



The Holy See

**ADDRESS OF POPE FRANCIS
TO PARTICIPANTS IN THE PLENARY ASSEMBLY OF
THE SUPREME TRIBUNAL OF THE APOSTOLIC SIGNATURA**

*Clementine Hall
Friday, 8 November 2013*

Your Eminences,

Dear Brothers in the Episcopate and in the Priesthood,

Dear Brothers and Sisters,

Your Plenary Session gives me the opportunity to receive all of you who work in the Supreme Tribunal of the Apostolic Signatura, and to express to each one of you my appreciation for the way you promote the correct administration of justice in the Church. I cordially greet and thank the Cardinal Prefect for the words with which he introduced our meeting.

Your work concerns the smooth functioning of the ecclesiastical Tribunals, which are called to respond appropriately to the faithful who have recourse to the justice of the Church to obtain a just sentence. You work to ensure they work well, and you support bishops in their responsibility to form suitable ministers of justice. Among these, the Defender of the Bond carries out an important role, especially in processes pertaining to the nullity of marriage. It is necessary, in fact, that he be able to carry out his own role effectively, in order to facilitate the attainment of the truth in the final verdict, for the pastoral good of the parties involved in the cause.

In this regard, the Apostolic Signatura has made a significant contribution. I am thinking especially of its collaboration in the preparation of the Instruction *Dignitas Connubii*, which sets out clear applicable procedural norms. The present Plenary Session, which has placed at the centre of its work an effective defence of the marriage bond in the canonical process, is set within this context.

The attention paid to the ministry of the Defender of the Bond is certainly timely, since his

presence and participation are obligatory during the entire course of the process (cf. *Dignitas Connubii*, 56,1-2; 279, 1). Similarly, he is bound by obligation to propose any kind of proofs, responses and exceptions that, without prejudice to the truth of the matter, contribute to the protection of the bond.

The Instruction cited describes, in particular, the role of the Defender of the Bond in causes of nullity concerning psychological incapacity, which in some Tribunals constitutes the chief cause of nullity. It underscores the diligence he must employ in evaluating the questions proposed to experts, as well as the resulting opinions of the same experts (cf. 56, 4). Therefore, the Defender of the Bond who wishes to render a good service may not limit himself to a hasty reading of the acts, nor to bureaucratic and generic responses. In his delicate task, he is called to seek to harmonize the prescriptions of the Code of Canon Law with the respective concrete situations of the Church and society.

The Defender of the Bond's faithful and complete fulfillment of his duty does not constitute a claim, that challenges the prerogatives of the ecclesiastical judge, who alone is responsible for the definition of the cause. When the Defender of the Bond exercises his duty to appeal, even to the Roman Rota, against a decision he considers detrimental to the truth of the bond, his task does not prevail over the judge's. Indeed, as an aid to their own work, judges may make use of the careful research provided by the defender of the marriage bond.

The Second Vatican Ecumenical Council defined the Church as communion. Both the service of the Defender of the Bond, and the consideration that must be accorded him in a respectful and attentive dialogue are to be seen within this perspective.

One final observation, which is very important in regard to those who are involved in the ministry of justice in the Church. They act on behalf of the Church, they are part of the Church. Therefore, it is always necessary to keep in mind the effective connection between the action of the Church which evangelises and the action of the Church which administers justice. The service of justice is an undertaking of the apostolic life: its exercise requires that we keep our gaze fixed on the icon of the Good Shepherd, who bends down to the lost and wounded sheep.

At the conclusion of this meeting, I encourage all of you to persevere in the pursuit of a clear and upright exercise of justice in the Church, in response to the legitimate desires that the faithful address to their Pastors, especially when they trustingly request that their own *status* be authoritatively clarified. May Mary Most Holy, whom we invoke under the title of *Mirror of Justice*, assist you and the entire Church to walk in the way of righteousness, which is the first form of charity. Thank you and I wish you good work

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