

*The pro-annulment literature does not  
take seriously  
issues about sin, death and hell.*

## Why marriage annulments have exploded

*By Sheryl Temaast*

■ 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 moviemaker 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 child 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) de-

(continued on page 46)

## WHY MARRIAGE ANNULMENTS HAVE EXPLODED

(continued from page 32)

clare 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 spouses.

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 a 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

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 choose 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 per-

sonalist 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 ag-

gressive 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 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 freelance writer. She has contributed articles to HPR in the past.*