

22B SML 2021
MK 7:1-8, 14-15, 21-23

When dealing with law, whether it be civil law or church law or any other kind of law, it makes good sense to avoid the extremes of legalism on one side, and laxism on the other, in order to catch the spirit of the law.

In this evening's (morning's) gospel, Jesus denounced the Pharisees. The Pharisees were experts in Jewish law. Jewish law was composed of what was found in the written law, known as the *Torah* (Genesis, Exodus, Leviticus, Numbers and Deuteronomy), which was **GOD'S** law, and what was found in the oral law, known as the *Mishnah*, which was **THEIR** law. Eventually, the Pharisees became so wrapped up in their own law, they wrote down their oral law to form a library called the *Talmud*.

Let's take an example. **GOD'S** law was simple. Before you eat, wash your hands, not so much for sanitary reasons, but for ritual cleanliness. But if you took a book off the shelf in the *Talmud*, I'll spare you the details, but washing one's hands involved:

- ✓ stone jars
- ✓ the type of water

- ✓ the conditions of your hands before you washed
- ✓ the position of your hands
- ✓ the amount of water
- ✓ eggshells
- ✓ and a second washing.

All of that was the Pharisee's law, not God's law.

No one objects to the fact that laws are necessary, but if you become so wrapped up in the letter of the law, you lose the spirit of the law. So let's learn how law works in the Catholic Church.

What separates the Catholic Church from other churches is how God communicates Himself to us. The Catholic Church believes God reveals himself to us in two ways: through the Bible and through what the Church teaches. Other Christian churches see God revealing himself only through scriptures. What is so ironic is that non-Catholics reject the teaching of the Catholic Church, but they accept the Bible, when all along, it was the Catholic Church's teaching that gave us the Bible. The Catholic Church determined what books were to be included in the Bible. Non-Catholics have the misunderstanding the Bible came first, and the Church came second, when it's the other

way around. Catholic Church teaching existed long before the Bible existed.

The teaching office of the Church is called the Magisterium, which is made up of the Pope and the Bishops. As Catholics we believe the Pope and the Bishops are guided by the Holy Spirit to teach what is true. We also believe the Pope and the Bishops are guided by, and respond to the Holy Spirit, using scripture as a resource, and in a way that is:

- ✓ unaffected by popular opinion,
- ✓ unaffected by whim,
- ✓ unaffected by society.

One reason why our Church has lasted 2000 years and other Churches have risen and fallen in the meantime is because Catholic Church teaching does not change to suit the times.

One of the laws of the Church where there is a lot of confusion and a lot of hurt is her teaching regarding the indissolubility of the marriage covenant. The Church has always taught that when a man and a woman make their marriage vows, they vow to be husband and wife until death, "until death do us part." The Church has always taught that the marriage covenant is just that, a covenant, and a covenant lasts until death; not divorce, but death. The Marriage covenant

is as binding as the covenant between Yahweh and his people in the Old Testament and between Christ and His Church in the New Testament. No matter how many times the Israelites grumbled against Yahweh, no matter how many times they worshipped the golden calf of the false gods, Yahweh was their God and Israel was God's people. No matter how many times the Church messed up, from the Spanish Inquisition to the latest scandal, the Church has been, is now and forever will be the Bride of Christ. And since we believe that marriage binds the two into one, the Bride of Christ "is" Christ. The Church is the Mystical Body of Christ, just as Jesus from the years 1-33 AD was the physical Body of Christ.

When I am preparing Tony and Tina for marriage, I discuss with them the concept of the covenant. I discuss with Tony and Tina that they believe, beyond any doubt, their getting married is part of God's plan, that of all the men in the world, Tony is the man God chose to show Tina how much God loves her. And of all the women in the world, Tina is the woman God chose to show Tony how much God loves him, until death. "Until death do us part." This life-long covenant means that even if someday Tony and Tina divorce and end the legal responsibilities of their marriage, the covenant will still

exist. In a very real way, divorce is “for worse.” For better and for worse. Divorce is worse.

When you get married in the Church, you are saying, "Even if we end in divorce, I will still love you because in God's eyes, we are still married." What an all-powerful, omnipotent commitment Tony and Tina will make, to say that I will love you as God loves you. The commitment of marriage is superhuman which is why it is so important to be married in the Church – to receive the grace from the sacrament of matrimony – God's help to be a good spouse and a good parent.

Now suppose Tony and Tina are sitting in front of me and their eyes glaze over like a deer in the headlights as they ponder that day in divorce court and they say to themselves, "There is no way I'm going to continue to love this individual if we get a divorce." Neither Tina nor Tony is willing to discuss how they feel, and they get married anyway. Now what? Fifteen years and three children later, they get divorced. Or what about Rich and Regina, who never understood the awesome commitment to begin with, or Dick and Jane, who married only because Jane was pregnant, or Mary, who married Mike because her biological clock was ticking, and she thought she would never meet husband material before her

childbearing years ended. Every one of them married for the wrong reasons.

The Church realizes that there are some spouses and some marriages that are not healthy, and in no way exemplify God's love for his people and Christ's love for the Church, which is why the Church permits divorce. Divorce is a civil, legal document that ends the marital responsibilities, but the covenant still exists. Divorced persons are not excommunicated, and they are may receive Holy Communion.

What about the Church's teaching on divorce and remarriage? As I stated earlier, the Church uses scripture as a resource to determine Church law. Twice in Matthew, once in Mark, once in Luke and once in 1Corinthians, the scriptures state that you cannot divorce and marry another. As I have taught in previous homilies, the Principle of Multiple Attestation says the more times something appears in scripture, you can bet the Sunday collection Jesus said it - which is why the Church is so concerned with divorce and remarriage.

However, the Church's handling of this teaching is again pastoral. The Church offers the possibility of an annulment. An annulment is an investigation based on the testimony of one or both spouses, as well as available witnesses, to determine if

there were circumstances at the time the marriage vows were taken that would make the marriage vow null and void, that in fact, there was not marriage to begin with. For example:

- ✓ I'm Tony and I knew the marriage covenant meant that even if I divorced Tina I was still married to her in God's eyes, but that was not my intention when I got married;
- ✓ I'm Regina and I never understood the marriage covenant meant that even if I divorced I was still married in God's eyes and could not marry again;
- ✓ I'm Jane and the only reason I married Dick was because I was pregnant;
- ✓ I'm Mary and the only reason I married Mike was because I thought time was running out
- ✓ The list goes on.

An annulment does not make your children illegitimate. An annulment says there is enough evidence to conclude there never was a marriage to begin with, that from the beginning, it was flawed. And depending on how you married the first time, (outside the church for example), you may not even need an annulment. If you have any questions from this homily, send me an email or give me a call. My contact information is on the front of the bulletin.

An annulment is thorough; it takes time to complete; and there is a fee involved. But I can assure that an annulment does not take 10 years and they do not cost thousands of dollars.

I will be preaching again on annulments in October. On October 12 I will be conducting a one-night information session on annulments to explain annulments more.

When dealing with law, whether it be civil law or church law or any other kind of law, it makes good sense to avoid the extremes of legalism on one side, and laxism on the other, in order to catch the spirit of the law. Because no one would argue laws are not necessary.