

**Appeal to prayer:
That Pope Francis may confirm the unchanging praxis of the Church
with regard to the truth of the indissolubility of marriage.**

Following the publication of the Apostolic Exhortation *Amoris laetitia*, in some particular churches there were published norms for its application and interpretations whereby the divorced who have attempted civil marriage with a new partner, notwithstanding the sacramental bond by which they are joined to their legitimate spouse, are admitted to the sacraments of Penance and the Eucharist without fulfilling the duty, established by God, of ceasing to violate the bond of their existing sacramental marriage.

Cohabitation *more uxorio* with a person who is not one's legitimate spouse represents, at the same time, an offense to the Covenant of Salvation, of which sacramental marriage is a sign (cf. *Catechism of the Catholic Church*, 2384), and an offense to the nuptial character of the Eucharistic mystery itself. Pope Benedict XVI revealed such a correlation when he wrote: "The Eucharist inexhaustibly strengthens the indissoluble unity and love of every Christian marriage. By the power of the sacrament, the marriage bond is intrinsically linked to the Eucharistic unity of Christ the Bridegroom and his Bride, the Church (cf. Eph. 5:31-32)" (Apostolic Exhortation *Sacramentum caritatis*, 27).

Pastors of the Church who tolerate or authorize, even in individual or exceptional cases, the reception of the sacrament of the Eucharist by the divorced and so-called "remarried," without their being clothed in the "wedding garment," despite the fact that God himself has prescribed it in Sacred Scripture (cf. Matt. 22:11 and 1 Cor. 11:28-29) as the necessary requirement for worthy participation in the nuptial Eucharistic supper, such pastors are complicit in this way with a continual offense against the sacramental bond of marriage, the nuptial bond between Christ and the Church and the nuptial bond between Christ and the individual soul who receives his Eucharistic Body.

Several particular Churches have issued or recommended pastoral guidelines with this or a similar formulation: "If then this choice [of living in continence] is difficult to practice for the stability of the couple, *Amoris laetitia* does not exclude the possibility of access to Penance and the Eucharist. That signifies something of an openness, as in the case where there is a moral certainty that the first marriage was null, but there are not the necessary proofs for demonstrating such in the judicial process. Therefore, there is no reason why the confessor, at a certain point, in his own conscience, after much prayer and reflection, should not assume the responsibility before God and the penitent asking that the sacraments be received in a discreet manner."

The previously mentioned pastoral guidelines contradict the universal tradition of the Catholic Church, which by means of an uninterrupted Petrine Ministry of the Sovereign Pontiffs has always been faithfully kept, without any shadow of doubt or of ambiguity, either in its doctrine or its praxis, in that which concerns the indissolubility of marriage.

The norms mentioned and pastoral guidelines contradict moreover in practice the following truths and doctrines that the Catholic Church has continually taught as being sure:

- The observance of the Ten Commandments of God, and in particular the Sixth Commandment, binds every human person, without exception, always and in every situation. In this matter, one cannot admit individual or exceptional cases or speak of a fuller ideal. St Thomas Aquinas says: "The precepts of the Decalogue embody the intention of the legislator, that is God. Therefore, the precepts of the Decalogue permit no dispensation" (*Summa theol.* 1-2, q.100, a.8c).

- The moral and practical demands, which derive from the Ten Commandments of God, and in particular from the indissolubility of marriage, are not simple norms or positive laws of the Church, but an expression of the holy will of God. Consequently, one cannot speak in this respect of the primacy of the person over the norm or the law, but one must rather speak of the primacy of the will of God over the will of the sinful human person, in such a way that this person is saved, by fulfilling the will of God with the help of his grace.
- To believe in the indissolubility of marriage and to contradict it by one's own actions while at the same time considering oneself even being free from grave sin and calming one's conscience by trusting in God's mercy alone, represents a self-deception against which Tertullian, a witness to the faith and practice of the Church of the first centuries warned: "Some say that for God it is sufficient that one accepts his will in one's heart and soul, even if one's actions do not correspond to this: in this manner they think themselves able to sin while maintaining the integrity of the principle of faith and fear of God: in this way, it is absolutely the same as if one attempted to maintain the principle of chastity, while violating and breaking the holiness and integrity of the matrimonial bond" (Tertullian, *De poenitentia* 5,10).
- The observance of the Commandments of God and in particular of the indissolubility of marriage cannot be presented as a fuller expression of an ideal towards which one should strive in accordance with the criterion of the good which is possible or achievable. It is rather the case of an obligation which God himself has unequivocally commanded, the non-observance of which, in accordance with his Word, carries the penalty of eternal damnation. To say to the faithful the contrary would seem to signify misleading them or encouraging them to disobey the will of God, and in such way endangering their eternal salvation.
- God gives to every man assistance in the observance of his Commandments, when such a request is properly made, as the Church has infallibly taught: "God does not command that which is impossible, but in commanding he exhorts you to do that which you are able, and to ask for that which you cannot do, and so he assists you that you might be able to do it" (Council of Trent, session 6, chapter 11) and "and if someone says that even for the man who has been justified and established in grace the commandments of God are impossible to observe: let him be anathema" (Council of Trent, session 6, canon 18.) Following this infallible doctrine, St John Paul II taught: "Keeping God's law in particular situations can be difficult, extremely difficult, but it is never impossible. This is the constant teaching of the Church's tradition" (Encyclical *Veritatis splendor*, 102) and "All husbands and wives are called in marriage to holiness, and this lofty vocation is fulfilled to the extent that the human person is able to respond to God's command with serene confidence in God's grace and in his or her own will" (Apostolic Exhortation *Familiaris consortio*, 34).
- The sexual act outside of a valid marriage, and in particular adultery, is always objectively gravely sinful and no circumstance and no reason can render it admissible or pleasing in the sight of God. St Thomas Aquinas says that the Sixth Commandment obliges even in the case where an act of adultery could save a country from tyranny (*De Malo*, q.15, a.1, ad. 5). St John Paul II taught this perennial truth of the Church: "The negative moral precepts, those prohibiting certain concrete actions or kinds of behaviour as intrinsically evil, do not allow for any legitimate exception. They do not leave room, in any morally acceptable way, for the "creativity" of any contrary determination whatsoever. Once the moral species of an action prohibited by a universal rule is concretely recognized, the only morally good act is that of obeying the moral law and of refraining from the action which it forbids" (Encyclical *Veritatis splendor*, 67).
- The adulterous union of those who are civilly divorced and "remarried," "consolidated," as they say, over time and characterized by a so-called "proven fidelity" in the sin of adultery, cannot change the moral quality of their act of violation of the sacramental bond of marriage, that is, of their adultery, which remains always an intrinsically evil act. A person who has the true faith and a filial fear of God can never be "understanding" towards acts

which are intrinsically evil, as are sexual acts outside of a valid marriage, since these acts are offensive to God.

- The admission of the divorced and "remarried" to Holy Communion constitutes in practice an implicit dispensation from the observance of the Sixth Commandment. No ecclesiastical authority has the power to concede such an implicit dispensation in a single case, or in an exceptional or complex situation or with the goal of achieving a good end (as in example the education of the children born of an adulterous union) invoking for such a concession the principle of mercy, or the "via caritatis," or the maternal care of the Church or affirming not to want to impose many conditions to mercy. St Thomas Aquinas said: "In no circumstances should a person commit adultery (pro nulla enim utilitate debet aliquis adulterium committere)" (*De Malo*, q.15, a.1, ad. 5).
- A norm which permits the violation of the Sixth Commandment of God and of the sacramental matrimonial bond only in a single case or in exceptional cases, presumably to avoid a general change to the canonical norm, nonetheless always signifies a contradiction of the truth and of the will of God. Consequently, it is psychologically out of place and theologically erroneous to speak in this case of a restrictive norm or of a lesser evil in contrast with the general norm.
- A valid marriage of the baptized is a sacrament of the Church and of its nature has a public character. A subjective judgment of the conscience in relation to the invalidity of one's own marriage, in contrast to the corresponding definitive judgment of an ecclesiastical tribunal, cannot bring consequences for sacramental discipline, since the sacramental discipline always has a public character.
- The Church, and specifically the minister of the sacrament of Penance, does not have the faculty to judge on the state of conscience of an individual member of the faithful or on the rectitude of the intention of the conscience, since "ecclesia de occultis non iudicat" (Council of Trent, session 24, chapter 1). The minister of the sacrament of Penance is consequently not the vicar or representative of the Holy Spirit, able to enter with His light in the innermost recesses of the conscience, since God has reserved such access to the conscience strictly to himself: "sacrarium in quo homo solus est cum Deo" (Vatican Council II, *Gaudium et spes*, 16). The confessor cannot arrogate to himself the responsibility before God and before the penitent, of implicitly dispensing him from the observance of the Sixth Commandment and of the indissolubility of the matrimonial bond by admitting him to Holy Communion. The Church does not have the faculty to derive consequences for the external forum of sacramental discipline on the basis of a presumed conviction of conscience of the invalidity of one's own marriage in the internal forum.
- A practice which permits to those who have a civil divorce, the so called "remarried," to receive the sacraments of Penance and the Eucharist, notwithstanding their intention to continue to violate the Sixth Commandment and their sacramental bond of matrimony in the future, would be contrary to Divine truth and alien to the perennial sense of the Catholic Church, to the proven custom, received and faithfully kept from the time of the Apostles and more recently confirmed in a sure manner by St John Paul II (cf. Apostolic Exhortation *Familiaris consortio*, 84) and by Pope Benedict XVI (cf. Apostolic Exhortation *Sacramentum caritatis*, 29).
- The practice mentioned would be for every rational and sensible person an evident rupture with the perennial and Apostolic practice of the Church and would therefore not represent a development in continuity. In the face of such a fact, no argument would be valid: *contra factum non valet argumentum*. Such a pastoral practice would be a counter-witness to the indissolubility of marriage and a kind of collaboration on the part of the Church in the propagation of the "plague of divorce," which the Vatican Council II warned against (cf. *Gaudium et spes*, 47).
- The Church teaches by means of what she does, and she has to do what she teaches. With relation to the pastoral action concerning those in irregular unions, St John Paul II said: "The aim of pastoral action will be to make these people understand the need for

consistency between their choice of life and the faith that they profess, and to try to do everything possible to induce them to regularize their situation in the light of Christian principle. While treating them with great charity and bringing them into the life of the respective communities, the pastors of the Church will regrettably not be able to admit them to the sacraments" (Apostolic Exhortation *Familiaris consortio*, 82).

- An authentic accompaniment of persons who find themselves in an objective state of grave sin and on a corresponding journey of pastoral discernment cannot fail to announce to such people, in all charity, the complete will of God, in such a way that they repent wholeheartedly of their sinful actions of living *more uxorio* with a person who is not their legitimate spouse. At the same time, an authentic accompaniment and pastoral discernment must encourage them, with the help of God's grace, not to commit such acts in the future. The Apostles and the entire Church throughout two millennia have always announced to mankind the whole truth concerning the Sixth Commandment and the indissolubility of marriage, following the admonition of St Paul the Apostle: "I did not shrink from the responsibility of announcing to you the complete will of God" (Acts 20:27).
- The pastoral praxis of the Church concerning Marriage and the sacrament of the Eucharist has such an importance and such decisive consequences for the faith and the life of the faithful, that the Church, in order to remain faithful to the revealed Word of God, must avoid in this matter any shadow of doubt and confusion. St John Paul II formulated this perennial truth of the Church thus: "With this reminder of the doctrine and the law of the church I wish to instill into everyone the lively sense of responsibility which must guide us when we deal with sacred things like the sacraments, which are not our property, or like consciences, which have a right not to be left in uncertainty and confusion. The sacraments and consciences, I repeat, are sacred, and both require that we serve them in truth. This is the reason for the Church's law" (Apostolic Exhortation *Reconciliatio et Paenitentia*, 33).

Notwithstanding repeated declarations concerning the immutability of the teaching of the Church concerning divorce, several particular churches nowadays accept divorce in their sacramental practice, and the phenomenon is growing. Only the voice of the Supreme Pastor of the Church can definitively impede a situation where in the future, the Church of our time is described with the following expression: "All the world groaned and noticed with amazement that it has in practice accepted divorce" (*ingenuit totus orbis et divortium in praxi se accepisse miratus est*), evoking an analogous saying by which St Jerome described the Arian crisis.

Given this very real danger and the widespread plague of divorce within the life of the Church, which is implicitly legitimized by the mentioned norms and applications of the Apostolic Exhortation *Amoris laetitia*; given that the aforementioned norms and guidelines from some particular churches as a result of today's global culture are in the public domain; given, furthermore, the ineffectiveness of numerous appeals made privately and in a discreet manner to Pope Francis both by many faithful and by some Shepherds of the Church, **we are forced to make this urgent appeal to prayer**. As successors of the Apostles, we are also moved by the obligation of raising our voices when the most sacred things of the Church and the matter of eternal salvation of souls are in question.

May the following words, with which St John Paul II described the unjust attacks against the faithfulness of the Church's Magisterium, be a light for all pastors of the Church in these difficult times and encourage them to act in an increasingly united manner: "The Church's Magisterium is often chided for being behind the times and closed to the promptings of the spirit of modern times, and for promoting a course of action which is harmful to humanity, and indeed to the Church herself. By obstinately holding to her own positions, it is said, the Church will end up losing popularity, and more and more believers will turn away from her" (Letter to families, *Gratissimam sane*, 12).

Considering that the admission of the divorced and so-called "remarried" to the sacraments of Penance and the Eucharist, without requiring of them the obligation to live in continence, constitutes a danger for the faith and for the salvation of souls and furthermore constitutes an offense to the holy will of God; furthermore, taking into consideration that such pastoral practice can never be the expression of mercy, of the "via caritatis" or of the maternal sense of the Church towards souls that are sinning, **we make with profound pastoral solicitude this urgent appeal to prayer that Pope Francis may revoke in an unequivocal manner the aforementioned pastoral guidelines which are already introduced in several particular churches.** Such an act of the Visible Head of the Church would comfort the shepherds and the faithful of the Church, according to the mandate which Christ, the Supreme Shepherd of souls, has given to the Apostle Peter, and through him to all his successors: "Confirm your brethren!" (Luke 22:32).

May the following words of a holy Pope and of St Catherine of Siena, a Doctor of the Church, be a light and a comfort for all in the Church of our days:

"Error when not resisted, is accepted. Truth, which is not defended, is oppressed" (Pope St Felix III, +492). "Holy Father, God has elected you in the Church, so that you might be an instrument for the stamping out of heresy, the confounding of lies, the exaltation of the Truth, the dissipation of darkness and the manifestation of light" (St Catherine of Siena, +1380).

When Pope Honorius I (625 - 638) adopted an ambiguous attitude towards the spreading of the new heresy of Monothelism, Saint Sophronius, Patriarch of Jerusalem, sent a bishop from Palestine to Rome, saying to him the following words: "Go to the Apostolic See, where are the foundations of holy doctrine, and do not cease to pray till the Apostolic See condemn the new heresy." The condemnation occurred in 649 through the holy pope and martyr Martin I.

We make this appeal to prayer conscious that our failure to do so would have been a serious omission. Christ, the Truth and the Supreme Shepherd, will judge us when He appears. We ask Him, with humility and confidence, to reward all the shepherds and all the sheep with the imperishable crown of glory (cf. 1 Pet. 5:4).

In the spirit of faith and with filial and devout affection we raise our prayer for Pope Francis: "Oremus pro Pontifice nostro Francisco: Dominus conservet eum, et vivificet eum, et beatum faciat eum in terra, et non tradat eum in animam inimicorum eius. Tu es Petrus, et super hanc petram aedificabo Ecclesiam Meam, et portae inferi non praevalerunt adversus eam."

As a concrete means we recommend to recite every day this ancient prayer of the Church or a part of the holy rosary in the intention that Pope Francis may revoke in an unequivocal manner those pastoral guidelines, which permit the divorced and so-called "remarried" to receive the sacraments of Penance and Eucharist without asking them to fulfil the obligation of a life in continence.

18 January 2017, the ancient feast of the Chair of Saint Peter in Rome

+ Tomash Peta, Metropolitan Archbishop of the archdiocese of Saint Mary in Astana
+ Jan Pawel Lengua, Archbishop-Bishop emeritus of Karaganda
+ Athanasius Schneider, Auxiliary Bishop of the archdiocese of Saint Mary in Astana