Review*, February, 2002. *Without denying the validity of certain annulments, the author points out how chanceries are accommodating to the world rather than the teaching of the Church on sacramental marriage.*

Why Marriage Annulments Have Exploded

By Sheryl Temaat

Today most people are aware that it is much easier to have a marriage declared null in diocesan marriage tribunals than it was before Vatican II. Many have experienced shock and disbelief when hearing of certain annulments being granted. The question is why? Why have the ground rules for a valid marriage seemed to shift so dramatically?

The Canon Law Society of America has been considered a respectable and responsible agency of the Church. Since Vatican II, however, certain publications from the CLSA need to be examined carefully to see if they are consistent with official Church teachings. (For an example, see "New commentary, old nonsense" by Father John Trigilio, March 2001 HPR.) A careful examination of two other books concerning marriage annulments and also published by CLSA, *The Invalid Marriage* and *Decisions*, both by Father Lawrence G. Wrenn, shed light on why declarations of nullity are granted so much more freely today than before Vatican II.

The invalid marriage

Father Lawrence G. Wrenn's book *The Invalid Marriage*, 1998, is a second printing of a book previously called *Annulments*, 1984 and 1986. Appendix One has been added and is a discussion of "invalid" versus "null." Appendix Three contains a startling insight into how Fr. Wrenn views modern marriage situations.

The Invalid Marriage (238 pages) is a discussion of reasons for invalidity and includes the traditional ones: intentions against children, fidelity, and perpetuity, as well as the new ones based on lack of due discretion or lack of due competence which have opened the floodgates to declaring null tens of thousands of marriages since the 1970s.

In his Introduction, Fr. Wrenn reminds readers that canonical jurisprudence is "dynamic and always evolving." When one studies his writings, one realizes that this is a euphemism for finding a way to do what was once thought not doable. The Second Vatican Council with its insight into the nature of the marriage covenant and the mental health sciences with their insights into psychic disorders are major influences on this development according to Fr. Wrenn. Both these sources of insights, however, are open to interpretation and are highly controversial.

Null versus invalid

In Appendix One, Fr. Wrenn argues that not all marriages that are declared invalid are also null. He notes that traditionally the terms have been used interchangeably: both the 1917 and 1983 *Codes of Canon Law* use them as synonyms. The dictionary likewise defines null as invalid and invalid as null.

Fr. Wrenn then refers to a few instances in Church history when the interchangeability of the terms was discussed, but his real reason for arguing for a distinction is because "the words 'null' and 'nullity' upset people: (p.178). He writes:

People find them offensive and off-putting. How, they wonder, can the Church

say that their marriage never existed when they know it did? And doesn't this make the children illegitimate? The word "invalid" has, I think, quite a different connotation from the word "null," and does not generally convey or reinforce these misconceptions about the marriage being nonexistent and the children illegitimate.

Fr. Wrenn tries to find a way to say that the marriage existed but not in the full sense so as to allow divorce, annulment and remarriage in the Church. He tries to have it both ways. And even though his opinions have no official authority in the Church, they have had a tremendous impact on what happens in diocesan tribunals across the nation.

Jesus said that to divorce and remarry is to commit adultery (Mark 10:11) and that adulterers have no place in heaven (Matt. 5:27-30). If you don't mind upsetting people, try telling them that. Married Catholics used to work hard at staying together inspired by these teachings and the good example of others.

Woody Allen

What can movie maker Woody Allen possibly contribute to the Church's teachings on marriage? Allen has two ex-wives, Harlene Rosen and Louise Lasser. He was engaged in a bitter custody battle with former lover Mia Farrow, sparked by his scandalous affair with her adopted daughter, Soon-Yi Previn, whom he later married. It does not seem that Allen's works can be good examples for Christian living.

In Appendix Three, Fr. Wrenn argues, however, that the Woody Allen movie *Hannah and Her Sisters* provides a clear example of how the so-called fourth bonum of marriage can be violated.

Traditionally there are three bona or requirements for a valid marriage: fidelity, permanence, and openness to children. The so-called fourth bonum concerns the welfare of the spouses.

Some have argued that Canon 1055 of the 1983 code adds this new requirement for validity. Others, however, like Fr. Ignatius Gramunt ("The definition of marriage in the *Code of Canon Law*," HPR, June 1996) declare that the good of the spouses, or the so-called fourth bonum, consists in the traditional three: fidelity, permanence, and openness to children.

For Catholics the point of reference is Rome, not Hollywood. Fr. Gramunt writes, "Rotal jurisprudence continues to use the traditional goods of offspring, fidelity, and indissolubility integrated within an interpersonal relationship whose outcome is the good of the spouses" (p. 20).

Hannah and Her Sisters is about divorce, remarriage, and adultery, but Fr. Wrenn doesn't comment on these; he focuses on what he perceives to be a personality defect of Hannah, played by Mia Farrow, which he links to the fourth bonum, the *bonum coniugum* or the welfare of the spouse.

While Hannah is a very caring person, she does not allow herself to be cared for. The message is clear to Fr. Wrenn: "Unless, indeed, it is coupled with a willingness to be cared for, caring alone can be a destructive and sterilizing thing in an institution like marriage: (p. 211).

To Fr. Wrenn, psychological issues, even something this fabricated, override sin. To use the Woody Allen movie to attempt to illustrate Catholic marriage principles is not something to be proud of. It does help explain, however, why Catholic divorces/annulments/remarriages seem more like what goes on in Hollywood than what should be going on in Catholic families.

Decisions



AND HE MANIFESTED HIS GLORY

In his 1983 issue of *Decisions*, also published by the Canon Law Society of America, Fr. Wrenn discusses 39 annulment cases, twenty-three of which concern lack of due discretion or lack of due competence. Reading over these cases is another revelation into the annulment mentality.

Consider the case of Celia and Herman. After four years of marriage, Herman wanted a divorce because he said he was in love with another woman. Celia petitioned for a declaration of nullity on the grounds of Herman's lack of due competence.

In order to really lack due competence, Herman has to be a victim of "an anomaly of a serious nature" (Pope John Paul II, 1987 allocution to the Rota). Fr.

Wrenn writes that “our expert, Doctor Limpkin, described Herman’s personality as ‘porcupinish.’” Herman was “porcupinish” because he preferred reading books to socializing. Neither Dr. Limpkin or Fr. Wrenn explains how it could have happened that Herman fell in love with another woman given the fact that “when people came near him, he became extremely defensive and surrounded himself with a needle like protection. He did not want people near him ever...”(p.53).

Herman was diagnosed as suffering from a Schizoid personality Disorder with paranoid traits which deprived him of the due competence for entering a marital partnership with someone like Celia. But what about with the new woman?

Clarence and Edna were married for 26 years. “For twenty-six years,” Fr. Wrenn writes, “she functioned well enough to carry on, to some extent, both inside and outside the home.” The Defender of the Bond argued forcefully in favor of the validity of this marriage, but he was overruled by the Court which decided that the marriage never really enjoyed that minimal quality of marital life (p. 106).

George and Margaret’s marriage was declared null “because George did not seriously project and assess what marriage to Margaret would mean, and then freely chose to embrace that state – that is to say, he lacked the due discretion for marriage” (p.26). You have to be concerned not only about what you did do but about what you did not even know you were supposed to do as if anyone can “seriously project and assess” what anything in the future will mean. Vows that bind wouldn’t be necessary if human beings could see so well into the future.

Consider the case of Elizabeth and Vincent who were in their early 20s when they married in 1973. They had dated off and on for ten years. Fr. Wrenn notes that Elizabeth grew up in a strict Irish Catholic family with an extremely nervous mother. The parents rarely socialized outside the home, and Elizabeth was deaf, wearing two hearing aids (p.111). None of this sounds pathological or even relevant to whether a marriage was valid. Many families have worse difficulties that they overcome.

Fr. Wrenn goes on to say that Elizabeth had a severe anxiety attack accompanied by insomnia and tachycardia, which is an important-sounding word for rapid heartbeat. Her anxiety reaction was apparently precipitated by her father’s death, her break up with another man she was dating, and the death of an uncle. But she was not seriously ill.

She and Vincent married a year after these incidences, but, according to Fr. Wrenn’s account, she was still weak and took the summer off, engaging in some sports (in her weakened condition?), but the marriage was an enervating experience for her. “Enervate” means to deprive of strength or vitality, as in marriage made Elizabeth tired.

Instead of being helped to get a declaration of nullity, Elizabeth should have been told that if marriage to Vincent is not any worse than this, she should count her blessings. Because of attitudes like Fr. Wrenn’s, many married people today believe that if their marriage is not happy, they have a right to get out of it and seek happiness elsewhere. In fact, Fr. Wrenn argues on page 91 that marriage should be a warm and happy experience, and the challenge to the jurist is to determine how personalist a marriage must be in order to be valid. In other words, when is warm and happy warm and happy enough?

Homosexuality

The *Catechism of the Catholic Church* says that homosexual acts are intrinsically disordered, #2357. Fr. Wrenn, however, quotes from the *Diagnostic and Statistical Manual of the American Psychiatric Association (DSM) IV*, which “does not regard homosexuality in itself as a disorder” except “in the case of a person who experiences persistent and marked distress about his or her sexual orientation.” Does the distress occur when the Catholic Church calls it intrinsically disordered?

Fr. Wrenn’s concern with homosexuality relates to choice of a marriage partner of the opposite sex. “A female homosexual, for example, might function less well with an aggressive husband than with a gentle, passive man. It is always possible, therefore, that a homosexual condition not invalidating in itself could, given the wrong partner, result in an inability of the two parties to relate”(p.91).

Not only does Fr. Wrenn prefer the DSM definition of homosexuality, but he also condones divorce and remarriage for these people as well when things don’t work out.

Fr. Wrenn’s belief about marriage



Fr. Wrenn sums up his attitude about modern marriage cases on page 199, “According to the present code, therefore, a marriage is rendered null by any psychological reason (even though it is not a ‘disorder’ or ‘anomaly’) whenever that reason or cause renders a spouse incapable of assuming the essential obligations of marriage, especially the obligation of engaging in an interpersonal relationship.” This is contrary to the teachings of John Paul II and is a radical approach to Catholic teaching on what constitutes a valid marriage. It is merely a way to allow divorce and remarriage and not call it that.

What can be done

The parish priest can make himself aware of the thinking of prominent tribunalists, which is really a dissent from the Church’s teachings on divorce and remarriage. He can remind couples that they made vows for better or for worse until death parts them, and that God will hold them accountable to those vows.

He can remind couples that second marriages can fail even more often than first marriages. And that stepfamilies are sometimes bad for children, and can result in learning and behavioral problems, poverty, abuse, and sexual molestation. The fall of 2000 saw the release of two books that renewed debate over whether couples owe it to their children to stay together, *The Unexpected Legacy of Divorce*, (Hyperion, \$24.95) and *The Case for Marriage*, (Doubleday, \$19.96). Secular writers are rethinking their support for divorce/remarriage while some like Fr. Wrenn are trying to accommodate it into the Catholic framework.

More than anything it is the job of parish priests to remind couples that their goal is to be happy with God for eternity – not with some honey in the here and now. Contraception, abortion, sterilization, homosexual acts, and remarriage after divorce are not choices to be with God.

The pro-annulment literature does not take seriously issues about sin, death, and hell. Those who do should ignore what is another attempt at merging the Catholic view with the worldview.

Mrs. Bill (Sheryl) Temaat lives in Monument, Colorado. She earned a Masters degree in education at Regis University in Denver. She is a substitute teacher in the public schools and a free lance writer. XXX

In Primis & Memento Domine Prayers of the Mass

...In primis quae tibi offerimus pro Ecclesia tua sancta catholica: quam pacificare, custodire, adunare, et regere digneris toto orbe terrarum, una cum famulo tuo Papa nostro N., et Antistite nostro N., et monibus orthodoxies, atquae catholicae et apostolicae fidei cultoribus.

...Which in the first place we offer Thee for Thy holy Catholic Church, that it may please Thee to grant her peace; as also to protect, unite and govern her throughout the world, together with Thy servant, N., our Pope; N., our bishop; as also all orthodox believers and professors of the Catholic and Apostolic Faith.

This prayer, following the *Te igitur*, is a prayer for Holy Church, that God may pacify, protect, unify and govern her. Thus, in every Mass, we pray for Church unity. Holy Church has many battles to fight and she needs this intercessory prayer during the adorable Sacrifice. She continues the mission of Christ upon earth and must, therefore, be conformed to Him in all things. As He was subjected to sorrows and persecutions all during the course of His life, so the history of the life of the Church down through the ages has been one of opposition and contradiction, of bloody persecution. The blood of martyrs, however, remains ever the seed of Christians, and with almost incredible fecundity Holy Church has increased and spread to the remotest corners of the earth. The prayers of her faithful children rise heavenward during the adorable Sacrifice, in union with the prayer of Christ, petitioning for her the Divine protection, that she may ever stand serene and unharmed upon the Rock whereon her Founder placed her, unimpaired by the ravages of time and the wicked designs of men.

Prayer and sacrifice made for the Church benefit the whole world. The more exalted she is, interiorly and exteriorly, the more abundant blessings she pours out upon humanity. The more gloriously she triumphs over her enemies, the more abundantly is fulfilled in her that promise of Jesus: “Behold, I am with you all days even to the consummation of the world” (Matt. 28:20).

After praying for the Church in general, a special petition is added for the Sovereign Pontiff and the diocesan bishop. Great responsibilities rest upon our ecclesiastical superiors; the welfare of mankind depends largely upon their fidelity to duty; therefore we implore the Divine assistance in their behalf. A third petition is added for faithful Catholic throughout the world.

An interesting Latin word, *Antistite*, is translated “bishop”. In Latin the word means “overseer of a temple, chief priest” from *antisto*, “to stand before; to be superior, to excel, be prominent”. Usually we have the Latin word borrowed from the Greek *episcopo* for “bishop”. The bishop is the chief priest of the diocese and all are subject to his spiritual authority. He oversees the temple meaning the liturgy and all the practices of adoration and praise to God. He stands before the faithful in the eyes of God, the first to be looked at and judged regarding how God is loved, honored, adored and obeyed by all those whom he oversees.

The Latin *cultoribus* is derived from *cultus* which means cultivation, labour, tilling; b) care, training, education; c) culture, civilization, refinement; d) veneration, adoration, worship; e) way of life; luxury, wantonness; dress, attire, splendor, adornment. We don't have good English words to convey what *cultoribus* means here. The best we can come up with is “believers and professors”. These words don't convey the back-breaking labor and sweat entailed in being truly Christian and living the Faith, nor of it being ingrained in the soul of the believer who ardently pursues Christ and witnesses His love to everyone.

We also see in this prayer the word *famulo* from *famulus* meaning servant or slave. It is attached to the word *Papa*, or pope. We have heard this word before in the Mass during the offertory and elsewhere. We will see it again in the next prayer. Clearly we are to be, as Christ showed Himself at the Last Supper when He washed the feet of His Apostles, servants or slaves to each other as we see Christ in each other. The Pope is especially here said to be the slave of the Mystical Body of Christ. Our word “family” comes from the Latin. In families we must, to truly imitate Christ and Our Lady, be slaves to each other, vying to see how we can humble ourselves in our care for those around us.

We called this a “Catechism in a prayer” because the four marks of the Church and the depth of meaning of this doctrine is contained herein – One, Holy, Catholic, and Apostolic.

Memento, Domine, famulorum famularumque tuarum N. et N. et omnium circumstantium, quorum tibi fides cognita est, et nota devotion: pro quibus tibi offerimus, vel qui tibi offerunt hoc sacrificium laudis, pro se, suisque omnibus, pro redemptione animarum suarum, pro spe salutis et incolumitatis suae; tibi que reddunt vota sua aeterno Deo, vivo et vero.

Be mindful, O Lord, of Thy servants and handmaids, N. and N. and of all here present, whose faith and devotion are known to Thee: for whom we offer, or who offer up to Thee this Sacrifice of praise, for the redemption of their souls, for the hope of their safety and salvation, and who now pay their vows to Thee, the eternal, living and true God.

In the first prayer of the Canon, the priest prays for those for whom the Holy Sacrifice is especially offered; as, for example, the parishioners, those who have given the stipend and requested the mass to be said for their intention; those for whom the priest wishes expressly to pray, as, for example, his parents and relatives; those who have recommended themselves to his prayers; and finally, all those present.

Devout persons have at all times considered this *Memento* at Holy Mass of great value. And how touching is the thought that in this *Memento* the priest has the power to bring to God intentions and petitions, cares and sorrows, from souls who perhaps have sought help and consolation everywhere else in vain, for whom no other hand or voice is raised but that of the priest at the altar. Who knows how many hopes are again revived by this remembrance at the altar! So many crosses and intentions have been confided to the priest – sufferings of which he alone knows. For these and for all he sends up his prayer to heaven, reanimated by the hope that God will condescend graciously to grant these petitions in virtue of the Holy Sacrifice. **XXX**

In Memoriam

Two special persons and supporters of our group and efforts have been called by God to eternity in recent weeks. On Monday, June 10, Father Philip Schuster, O.S.B. of Conception Abbey was brutally murdered along with fellow monk Brother Damien in the front hall of Conception Abbey by a 71 year old deranged man. Father Philip offered daily sacrifices and penances for us, sent us money occasionally and offered excellent advice and

encouragement to your president. He was nearly 85 years old when he died and spoke often in recent years of being eager to meet Jesus. If anyone was ready to go, Father Philip was. Although we will miss him greatly in this life, we can be confident that he is continuing to pray for us from eternity.

On Friday, June 21, Sister Mary Charles, O.C.D. of the Carmel of St. Anne in Springfield died of cancer. The joy and prayerfulness of the Carmelite sisters is an inspiration to all who know them. Sister Mary Charles welcomed our Una Voce girls last summer for a visit with all the nuns to discuss contemplative religious life. She was sympathetic to our efforts and prayed for us. We can be assured of her prayers continuing for our group.

Let us remember to pray for the repose of the souls of these good people who stayed faithful to God till the end. Let it be a reminder to us to always be faithful. Let us not hesitate to call on them both along with our other deceased of recent years who so loved Holy Mother Church and the Catholic Faith: Ray Adams, Dr. Don Bussmann, Vera Regan, and Jack O'Donnell. May they and all the souls of the faithful departed rest in peace. **XXX**

