

HOLY SEE PRESS OFFICE  
OFICINA DE PRENSA DE LA SANTA SEDE



BUREAU DE PRESSE DU SAINT-SIEGE  
PRESSEAMT DES HEILIGEN STUHLS

# BOLLETTINO

SALA STAMPA DELLA SANTA SEDE

N. 180129b

Monday 29.01.2018

## Audience with the Tribunal of the Roman Rota for the inauguration of the Judicial Year

At 10.30 today, in the Clementine Hall of the Vatican Apostolic Palace, the Holy Father Francis received in audience the Prelate Auditors, officials, lawyers and collaborators of the Tribunal of the Roman Rota on the occasion of the solemn inauguration of the Judicial Year. After greetings from the Dean of the Tribunal of the Roman Rota, H.E. Msgr. Pio Vito Pinto, the Pope gave the following address to those present:

### Address of the Holy Father

Dear Prelate Auditors,

I greet you cordially, beginning with the Dean, whom I thank for his words. Together with you I greet the officials, lawyers and all the collaborators of the Apostolic Tribunal of the Roman Rota. I wish you all the best for the Judicial Year that we inaugurate today.

Today I would like to reflect with you on a qualifying aspect of your judicial service, that is, on the centrality of *conscience*, which is both that of each one of you and of the persons whose cases you are occupied with. Indeed, your activity is also expressed as a ministry of the *peace of consciences* and requires to be exercised in *full consciousness*, as is well expressed by the formula with which your sentences are issued *ad consulendum conscientiae* or *ut consulatur conscientiae*.

As regards the declaration of nullity or validity of the marriage bond, you posit yourselves, in a certain sense, as experts in the conscience of the Christian faithful. In this role, you are called to incessantly invoke divine assistance to carry out with humility and good measure the serious task entrusted to you by the Church, thus demonstrating the connection between moral certainty, which the judge must achieve *ex actis et probatis*, and the conscience, known only to the Holy Spirit and assisted by Him. Indeed, thanks to the light of the Spirit, it is given to us to enter into the sacred area of the conscience of the faithful. It is significant that the ancient prayer of the *Adsumus*, which was proclaimed at the beginning of each session of the Vatican Council II, is recited very frequently in your Tribunal.

The sphere of the conscience has been very dear to the Fathers of the last two Synods of the Bishops, and resonated significantly in the Post-Synodal Apostolic Exhortation *Amoris Laetitia*. This derives from the awareness that the Successor of Peter and the Synod Fathers have developed regarding the urgent need for listening, on the part of the Pastors of the Church, to the requests and expectations of those faithful who have kept their consciences silent and absent for long years and were subsequently helped by God and by life to regain some light, turning to the Church to have their conscience at peace.

The conscience assumes a decisive role in the demanding choices that couples must face to welcome and build the conjugal union and hence the family according to God's plan. The Church, a tender mother, *ut consulatur conscientiae* of the faithful in need of truth, has recognized the need to invite those who work in the pastoral care of marriage and family to obtain a renewed awareness in helping engaged couples to build and preserve the intimate sanctuary of their Christian conscience. In this regard, I would like to point out that in the two Documents in the form of a *Motu proprio*, enacted for the reform of the marriage annulment process, I have urged the establishment of the diocesan pastoral investigation in order not only to make the process more rapid, but also more just, in due knowledge of the causes and reasons that are the cause of the failure of marriage. On the other hand, in the Apostolic Exhortation *Amoris Laetitia*, pastoral pathways have been indicated to help engaged couples to enter without fear into discernment and in the consequent choice of the future conjugal and family life, describing in the first five chapters the extraordinary richness of the conjugal covenant as designed by God in the Scriptures and lived by the Church throughout history.

A continuous experience of faith, hope and charity is all the more necessary so that young people may again decide, with a sure and serene conscience, that conjugal union open to the gift of children is great joy for God, for the Church, for humanity. The synodal journey of reflection on marriage and the family, and the subsequent Apostolic Exhortation *Amoris Laetitia*, have had an obligatory path and purpose: how to save young people from the din and deafening noise of the ephemeral, which leads them to shy away from stable and positive commitments for the individual and collective good. A conditioning that silences the voice of their freedom, of that intimate cell – indeed, the conscience – that God alone illuminates and opens to life, if He is allowed to enter.

How valuable and urgent is the pastoral action of the whole Church for the recovery, safeguarding, protection of a Christian conscience, illuminated by Gospel values! It will be a long undertaking and not easy, requiring bishops and presbyters to work indefatigably to enlighten, defend and support the Christian conscience of our people. The synodal voice of the bishop Fathers and the subsequent Apostolic Exhortation *Amoris Laetitia* thus ensured a basic point: the necessary relationship between the *regula fidei*, that is, the fidelity of the Church to the untouchable Magisterium on marriage, as well as on the Eucharist, and the urgent attention of the Church herself to the psychological and religious processes of all persons called to the choice of marriage and family. Welcoming the wishes expressed by the Synod Fathers, I have already had the opportunity to recommend a *marriage catechumenate*, intended as an indispensable itinerary for young people and couples destined to revive their Christian conscience, sustained by the grace of the two sacraments, baptism and marriage.

As I have reiterated on other occasions, the catechumenate is unique in itself, as it is baptismal, rooted in baptism, and at the same time in life it necessitates a permanent character, inasmuch as the grace of the sacrament of marriage is permanent, that precisely because *grace* is the fruit of mystery, whose wealth can only be safeguarded and assisted in the conscience of spouses as individuals and as couples. These are in fact figures peculiar to that incessant *cura animarum* which is the *raison d'être* of the Church, and of us as Pastors first of all.

However, the *care of consciences* can not be the exclusive concern of Pastors; rather, with different responsibilities and methods, it is the mission of all, ministers and baptized faithful. Blessed Paul VI exhorted “absolute fidelity to safeguard the “*regula fidei*”” (*Teachings* XV [1977], 663), which enlightens the conscience and can not be obscured or detached. To do this – says Paul VI – “it is necessary to avoid opposing extremisms, both by those who appeal to tradition to justify their disobedience to the supreme Magisterium and to the Ecumenical Council, and by those who uproot from themselves from the ecclesial *humus* by corrupting the genuine doctrine of the Church; both attitudes are a sign of undue and perhaps subconscious subjectivism, when it is not unfortunately of obstinacy, of stubbornness, of imbalance; these positions wound the heart of the

Church, Mother and Teacher” (*Teachings* XIV [1976], 500).

Faith is a light that illuminates not only the present but also the future: *marriage and family* are the future of the Church and of society. It is therefore necessary to promote a state of *permanent catechumenate* so that the consciousness of the baptized is open to the light of the Spirit. The sacramental intention is never the result of automatism, but always of a conscience illuminated by faith, as the result of a combination of the human and the divine. In this sense, spousal union can be said to be true only if the human intention of the spouses is oriented to what Christ and the Church want. To make the future spouses more aware of this, we need the contribution not only of bishops and priests, but also of other people involved in pastoral care, religious and lay faithful who are jointly responsible in the mission of the Church.

Dear judges of the Roman Rota, the close connection between the sphere of conscience and that of the matrimonial processes that you deal with daily, demands avoiding that the exercise of justice be reduced to a mere bureaucratic accomplishment. If the ecclesiastical tribunals were to fall to this temptation, they would betray the Christian conscience. This is why, in the *processus brevior* procedure, I established not only that the supervisory role of the diocesan bishop be made more evident, but also that he himself, a native judge in the Church entrusted to him, considers in the first instance possible cases of matrimonial nullity. We must ensure that the conscience of the faithful in difficulty as regards their marriage does not close up to a path of grace. This aim is achieved through pastoral accompaniment, discernment of consciences (see Apostolic Exhortation *Amoris Laetitia*, 242) and the work of our tribunals. This work must take place in wisdom and in the search for truth: only in this way can the declaration of nullity produce a liberation of consciences.

I reaffirm my gratitude to every one of you for the good you do to God’s people, serving justice. I invoke divine assistance on your work and I cordially impart my Apostolic Blessing to you.

---