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New INTAMS Report Builds Bridge Between Marriage Theology and Pastoral Reality

Sixty years after Vatican II and ten years after *Amoris Laetitia*, the tension between the Church's teaching on marriage and the complex family situations of today remains significant. On 11 May in Rome, the International Academy for Marital Spirituality (INTAMS) presented a research report aimed at further developing theology and canon law in a spirit of mercy.

Johan Van der Vloet

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The report is the fruit of a six-year international and interdisciplinary project involving theologians and canon lawyers. During the presentation in Rome, Aldegonde Brenninkmeijer-Werhahn, founder of INTAMS, stressed that the current social and existential context makes an update of the Church's approach necessary. Although Pope Francis opened a new path with his exhortation *Amoris Laetitia* (2016), the report identifies many still-unfulfilled desiderata: questions and needs to which the Church has not yet given an adequate response.

Vulnerability

“Rather than starting from abstract ideals, we want to take seriously the often painful reality of married couples. Divorce, for example, has psychological and social consequences such as depression, trauma and economic vulnerability, especially for women. The central question is how the Church can truly be a mother standing alongside people in so-called irregular situations, without making them feel excluded,” says Aldegonde Brenninkmeijer-Werhahn.

“With this research, we want to underline the need to bring theology and canon law into closer alignment. The report advocates a process of dialogue and discernment in which tradition is not abandoned, but allowed to grow.”

Although the report is written from a Western perspective, she hopes it can serve as a first step “upon which other continents and cultures can build within a universal framework, since one of the great strengths of the Catholic Church is precisely its striving for unity in diversity.”

Contract versus Covenant

The authors of the report are emeritus professor Thomas Knieps-Port le Roi (KU Leuven), Rev. Dr Kevin Schembri (University of Malta), and emeritus professor Johan De Tavernier (KU Leuven), assisted by an impressive list of experts.

They locate the core of the problem in the tension that still exists within ecclesial thinking between marriage as contract (juridical) and marriage as covenant (biblical-theological). Whereas a contract concerns rights and duties, a covenant concerns persons, their unique life stories, and their mutual love.

The Myth of Automatism

A crucial point in the report is its critique of “sacramental automatism.” According to the authors, the current Church rule (canon 1055 §2) stating that “there can be no valid marriage contract between baptized persons without that very fact making it a sacrament” does not correspond to reality, since it takes no account of personal faith.

Faith and sacrament must be held in balance, the authors argue. Without that connection, the sacrament risks becoming an empty structure that burdens couples with unattainable ideals.

Indissolubility

The report also argues that the concept of “indissolubility” requires a new approach. Rather than being understood as a static juridical fact arising after the exchange of consent and consummation, indissolubility should be seen as a dynamic process: from the *matrimonium in fieri* — marriage at the moment of consent, on which canon law currently focuses — to the *matrimonium in facto*: marriage as a lived reality.

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“From a personalist perspective, the concept of indissolubility can no longer be regarded as an objective and therefore transpersonal reality (...) independent of the life journey of the spouses. Since a marriage can falter and ultimately break apart, an analogous theological and pastoral approach is needed for marriages that succeed and

flourish: happiness and failure in marriage depend on whether spouses live out their marital vows.”

Responsible Parenthood

The call of Vatican II to responsible parenthood was narrowed in later documents to the meaning of the marital act, resulting in the prohibition of contraception. According to the report, a careful reading of Vatican II shows that the principle of openness to children need not be present in every sexual act.

“The one-sided, procreation-oriented approach to marriage that came to dominate the post-conciliar Church urgently needs to be reconsidered.”

Experience as a Theological Source

Part III of the report is particularly thought-provoking. In line with *Gaudium et Spes*, it examines how people today experience the world and life. One cannot speak only about the “ideal” Christian family, but must also take into account the realities of divorce, contraception, cohabitation, and same-sex relationships.

The authors seek a theological framework that can help give these experiences a place within the Church’s reflection. They discuss in turn the pastoral approach, the ecclesiological concept of the *sensus fidei fidelium*, the hermeneutics of the transmission of faith — with reference to the constitution *Dei Verbum* — and the anthropological-theological meaning of human experience.

The report argues that human experience — joy and hope, but also anxiety and distress — should be recognised as a legitimate source of theological knowledge.

These are therefore substantial questions, inviting a rethinking of the theology of marriage. Yet the authors do not intend to cast Church teaching on marriage in a negative light, but rather “to identify areas where distorting residues can be removed, deeply rooted elements cherished, and new seeds sown.”

The Theology of Marriage after Vatican II: Theological and Canonical Perspectives is published today, 12 May, by INTAMS (self-published; €10 plus shipping, via info@intams.org). The report can also be downloaded as a PDF from the INTAMS [website](#).