Reconciliation and Healing: A Pastoral Message on Declarations of Nullity

Dear Brothers and Sisters in Christ,

From this point forward, all fees for processing declarations of nullity of marriages (otherwise known as annulments) are waived in the Diocese of Marquette. The faithful may benefit from the healing and reconciliation of this ministry free of charge. I offer this gesture to extend a hand of solidarity and love to persons who are divorced and remarried or plan to remarry. In doing so, I also wish to thank those who support the ministry of the Diocese of Marquette. Your generous donations to the Upper Peninsula Catholic Services Appeal make this gesture of healing and reconciliation possible.

At this time I wish to explain a few principles of Catholic teaching on marriage to foster a better understanding of what a declaration of nullity is and to clear up some misconceptions.

How do you want to be loved?

To begin, it is helpful to ask the question, “How do you want to be loved?”

“Totally or partially?”
“Always or sometimes?”
“Your whole life long or for a time?”
“Faithfully or unfaithfully?”
“Unconditionally or conditionally?”

The deep desires of our hearts tell us that we would like to be loved totally, always, our whole life long, faithfully and unconditionally. In God’s plan, marriage is meant to reflect that kind of love. Only God can completely love us in this way. Yet, a husband and wife are called to reflect the love of God in their love for each other. In fact, the promise a man and woman make to each other on their wedding day reflects God’s love. “I promise to be true to you in good times and in bad, in sickness and in health. I will love you and honor you all the days of my life.” In addition, St. Paul speaks about marriage as a sacrament that reflects Christ’s love for the Church: “For this reason a man shall leave his father and his mother and be joined to his wife, and the two shall become one flesh. This is a great mystery, but I speak in reference to Christ and the Church.” (Ephesians 5:31-32)

Thus, marriage between Christians is a sacrament of God’s love, about which the Second Vatican Council has so beautifully spoken:

Christ the Lord abundantly blessed this many-faceted love, welling up as it does from the fountain of divine love and structured as it is on the model of His union with His
Church. For as God of old made Himself present to His people through a covenant of love and fidelity, so now the Savior of men and the Spouse of the Church comes into the lives of married Christians through the sacrament of matrimony. He abides with them thereafter so that just as He loved the Church and handed Himself over on her behalf, the spouses may love each other with perpetual fidelity through mutual self-bestowal.

Authentic married love is caught up into divine love and is governed and enriched by Christ’s redeeming power and the saving activity of the Church, so that this love may lead the spouses to God with powerful effect and may aid and strengthen them in sublime office of being a father or a mother. (Gaudium et spes, 48)

Marriage is a permanent, life-long partnership between one man and one woman that is ordered to the good of the spouses and having and raising children.

Healing for divorced people

Divorce wounds us so deeply, because the enduring love we so desire has not been received. The Church’s teaching that divorce is wrong is not meant to lay a heavy burden on people’s shoulders. Rather, it is meant to prevent the wounds that inevitably come with a broken marriage. The Church’s teaching is meant to lead a husband and wife into a deeper realization of the love of Christ through their love of each other. It should also be noted that a divorced person has not necessarily committed a moral fault. For example, a spouse may be abandoned by the other spouse. In addition, domestic violence is much more common than many people realize. If you are in this situation, please go someplace where you can be safe.

If you are divorced, I wish to extend to you the love of Christ. He can heal the wounds that you have experienced. Open your heart to him. He is the path to heal all wounds, including those associated with divorce.

Divorce does not end a marriage.

This statement may be surprising. Yet, I am indeed saying that if spouses are divorced, in reality they are still married to each other. I did not make this up. This teaching is based on the words of Jesus himself.

The Pharisees approached and asked, “Is it lawful for a husband to divorce his wife?” They were testing him. He said to them in reply, “What did Moses command you?” They replied, “Moses permitted him to write a bill of divorce and dismiss her.” But Jesus told them, “Because of the hardness of your hearts he wrote you this commandment. But from the beginning of creation, ‘God made them male and female. For this reason a man shall leave his father and mother [and be joined to his wife], and the two shall become one flesh.’ So they are no longer two but one flesh. Therefore what God has joined together, no human being must separate.” In the house the disciples again questioned him about this. He said to them, “Whoever divorces his wife and marries another commits adultery against her; and if she divorces her husband and marries another, she commits adultery.” (Mark 10:2-12)

Jesus says that people who divorce and remarry commit adultery because they are still married to their first spouse. It seems to me that this teaching is not known nor understood very well. Yet, these words
of Jesus mean that marriage is indissoluble, that is, a consummated marriage between baptized Christians creates a bond that cannot be dissolved no matter what happens, and ends only with the death of a spouse. (See the *Catechism of the Catholic Church*, 1638-1640, 1644-1645)

We see how this teaching of Christ corresponds to the deep desires that God has placed in our heart. We want to be loved totally, always, our whole life long, faithfully and unconditionally.

This is why people who are divorced and remarried may not receive Communion, and their situation needs to be rectified before being able to receive the sacraments. (See the *Catechism of the Catholic Church*, 1652.) Note that just being divorced does not prevent someone from receiving Communion.

If you are divorced and remarried, I invite you to continue going to Mass. Those who cannot receive Communion for whatever reason may make a Spiritual Communion by opening their hearts to Jesus and by expressing their desire to receive him more deeply in their lives. I also invite you to seek a declaration of nullity (annulment) of your previous marriage. If granted, your current relationship may be rectified.

**What is a declaration of nullity?**

A declaration of nullity (annulment) means that a marriage was never a valid marriage from the beginning. It was a real relationship that may have looked like a marriage, but upon investigation, it was found not to be a true, valid marriage. If this is the case, then both persons are free to marry someone else, because they were never truly married in the first place.

**How can the Church declare a marriage null?**

This might puzzle some people. How can we say that two people who have gone through the marriage ceremony are not really married after all? To answer this question, it is helpful to look at how a man and woman marry each other.

A man and woman marry each other by the promises they make to each other on their wedding day — by professing their “marriage vows.” However, if there was something seriously deficient with the making of those promises, then it was never a true marriage to begin with. This is called a defect of consent. (See the *Catechism of the Catholic Church*, 1626-1629.)

The Church recognizes many different “grounds” for granting a declaration of nullity. These grounds point to serious deficiencies in the making of the marriage promises. For example, a man has a relationship on the side and has every intention of carrying on that relationship after the marriage. In this case, he never really made the promise to be faithful to his wife. As another example, someone who enters marriage out of grave force or fear was never truly free to make a life-long commitment to the other person. The Church recognizes many other additional grounds for granting a declaration of nullity. In these cases, there certainly was a real relationship that may have looked like a marriage. However, upon investigation, there was a serious defect in the making of the marriage promises. An annulment process thus entails an investigation to determine whether there was such a serious defect. If so, the marriage in question is declared null.

There are other reasons, too, why the relationship might not have been a true marriage from the beginning. If there was an impediment to marriage, such as being too closely related by blood lines, then there was no true marriage from the beginning.
In addition, Catholics must marry in the Catholic Church for their marriages to be valid. It is possible for a Catholic to marry a Protestant in a Protestant church, but the Catholic must obtain a dispensation before the marriage for it to be valid. If a Catholic married outside of the Catholic Church without a dispensation and never had the marriage validated in the Church, then the marriage can be declared invalid. This is a simple process that can usually be established with documents.

The Church’s process strives to determine whether there are grounds for granting a declaration of nullity. If there are no grounds, then a declaration of nullity cannot be granted. If this should be the case, know that we do not abandon you, and we encourage you to turn more and more to Jesus Christ.

**If I obtain a declaration of nullity are my children illegitimate?**

It is important for us to remember that all children are created in the image and likeness of God, and therefore, should be treated with respect. A declaration of nullity has no effect on the legitimacy of any children that were born to the relationship. (See the Code of Canon Law, canon 1137.)

**Do previously married non-Catholics need a declaration of nullity?**

Because we honor the dignity and indissolubility of all marriages, previously married non-Catholics, who desire to marry a Catholic, need to seek a declaration of nullity of their first marriage to determine whether they are free to marry.

**How can I start the process for a declaration of nullity?**

Talk to your parish priest. He will offer you the love of Jesus and direct you to someone who can help you. I invite you to seek the healing and reconciliation of this ministry.

**Come to Jesus.**

To conclude, I wish to recall the words of Jesus:

> Come to me, all you who labor and are burdened, and I will give you rest. Take my yoke upon you and learn from me, for I am meek and humble of heart; and you will find rest for yourselves. For my yoke is easy, and my burden light. (Matthew 11:28-30)

With prayers that your heart be filled with the *Joy of the Gospel*, I am

Sincerely in Christ,

Most Reverend John F. Doerfler, STD, JCL
Bishop of Marquette