

# Healing the Wounds of the Divorced and the Remarried: A Pastoral Study

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We need a church which is able to dialogue with those disciples who, having left Jerusalem behind, are wandering aimlessly, alone, with their own disappointment, disillusioned by a Christianity now considered barren, fruitless soil, incapable of generating meaning. (Pope Francis)<sup>1</sup>

## Introduction

The world celebrates the age-old human institution, the family, as an invaluable asset and a natural setting where life grows and develops. The irony is that in this postmodern world there is constant increase in the number of divorce, separation, remarriage, and cohabiting. Empowering the institution of family is the need of the hour so that the vocation to family is intact. Realising the contemporary challenges, Pope Francis convened a Synod to reflect over the topics related to ‘the pastoral challenges of the family in the context of evangelisation’ in the years 2014-15. The outcomes of the deliberations were published as the post-synodal exhortation “*Amoris Laetitia*” (‘The Joy of Love’). This turned out to be one of the most controversial documents of the Magisterium of the Catholic Church in recent decades. The burning question of the last half century, “whether the divorced and civilly remarried, who are considered to be in grave sin, shall receive Eucharistic Communion or not” is given new life and has become the focal

point of heated debate, since the release of *Amoris Laetitia*. Now, what is right? – finding the possibilities to provide proper pastoral care and to heal the hurts of the divorced and the remarried or to alter the ideals of a permanent marriage in the name of a process to heal the divorced and the remarried?

## **Indissolubility of Marriage in the Church**

Since the first millennium Church has condemned divorce and has wanted the marriage to be indissoluble. Except for adultery the teachings of the Church fathers and the councils have been stressing on the indissolubility of marriage. In spite of the Church harping on the teaching of Jesus mentioned in Mt 19:9 the Church has permitted its members to remarry in certain instances like if the wife abandons the husband or on the ground of mutual consent or when the husband is taken as a slave and there is little possibility of his return. St. Augustine of Hippo developed the doctrine of indissolubility which was largely disregarded for a period of time.<sup>2</sup> Overpowering all the previous teachings of the Church, the Council of Trent established the obligatory ecclesiastical marriage form and enacted a new law on indissolubility.

On 11 November 1563, in the fifth official session of the Council of Trent the canon on absolute indissolubility of marriage was accepted with a majority vote. The content of the canon is as follows:

If anyone shall say that the Church errs when she taught or teaches, in accordance with evangelical and apostolic doctrine, that the bond of marriage cannot be dissolved because of adultery of either spouse; and that neither of them, not even the innocent one who was not the cause of adultery, can contract another marriage while the other spouse is living; and that he who has taken another after dismissing the adulterous; and she who has married another after dismissing the adulterer, commits adultery, let him be anathema.<sup>3</sup>

Though, here the council has not explicitly defined the indissolubility of marriage, by refusing permission for divorce it has terminated forever the question of possible divorce of consummated sacramental marriage on account of adultery. Since then the declarations of the Popes and the magisterial teachings of the Church have been upholding the indissolubility as one of the essential properties of marriage.<sup>4</sup>

### **Only Separation No Divorce**

The Church believes that God, the author of marriage, established it as a lifelong covenantal union. Absolute fidelity to wife or husband after marriage until death is demanded by this covenantal union. The couple must witness in their life the love of Christ to the Church. If one of the spouses commits adultery, or causes physical, mental or spiritual danger to the other spouse or children, it could be a legitimate ground for the innocent party to effect a separation (CIC, c.1649). Canon Law and the discipline of the Church strongly encourage the innocent party to forgive the erred spouse and to reconcile. When common life becomes difficult and reconciliation becomes impossible, the Church permits physical separation. However, even after the separation the marriage bond between them remains intact. The couple are bound by the obligation of fidelity.<sup>5</sup>

Civil society has introduced divorce as a legal remedy for such situations, including the religious marriages. This is an imperfect formulation because indissolubility is not a civil effect, but an essential constitutive property of a sacramental marriage. The state has no right to dispose indissolubility and impose divorce on a Catholic marriage.<sup>6</sup> Despite the fact that the Church doesn't agree on divorce, the divorced couple are not legally subject to any punishment. Their canonical status in the Church is similar to that of separated spouses as far as they maintain fidelity to their marital bond.<sup>7</sup>

## **Breakdown of a Marriage a Human Tragedy**

The marriage breakdown is a form of dying. It can crucify a husband, wife, and their children, as well as family and friends.<sup>8</sup> Paula Ripple speaks of six different aspects of the divorcee's experience:<sup>9</sup>

### **1. Emotional Divorce**

It centres on the basic problem of the deteriorating marriage. Unresolved sustained conflicts and disagreements infect the spousal relationship and limit their interactions within household necessities, management of children or other routine obligations. Though the couple live together, the emotional divorce may be complete long before the initial separation. They hide this emotional breakdown due to fear of the consequence of real divorce.

### **2. Legal Divorce**

After irreconcilable and irreversible breakdown the couple proceed for legal divorce. For many it is a first experience of the complicated court and legal process. The legal divorce is a frightening and traumatic process for those whom this is a first time in the courts.

### **3. Economic Divorce**

Dividing the property at the time of divorce is one of the painful processes which deeply affect their future protection. Mostly the female partner moves into poverty and her wellbeing is at stake. Fear of insecurity has kept many people from seeking an end to the broken marriage.

### **4. Custody and Child Visitation**

Parenting the children after divorce is a difficult task. The children feel abandoned. The parents, ignoring the feelings of the children try to brainwash them, one against the other. After the divorce the home becomes

the single parent home, family responsibilities are no longer shared as in the past.

### **5. Community Divorce**

The social relationship changes after divorce. Community disapproval is stronger for the divorced persons in our society. By the loss of a partner, a set of friends and relations depart. Moreover, the cultural, religious, and social stigma associated with divorce shatters the happiness.

### **6. Psychic Divorce**

One has to live alone and has to readjust to the challenge of living alone. They may feel guilt and shame for their failure to save their marriage. The distrust created by divorce may remove the ability to depend on someone else. They can't trust anybody.

The indescribable experience of emotional turmoil, feeling unwanted and unfit, and endless disappointments crush the divorced heavily. Despite these facts the divorced couple desperately seek for another relationship to heal the wounded hearts.

## **Reasons for the Second Marriage**

Nothing is simple after the divorce. Both man and woman become weak and vulnerable. They lose their identity, social status, and sense of confidence. In spite of these devastating and painful experiences why do people go for second marriage?

The desire for human companionship and intimacy is inborn and God created.<sup>10</sup> The divorced couple see the second marriage as a healer of broken heart, an instant pain-reliever, and the way to recover the loss. Most of the divorced couple believe that they are aware of the pitfalls and feel confident to find a solution for the problems of the first marriage through the second

marriage. In family they find physical, emotional, and communal support. Moreover, the basic needs such as food, shelter, security, and education are guaranteed, especially to women and children while they live as a family. Aforementioned factors pressure the divorced couple for the second marriage.

### **Status of the Divorced and Remarried in the Church**

Contracting a new union after divorce, even if it is recognized by the civil law, according to the teaching of Catholic Church, is considered as adulterous affair. Moses permitted divorce and remarriage in the Old Testament. But Jesus is clear and straightforward in his teaching and without ambiguity he proclaims, “whoever divorces his wife and marries another commits adultery against her; and if she divorces her husband and marries another, she commits adultery (Mk 10:11-12).” Basing on the words of Jesus the Church declares that if anyone of the spouses enter into new union while the first marriage bond remains intact, such marriage is invalid.

According to canon law prior the bond is a divine law impediment which cannot be dispensed even in danger of death situations.<sup>11</sup> Hence, those who are remarried after divorce remain in grave sin of adultery and their life is a great scandal to the community. Their state and condition of life objectively contradict the union of love between Christ and the Church. It is a mortal sin which prevents one from legitimately receiving holy communion. They are prohibited to receive communion as long as they live in a public and ongoing state of sin. Even if any of them makes the sacrament of penance and reconciliation, his/her sin will not be absolved for the reason that the sinner is obstinately persevering in the sinful state (CIC, c.915). James A. Corriden describes the status of the divorced and the remarried in the Church from five distinct perspectives:

### **1. Personal Perspective**

The initial loss of intact family inevitably causes deep grief and a feeling of abandonment. The divorced couple may have common concerns like children, friends, memories and experiences, but no more partners for the whole of life. The covenant made by them for mutual personal commitment, and to give and accept mutual rights and responsibilities to constitute the marriage is broken permanently (CIC,c.1055).

### **2. Ecclesial Perspective**

Since the divorced and the remarried couple still have the indelible mark received through baptism, they continue to be the members of the Church. The pastors have the responsibility to provide proper spiritual and pastoral care to them with special concern. However, they are prohibited from receiving holy communion and denied admission to the sacrament of reconciliation and penance.

### **3. Canonical Perspective**

Canonically the divorced and the remarried contradict the indissolubility and unity of marriage demanded by natural and divine laws. Moreover, they remain in objectively grave and public sin. Law does not impose penalty of excommunication or interdict on them, rather in order to preclude the community from grave scandal prohibit them from receiving holy communion.

### **4. Moral Perspective**

The Church looks at the marital union after divorce as a moral disorder. The spouse may be either the cause for the destruction of the first marriage or the one who is unjustly abandoned by the partner. In either case, they are living in a state of sin and are deprived of God's grace.

## 5. Sacramental Perspective

Could the Church acknowledge the second union as a sacrament? The Church can never recognise the second marriage as a sacramental marriage that has been contracted civilly while the partner of the first marriage is alive. A pastor is forbidden to perform ceremonies of any kind for the divorced people who remarry.<sup>12</sup>

However, the Church allows the divorced members to remarry and to upgrade the status, if the following conditions are fulfilled. The canon law makes provision to declare null the prior bond through a canonical procedure. If a divorced Catholic remarries according to the canonical form after obtaining a declaration of nullity, it becomes a valid sacramental marriage.<sup>13</sup> John Paul II grants another exception to the divorced and the remarried to enjoy all the rights and duties in the Church, if they totally refrain from sexual relation and live like brother and sister. Certain conditions like wellbeing of the children, financial constraint and social protection that force the couples to stay together diminish the culpability. He urges the pastors to earnestly discern the situation of the couples and ascertain their willingness to live as brother and sister and then allow them to receive communion without leading the other faithful to error and confusion.<sup>14</sup>

### Controversy of *Amoris Laetitia*

After the publication of Pope Francis' Post-Synodal Apostolic Exhortation, *Amoris Laetitia* (hereafter, *AL*) on April 8, 2016, some members of the hierarchy vehemently opposed it and have proposed strong criticism against it. There is confusion whether the Pope has opened the possibility of admitting civilly divorced and remarried Catholics to the Sacraments of Reconciliation and Holy Communion or he has left unchanged the Church's traditional discipline of not admitting Catholics in those situations. In fact,

teaching of Pope Francis reaffirms the previous magisterial teachings. Pope repeats the traditional Catholic view as follows:

Christian marriage, as a reflection of the union between Christ and his Church, is fully realised in the union between a man and woman who give themselves to each other in a free, faithful, and exclusive love. Who belong to each other until death and are open to the transmission of life, and are consecrated by the sacrament which grants them the grace to become a domestic Church and a leaven of new life for society. (AL 292)

Practically Pope Francis is no way departing from the long standing traditional teaching of the Church on marriage and indissolubility. At the same time, in this regard he categorises the divorced and the remarried into two groups. The couple those who have sincerely tried to save their first marriage and have been unjustly abandoned, and those who consciously destroyed a canonically valid marriage. He is genuinely sympathetic towards the persons, who, in spite of earnest effort to live together till the end of life, but miserably failed. Vimal Tirimanna describes the intention of Pope Francis as nothing more than to tell the pastors to understand the diverse pastoral situations of the divorced and the remarried and treat them fairly according to the degree of the culpability.<sup>15</sup>

In Tirimanna's view, already Pope John Paul II made an appeal to the pastors through *Familiaris Consortio* not to lump together all the divorced and the remarried under same category, rather to make a careful pastoral discernment and to note carefully those who are not subjectively guilty, though entered into a new union. Unfortunately, he did not provide concrete solutions on how to treat those morally less imputable. On the contrary, pointing the objective state of sin against indissolubility of marriage, he places all the divorced and the remarried in the same category and denies communion to them. Proceeding further from where *Familiaris Consortio* had stopped, Pope Francis has tried to arrive at a pastoral conclusion by recommending

the pastors in *AL*, not to condemn everyone equally, but to consider the verity of situations of the divorced and remarried and to provide special pastoral care to those who are innocent and guiltless subjectively.<sup>16</sup> He wants the Church to be active in the pastoral care of the faithful and not to remain a watchdog of norms.<sup>17</sup>

## **Eucharist is Essential for the Survival of Marriage**

In the Church, the Holy Eucharist is the source of strength that offers power to bind together the community and the family. Participation in the Eucharist is the source of good values such as generosity, kindness, forgiveness and sincerity. These values inspire the couple to make right decision at home, in the kitchen, in the bedroom, and in all the places and situations they encounter.<sup>18</sup> Eucharist motivates the couple as unique persons of self-giving, life-giving, and unifying.<sup>19</sup>

Jesus says, “if anyone eats this bread, he will live forever” (Jn 6:35). It gives life to the world (Jn 6:32-33). It renders life in all its fullness (Jn 10:10). Pointing out the Eucharist as the source of energy for the development of the entire Christian life, Pope Pius X encouraged daily communion to all the faithful with the intention of diminishing the distance between the faithful and the Eucharist.<sup>20</sup>

Though the Church promotes frequent participation in the Eucharistic celebration as a family, pointing out the state of sin, it prohibits the divorced and the remarried from receiving the holy communion. Is it right to deny communion, which is a source of strength to live the faith, especially to these couple who are carrying their daily cross with pain and suffering? Here, we shall analyse the arguments of the theologians and the canonists supporting and opposing communion to the divorced and the remarried.

## Arguments for Admitting the Divorced and the Remarried to Communion

Kevin T. Kelly looks at the marriage breakdown as a form of dying.<sup>21</sup> Through the second marriage one is brought back to new life. It is not fair on the part of the church to crush the new life by judging, condemning, and rejecting. Instead it has to help heal the wounds and to rebuild the disrupted life. No one deliberately breaks the marriage and enters into second marriage, rather all fight sincerely to save the marriage. When wounded severely and failed in their effort, situation forces the couple to divorce and remarry. When an injury occurs what would be the best treatment to heal the wounds - to cover it up soothingly or to keep it open for ever as a warning for others?<sup>22</sup>

Paula Ripple, the author of the book, *The Pain and Possibility. Divorce and Separation Among Catholics*, underlines the cultural fact which forces the couple to contract marriage even at the moment when they are not prepared for family life. The culture of certain societies brands the person who has not been married by certain age, as one who has some physical or mental defect. They enter into marriage out of cultural compulsion and to prove their ability, which subsequently makes the bond weak. Moreover, absence of permanent residence, proper job, and regular income affects the stability of marriage life. As the dream about a happy married life is shattered, the couple search for another life partner to replace their multiple losses. In this situation, Paula Ripple asks, why not the Church find a meaningful place for the divorced and the remarried couple between the ideal and the possible through reconciliation.<sup>23</sup>

Another argument put forth by Paula Ripple is that the other Christian denominations and many other religions allow their members to divorce and remarry. They are blessed with happy life and live without any guilt feeling.

The rules and regulations of those religions respect the freedom of the persons to choose their life and life partner. On the contrary, the faithful of the Catholic Church are left to live in pain, humiliation, and guilt. By way of denying holy communion to them, a punishment is imposed and declared to the community that they are in sin. Is this the reward that the Church could give to its faithful who desperately want to be united to the Church?<sup>24</sup>

The law of the Church requires an annulment of the first marriage in order to validate the second marriage. It is not possible to get an annulment without proving the invalidity of the marriage with several witnesses. When someone says sorry for his/her failure, however serious, the Church believes it and never asks for witnesses to prove it. Then why should this be different in marriage cases? If the annulment is a legal declaration that the marriage never occurred, in what category has the Church put their Children?<sup>25</sup>

Walter Kasper proposes to allow the divorced and the remarried to receive the sacraments under three conditions. I enumerate these conditions as mentioned by Richard A. McCormick:

1. If they have repented their past fault.
2. All humanly possible has been done to arrive at reconciliation with the first partner.
3. The second marriage has arrived at such a point of stability that it could not be broken up without further injustice.<sup>26</sup>

In a wedding mass between a baptised Catholic and a baptised non-Catholic (mixed marriage), the Church allows the people of the other faith to receive communion, even if they are divorced and remarried. But, when a Catholic divorced and remarried couple's son got married, all the members of the wedding party were for communion except the divorced and remarried parents. How is that the Church shows more concern on the members of other Church than showing it to its own people?<sup>27</sup>

Kevin asks another beautiful question: "is it not unfair to attribute the love of a perfect being 'God' to the love of an imperfect being 'human'? Human love is imperfect love with numerous limitations. Are we not dehumanising the love of the couple by totally identifying it with the love of God?"<sup>28</sup>

The French theologians put forth a question that while the married priests and religious are dispensed from their vows after marriage, why not the first marriage be dispensed after the second marriage? The Church allows the one who has killed his spouse, repented, and remarried for communion but not the divorced and remarried.<sup>29</sup> Is it not an injustice done to the divorced and the remarried?

Felix Podimattam, though loyal to the Church's teaching on indissolubility, raises a question: "while the segregationists, crooked politicians and unethical businessmen are not excluded from receiving Holy Communion, why does this strict law is applied over the divorced and the remarried?"<sup>30</sup>

### **Arguments against Admitting the Divorced and the Remarried to Communion**

The Church recognises the basic freedom of each and every person to choose his / her status of life (CIC, c.219). This freedom is not absolute because the legal incompetency of a person can prohibit him/her from choosing particular status. Similarly, every person enjoys the natural right to marry unless prohibited by law (CIC, c.1058). Remarriage after a civil divorce while the legitimate spouse lives is considered by the Church law as invalid (cf. CIC, c.1085, §2). It is called the impediment of prior bond and its source is divine law, both positive and natural. Hence, those who remarry after civil divorce deliberately are going against the divine law.

A marriage between two baptised persons is a sacramental marriage (CIC, c.1055, §2). The Church has the right and duty to safeguard the holiness of this marriage, to vigilantly watch its valid celebration and to find pastoral solutions for keeping the marriage institution intact.<sup>31</sup> If the couple are faithful to their marital commitment in spite of many problems, and the couple who divorce and remarry are treated equally, it makes the sacramentality of marriage less important and meaningless. Pope John Paul II said that if the divorced and the remarried people were admitted to holy communion the faithful would be induced to error and confusion regarding the doctrine of the Church on the indissolubility of marriage.<sup>32</sup>

John A. Alessandro claims that indissolubility, fidelity, and fruitful love are the essence of the marriage life, without which the union between a man and a woman would be simply a *de facto* sexual cohabitation, not a marriage.<sup>33</sup> The interpersonal human relationship existing between the married couple closely mirror the covenant of God and His people and Christ and His Church. The stability of the covenant is explained by the divine ordination which is more than a merely factual agreement. If divorce and remarriage is simply accepted without any canonical procedure, the unbreakable covenantal relationship will be reduced to a mere business contract which is breakable.

The canon law specifies that consent makes the marriage. It is the centre of permanence of marriage because consent is irrevocable. This irrevocable commitment to love one another is expressed through conjugal love. Indissolubility of a sacramental marriage before consummation is not complete. The marriage acquires its ultimate perfection when it is consummated in sexual union. It has a special significance over the marital bond that any human power cannot dissolve this marriage. If marriage and divorce is permitted according to the whims and fancies of the couple they will be easily succumbed to a use and throw culture and will tend to consider human person as an object of sensual pleasure.

First of all, the Catholics who have divorced and remarried should discuss the circumstances with their respective parish priest who will look for a possible solution. He can find out whether the previous marriage was a ratified and consummated marriage, whether any defect was there in the exchange of consent or any evidence of impediments. If the priest finds a reason, he will help the couple prepare a case for submission to the Church tribunal for annulment. It is noteworthy that Pope Francis has made the annulment procedure less cumbersome and expensive. After the due process, if the tribunal declares the marriage is null, the new marriage shall be convalidated, subsequently the couple can receive all the sacraments.

When there is no possibility to rectify the new marriage, the pastors are requested to prepare a pastoral plan to support the desperate couple. Pope Benedict XVI indicates that the suffering of these people is the suffering of the Church. The Church loves them, but they must see and feel this love. It is the task of the Catholic community to do all that is possible to make them feel that they are loved and accepted. They participate in the Eucharist when they enter in to real communion with the Body of Christ. They have to make them to understand, even without the corporal reception of the sacrament they can be spiritually united to Christ in his body.<sup>35</sup> Through this communion of desire or spiritual communion they remain in the heart of the Church.

The divorced and the remarried must be encouraged to attend mass regularly, listen to the word of God, participate in Eucharistic adoration, recite rosary, have honest dialogue with a priest or spiritual director, involve in the life of charity, do work of penance, and to educate their children.<sup>36</sup> These spiritual exercises will enable them to obtain from God the grace of conversion and salvation.

Mercy must be shown towards the remarried divorcees. Pope Francis who does not want to abandon even one sinner says, "Jesus himself is the shepherds of the hundred, not just of the ninety-nine. He loves them all."<sup>37</sup> Therefore the Church should not lack mercy in her preaching and her witness, because "the Church is not a toll house; it is the house of the father, where there is a place for everyone, with all their problems."<sup>38</sup> Pope Francis calls the Church to ward off from a cold bureaucratic morality in dealing with the issues of the divorced and the remarried and to adapt pastoral discernment filled with merciful love to understand, forgive, accompany, hope, and above all integrate the concerned persons.<sup>39</sup> The Church must be a welcoming home for everyone who believes in Christ.

## Conclusion

As Pope Benedict XVI has mentioned, the suffering of the remarried divorcee is the suffering of the Church. The Church has not buried its head in the sand and pretends to be perfect, but, accepting its limitation take revolutionary steps to break the separating walls between the remarried divorcee and other Christian faithful by inviting everyone without discrimination to exercise their rights and obligations in the Church. Some of the theologians and canonists expect drastic dogmatic change in the teachings of the Church, especially with regard to indissolubility of marriage. Since 'indissolubility' is a divine law received from Christ, the Church hesitates to alter it for the reason that it may cause scandal among faithful and may heavily damage the institution of family.

At the same time, we are aware of the slow steps taken by the Church to reach closer to the divorced and remarried. Pope John Paul II made an appeal to the pastors through *Familiaris Consortio* not to lump together all the divorced and the remarried under same category, rather to make a

careful pastoral discernment and note carefully those who are not subjectively guilty, though entered into a new union.

Pope Francis invites the pastors not to condemn everyone equally, but to evaluate the verity of situations of the divorced and remarried and to provide special pastoral care for those who are innocent and guiltless subjectively.

Now the discussion is moving toward, whether the divorced and remarried shall be allowed to follow their personal conscience with regard to receiving holy communion or not. Without violating the binding dogmatic principles and the sanctity of marriage, will it be possible for the Church to open the door of mercy to the divorced and remarried? The faithful want the Eucharist to be not only a prize for the perfect but a powerful medicine and nourishment for the weak.

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## Endnotes

- <sup>1</sup> Pope Francis, "A Church that Accompanies Man on the Journey Home," *L'Osservatore Romano*, 31 July 2013, p. 12.
- <sup>2</sup> Victor J. Pospishil, *Divorce and Remarriage*, (Burns & Oates Limited, London, 1967), p. 52.
- <sup>3</sup> Pospishil, *Divorce and Remarriage*, p. 67.
- <sup>4</sup> Catechism of the Catholic Church (CCC) nos. 1644-1645. Code of Canon Law (CIC), c.1056.
- <sup>5</sup> CCC no. 1649.
- <sup>6</sup> Joseph Bajada, "The Harmonization of the Religious and Civil Dimensions of Canonical Marriages in Malta," in *Forum*, vol. 11, no. 1, (2000), p. 76.
- <sup>7</sup> Pope John Paul II, *Familiaris Consortio*, no. 83.

- <sup>8</sup> Kevin T. Kelly, *Divorce and Second Marriage: Facing the Challenge*, (Sheed and Ward, Kansas, 1997), p. 26.
- <sup>9</sup> Cf. Paula Ripple, *The Pain and the Possibility: Divorce and Separation Among Catholics*, (Ave Maria press, Notre Dame, 1978), pp. 41-42.
- <sup>10</sup> Then the Lord God Said, "it is not good that the man should be alone; I will make him a helper as his partner." (Gen 2:18)
- <sup>11</sup> John P. Beal, et al, eds., *New Commentary on the Code of Canon Law*, (Paulist Press, New York, 2000), p 1287.
- <sup>12</sup> James A. Corriden, "The Marriage Bond and Ecclesial Reconciliation of the Divorced and Remarried," in *Studia Canonica*, 38 (2004), pp. 164-168.
- <sup>13</sup> John P. Beal, et, al, ed, *New Commentary on the Code of Canon Law*, p 1287.
- <sup>14</sup> *Familiaris Consortio*, no. 84.
- <sup>15</sup> Vimal Tirimanna, "Two Critical Questions Frequently Asked About *Amoris Laetitia*," *VJTR*, 80 (2016), p. 928.
- <sup>16</sup> Tirimanna, "Two Critical Questions," pp. 929-933.
- <sup>17</sup> Charles David, "The Era of Pope Francis: Break or Beginning? Pastoral Care of the Divorced and the Remarried with an Open Ear and Generous Heart," in Kuruvilla Pandikattu, ed., *Pope Francis: His Impact on and Relevance for the Church and Society*, (Jnana-Deepa Vidyapeeth and Christian world Imprints, Pune, 2018), p. 58.
- <sup>18</sup> Thomas Menampampil, "The Eucharist as Mission: Mission as Dialogue," *VJTR*, 80 (2016), p.168.
- <sup>19</sup> Benjamin A. Vima, *My Religion: Reel or Real? A Post-Modern Catholic's Assessment on his Faith Journey*, (Trafford Publishing, Bloomington, 2013), p. 160.
- <sup>20</sup> The Theological-Historical Commission for the Great Jubilee of the Year 2000, Robert R. Barr, *Eucharist, Gift of Divine Love*, (Pauline Publications, Mumbai, 1999), p. 131.
- <sup>21</sup> Kelly, *Divorce and Second marriage*, p. 39.
- <sup>22</sup> Kelly, *Divorce and second marriage*, p. 52.

- <sup>23</sup> Ripple, *Pain and the Possibility*, p. 31.
- <sup>24</sup> Ripple, *Pain and the Possibility*, pp. 44-51.
- <sup>25</sup> Ripple, *Pain and the Possibility*, pp. 63-64.
- <sup>26</sup> Richard A. McCormick, *Notes on Moral Theology 1965 Through 1980*, (University Press of America, Washington D. C, 1981), p. 834.
- <sup>27</sup> Ripple, *Pain and the Possibility*, p.74.
- <sup>28</sup> Kelly, *Divorce and Second Marriage*, p. 31.
- <sup>29</sup> McCormick, *Notes on Moral Theology*, p. 549.
- <sup>30</sup> Felix Podimattam, "Indissolubility of Marriage and Pastoral Compromise," in Jnana-Deepa Vidyapeeth, 5 (2018), p. 458.
- <sup>31</sup> Mario F. Pompedda, "Canonical Problems regarding Divorced and Remarried Catholics," in *Forum*, vol. 11, no. 6, (1995), p. 98.
- <sup>32</sup> *Familiaris Consortio*, no. 84.
- <sup>33</sup> P. J. Viladrich, "Marriage and the Matrimonial System of the Church: Reflection on the Mission of Matrimonial Canon Law in Contemporary Society," (trans.) by John J. Strykowski, in John A. Alesandro, (ed), *Marriage Studies: Reflection in Canon Law and Theology*, (CLSA Canon Law Washington D. C., 1990), p. 136.
- <sup>34</sup> Cf. Wilfrid Napier, <https://www.lifesitenews.com/news/why-not-communion-for-polygamists-if-we-give-it-to-divorced-and-remarried-s> (accessed on 30 November 2018).
- <sup>35</sup> Pope Benedict XVI, [https://w2.vatican.va/content/benedict-xvi/en/speeches/2012/june/documents/hf\\_ben-xvi\\_spe\\_20120602\\_festa-testimonianze.html](https://w2.vatican.va/content/benedict-xvi/en/speeches/2012/june/documents/hf_ben-xvi_spe_20120602_festa-testimonianze.html) (accessed on 30 November 2018).
- <sup>36</sup> Pope Benedict XVI, *Sacramentum Caritatis*, no. 29.
- <sup>37</sup> Pope Francis, *Amoris Laetitia*, no. 309.
- <sup>38</sup> *Amoris Laetitia*, no. 310.
- <sup>39</sup> *Amoris Laetitia*, no. 312