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Vatican
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Pope Francis greets Msgr. Alejandro Arellano Cedillo, dean of the Roman Rota, during an annual audience with members of the Tribunal of the Roman Rota at the Vatican Jan. 27, 2022.. (CNS photo/Vatican Media)

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VATICAN CITY — The promotion of justice, including in marriage tribunals, requires a "synodal spirit" of pastoral accompaniment, heartfelt listening and using "the right reasoning" in discernment, Pope Francis said.

This attitude of synodality, he said, "allows for bringing out the essential characteristics" of the judicial process, which is to be at the service of a justice that is inextricably linked to truth and the salvation of souls.

In fact, "any deliberate alteration or manipulation of the facts, aimed at obtaining a pragmatically desired result, is not permissible," he said. This is a huge danger, he added.

The pope made his remarks during his annual meeting with members of the Tribunal of the Roman Rota, a Vatican court that deals mainly with appeals in marriage annulment cases.

The search for the truth must mark every stage of the judicial process, he told tribunal members Jan. 27.

"It is true that in the process, at times, a dialectic between contrasting assertions takes place; nevertheless, the contradictory (stances) between the parties should always take place in sincere adherence to what for each appears to be true, without closing in on one's own point of view, but also being open to the contribution of the other participants in the process," the pope said. Offering one's own subjective version of the facts becomes "fruitful" when it can be adequately communicated with others in a way that is open to self-criticism.

But that is not the same as manipulating the facts, he said, before departing from his prepared text to further illustrate this "very great danger," which, when it is not overcome, "even lawyers can cause terrible harm."

He explained a bishop recently came to him deploring a situation concerning a very serious case facing one of his priests. The pope said the bishop told him a judge of the national tribunal called the bishop to say, "I will do what you tell me. If you tell me to sentence him, I'll sentence him. If you tell me to clear him, I'll clear him."

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This sort of thing can happen, the pope said, when there is "no unity" or cohesive way of handling the process, especially when there are conflicting sentences, he said. All parties must work together "because the good of the church, the good of the people, is at stake! This is not a negotiation that takes place."

While this case had nothing to do with a marriage tribunal, that example of, "What do you want? Shall I sentence him or clear him," still illustrates the importance of "the prudence of law," he said. This means working according to "the right reasoning in acting," that is, that "virtue that judges according to reason, namely, with honesty in the practical sphere," he said.

The process of synodality can help with this difficult task of discernment, he said, because a synod "is not just asking for opinions, it is not an inquest whereby what each person says applies equally," because each statement must pass this process of discernment.

"It is a discernment based on walking together and listening, and which allows one to read the concrete marital situation in the light of the Word of God and the magisterium of the church. The judges' decision thus emerges as having descended into the reality of a vital event," that is, to discover whether the "irrevocable event" occurred of valid consent upon which marriage is founded, he said.

"I encourage you, therefore, to continue your ecclesial ministry with fidelity and renewed hard work at the service of justice, inseparable from truth and, ultimately, from the salvation of souls," he said.