

Church Policy Regarding Marriage and Annulments

By Father Robert F. O'Neill
Officialis
Marriage Tribunal

Jesus said, "What God has joined, let no man put asunder." The Catholic Church has accepted over the years a very literal interpretation of His words. Furthermore, when we see the reality of the marriage as described by sacred scripture — namely, "The two shall become one flesh" — we see marriage as a permanent union that can be ended only by the death of one of the partners. Experience, too, has borne out this type of thinking. Every young couple about to be married plans on spending the rest of their lives with the partner. Indeed, often young people will say how they could not imagine living without the partner they love so much. Church law and teaching, therefore, reflect this basic philosophy.

For baptized persons, the Catholic Church sees an even more wonderful event; namely, a sacrament. When two baptized persons pledge themselves to each other in marriage for life, they receive the sacrament of marriage, sanctifying grace, and the guarantee of God's blessings and helps, throughout their married life.

For Catholics, the Church feels that there are certain acceptable ways for celebrating this sacrament. Therefore, when a Catholic is to be married, and the marriage is to be recognized, the marriage must take place before a priest and two witnesses. This is called the form of marriage. In recent years, the Church has permitted a dispensation from form allowing another, usually a Protestant minister, to be viewed as the official Church witness to the sacrament. These cases are still rather rare but they are possible. It is encouraging to see the desire on the part of prospective brides and grooms to have God as a part of their marriage and to celebrate

A Second Marriage Need Not Cause Anxiety

With the recent interpretation of Church laws regarding marriages, many more Church annulments are being granted. This means that some persons find themselves coming to the Church and asking to be married for the second time. This presents a new concern for the marriage preparation ministry.

Are there special problems in second marriages different from those encountered by persons marrying for the first time? And if there are, shouldn't there be a different kind of preparation for marriage separate from Pre-Cana that can reach out and deal with these unique issues?

These are some of the questions the Office of Family Life presented to a group of couples who are already experiencing second marriages. Using these basic questions as a starting point, these couples, along with a priest and single persons, have developed a pre-marriage program for persons who will be entering marriage for the second time and for their spouses-to-be, even if they have not been married previously.

The question is what is a true and valid marriage, what has truly God joined?

their marriage in a sacramental way, seeing God as a real partner in their loving relationship.

Occasionally, a Catholic is married without the benefits of a priest present or a dispensation form, and in cases like this, the Church does not recognize the marriage. It is possible later to have the couple go to a Catholic priest and discuss having the marriage recognized by the Church and it is certainly advised so that the benefits of the sacrament can truly be a part of their marriage. However, grace does build on nature and if the marriage seems to be in trouble, the blessing of the Church is not going to guarantee a solution to all problems. Our priests are well trained in giving advice to persons in this type of situation and every priest has had a great deal of experience along these lines.

For those who are not Catholics, the Church recognizes their marriages as true and valid ones, if they are recognized by the particular state in which the couple lives. This means that a marriage of two Protestants before a Protestant minister and also a marriage of two Protestants before a Justice of the Peace is recognized by us. That means that should the marriage fail and one of the partners wishes to marry another, we would say he or she is not free to marry because the marriage is recognized by God and lasting until death.

As I mentioned previously, once a couple have entered a true and valid marriage, they are not allowed to marry again even after a civil divorce as long as the partner still lives.

However, the question is

what is a true and valid marriage, what has truly God joined? Because of changes in Church thought, especially since the Vatican Council, because of advances in the behavioral sciences enabling us to understand human nature better, because of new changes in Church Law regarding procedures of Church Tribunals, a Church annulment of a marriage is much more common today than in the past. Annulments are still an exception to the rule and certainly not possible in every case, but when there were serious difficulties from the beginning of a marriage, or the marriage was very short, an annulment should be considered. This procedure is possible for any marriage, even those of non-Catholics, and again the priests of the parishes are well trained in assisting people wishing to investigate the possibility of a Church annulment. No annulment procedure is begun until the marriage is certainly ended by civil divorce and there are no civil effects to Church annulment process.

Divorce is always a sad experience for the partners, for children and for families. When it does occur, the Rochester diocese is fortunate to have the outstanding divorced and separated groups that are so helpful to so many. There are also many programs that help prevent marriage failures, such as an outstanding Pre-Cana program, marriage enrichment programs, and good priests and Sisters who are willing to give of their time to enrich marriages and to assist those in trouble. Continued effort is needed at marriage enrichment since the family is indeed the basis of society and the more happy and successful families we can have, the better will be our society in our diocese.

second-time marriages with or without children.

Another said, "It makes you think and talk about things that maybe you wouldn't know how to express."

Realistically, problems will exist in a second marriage, but solutions are possible, with rich and rewarding relationships resulting.

The next New Horizons session is scheduled for April 19, 21 and 23 at the Pastoral Center, 1150 Buffalo Road. Registration can be made by obtaining a registration card from and sending it to the Family Life Office. For more information call Jim and Donna Fitch, Marriage Preparation Coordinators, at (716) 436-5450.

Hints for Grooms

Believe it or not, the groom has as many questions about his big day as does the bride. Throughout this section a few of them will be answered to help make the wedding day a success.

Do I give a present to the bride?

As a rule, the gift of the wedding ring is considered to be sufficient. However, there is no rule against offering her a further token of your devotion.

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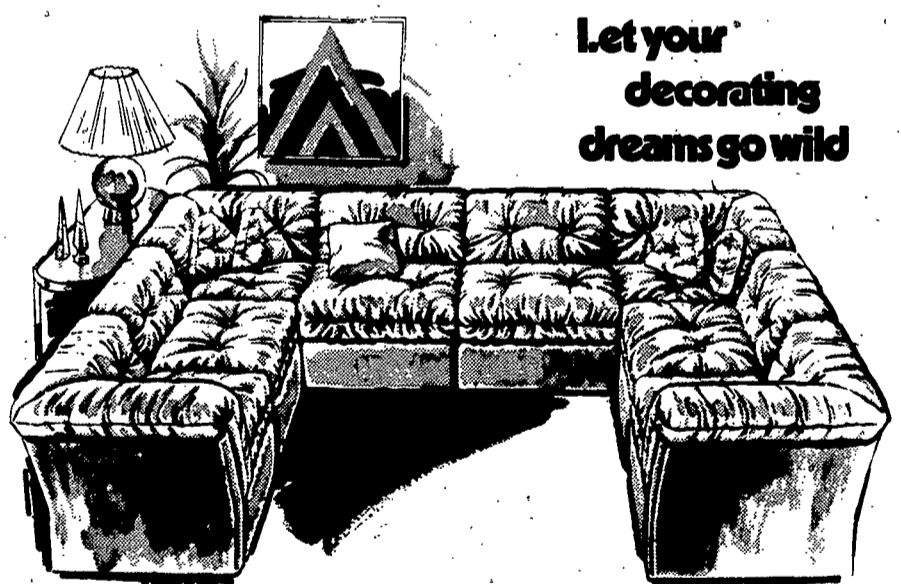
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