

ILLEGITIMACY AND CATHOLICISM

The Church says it does not proclaim that the children of a marriage that is subsequently found to be null and void to be illegitimate or bastards. This contradicts its claim that children should only be conceived by married couples.

Some Catholic theologians claim that even when a marriage is annulled, the Church is not declaring the children illegitimate (page 862, Catholicism, Richard P McBrien, HarperSanFrancisco, New York, 1994). See Canon 1137, Code of Canon Law. Richard P McBrien says in his book Catholicism that annulments do not necessarily declare that a marriage never existed only that the marriage wasn't recognised in Canon Law (page 861). Annulments never declare that a loving relationship never existed (page 861). Clearly the Church is saying that even if a marriage is real, it can be annulled. This is simply divorce. It follows that if a real marriage can be annulled just because it didn't fit Canon Law in some way then Canon Law could make a rule that marriages say at a certain time of year could be annulled though they are real marriages.

The theologians claim that when a marriage is annulled the children of the marriage are still legitimate. Why not extend this to women on drugs who get pregnant while thinking they are married to the man having sex with them? Why not hypnotise a woman to wrongly think she is married to you so that you can father a legitimate baby with her? They might say that consent was defective in these cases so the babies will still be illegitimate. But they say consent was defective in the annulled marriage so that is no help! Also the women on drugs were not forced to take the drugs and so are responsible for anything they do under the influence. You can't be hypnotised against your will. They have as much right to have the babies considered legitimate as the annulled couple's children - assuming there is such a right!

Some might say that real marriages can be annulled by mistake so calling the children of the marriage illegitimate would be wrong. But you would still be saying they could be illegitimate. This view doesn't put much confidence in annulments. If most annulments are valid and correct then it follows that it is right to say that children are probably illegitimate.

The theologians are pretending then they don't think of the children as bastards. They do. Their teaching is just whitewash for the Church holds that children conceived or born outside of TRUE marriage are illegitimate and should not exist. It makes no sense to say that children produced in an unreal marriage should exist if the Church is right to think of any child as illegitimate or a bastard (which it is not, there is no such thing as illegitimate children, all children are precious). It's the same lie that claims that if your spouse becomes ill and this is a very very heavy cross for you that the sick person is not the burden but their sickness is. You are not looking after a sickness but a person. It is persons that get sick and a person cannot be separated from their sickness. If the children of an annulled marriage are legitimate then the marriage was real and the Church granted the parents a divorce disguised as an annulment.

The doctrine that the marriage vows may not be binding or valid means that when the man and woman have sex the consent implied by their sex may not be valid either. For example, if a man changed his mind after the wedding and went through the motions of the consummation then is the marriage consummated properly? Surely there isn't a marriage in the world that cannot be annulled? If a man who validly married his wife and validly consummated the marriage, surely the children are illegitimate by his intention if he fathered them while hoping his marriage was invalid? To say children should be conceived or called legitimate as long as the parents made real marriage vows and consumed the marriage is to say that laws matter more than the children! Would you think much of children if you held that only red-haired women for example should be allowed to have babies?

If the marriage can be annulled then the marriage was not real and the children of the marriage are illegitimate. How can the Church deny this? Is the reasoning that the parents thought they were married and they didn't intend to produce illegitimate children so the children are not illegitimate? [Radio Replies, First Volume, Question 1288 claims that as long as one party in the marriage was in good faith and in the belief that the marriage was real the children are legitimate]. So if the man knows there is no real marriage and the woman thinks there is then what is the child they have? Half-illegitimate?

What about a man and woman who don't believe in marriage but pretend they marry each other in a real ceremony and then have children?

What about a man and woman who are not married but who do not believe in marriage and who do not therefore think that their children are illegitimate?

An illegitimate child means an illegal child. The child may be illegal under divine law, state law or Church law or all of them. It is not illegal to have a child outside of wedlock. And even if it were, it is not illegal unless there is a punishment. A law that has no force and no penalty is not a law at all. To call a child illegitimate is really to call for a penalty perhaps on

the mother. The Church used to punish the child by barring him from ordination to the priesthood unless he could get a papal dispensation.

Some people believe that while you are having sex with somebody you are married to them and any child can't be illegitimate. You will call a child illegitimate based on whatever presumptions you make about marriage.

To call a child illegitimate is a form of child-abuse. It leaves the child wide open to the school bullies too! The insincerity of the theologians is astonishing.

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