

Session 9. What God Has Joined

Movement III. The Consent

Passages: 1 Corinthians 7:10-16; Matthew 19:6-9; Mark 10:9; Romans 7:2-3

Part 1. Leader Preparation Guide

Session Overview

Discovery Aim. That the group discovers in 1 Corinthians 7 that St. Paul himself distinguishes between cases, and can then state accurately what a declaration of nullity is, what it is not, and how the Church treats those whose marriages have ended.

Catholic Touchstone. The Church cannot dissolve a ratified and consummated sacramental marriage. She can judge that a particular marriage never came into existence, and she can dissolve certain marriages that are not ratified and consummated. These are different acts, and confusing them produces most of the misunderstanding on this subject (canons 1141-1143; CCC 1629).

What You Need to Know

This is the session with the most misinformation attached to it, inside the Church and outside. Your couples have heard that annulments are Catholic divorce, that they make children illegitimate, that they cost thousands of dollars, and that the divorced are excommunicated. All four are false, and two of them were commonly believed by their own grandparents.

Prepare this one from the sources rather than from memory. And decide in advance that you will say the honest thing about the criticisms as well as the false thing.

THREE DIFFERENT ACTS, KEPT DISTINCT

- **A declaration of nullity** is a judgment that a particular marriage was never valid, because consent, capacity, or form was defective from the beginning. It is a finding about the past, not a dissolution.
- **A dissolution** actually ends a real marriage bond. The Church claims this power only in limited cases, and never for a marriage that is both ratified, meaning sacramental, and consummated (canon 1141).
- **A civil divorce** is an act of the state concerning civil effects. It does not touch the bond. The Catechism recognizes that it may be the only way to secure legal rights, the care of children, or the protection of inheritance (CCC 2383). Where safety is the issue, the ground is the separation law, canons 1151 to 1153.

WHAT THE CHURCH CAN DISSOLVE

Be accurate here, because most Catholics do not know these exist.

- **A ratified but non-consummated marriage** can be dissolved by the Roman Pontiff for a just cause (canon 1142). This surprises people, and it follows from the logic the group has been building: the one flesh union is what makes the bond absolutely unbreakable.
- **The Pauline privilege** (canon 1143) applies where two unbaptized people were married, one is baptized, and the unbaptized party departs or will not live peacefully. The marriage is dissolved in favor of the faith when the new marriage is contracted. This is drawn directly from 1 Corinthians 7:12-15, and your group will find it there tonight before you name it.

- **Dissolution in favor of the faith**, sometimes called the Petrine privilege, is granted by the Pope in certain cases involving a party who was never baptized. Describe it in general terms; the norms governing it are technical and are handled by the diocese and the Holy See.

GROUNDINGS FOR NULLITY, IN PLAIN LANGUAGE

Group them so the room can hold them.

- **Defects of consent.** Grave lack of discretion of judgment about the essential rights and duties of marriage, or an inability to assume the essential obligations for reasons of a psychic nature (canon 1095). Exclusion of permanence, fidelity, children, or marriage itself by a positive act of the will (canon 1101). Force or grave fear from outside (canon 1103). Deception carried out in order to obtain consent, concerning a quality of the other party that by its nature can gravely disturb the partnership (canon 1098).
- **Impediments.** A prior bond, disparity of cult without dispensation, and the others met in Session 7.
- **Defect of form.** A Catholic who married outside the required form without dispensation. These cases are often straightforward and quickly handled.

HOW THE PROCESS ACTUALLY WORKS NOW

A petition is submitted, usually through the parish. The other party has a right to be notified and to participate. The diocesan tribunal, through the competent judge or judges, examines testimony and any expert evidence; a defender of the bond argues for the validity of the marriage; and a decision is issued on specific grounds. The judicial vicar directs the tribunal and may himself sit as a judge.

Two reforms from 2015 are worth knowing. The requirement that every affirmative decision be confirmed by a second court was removed, and a briefer process before the diocesan bishop was created for cases where nullity is evident. Episcopal conferences were asked to ensure, insofar as possible, that the process be free, while preserving just remuneration for tribunal workers, and many dioceses now charge nothing.

Say plainly what a declaration is not. It is not a statement that the relationship was worthless, that the spouses were insincere, or that the children are illegitimate. Children conceived or born of a valid or putative marriage are legitimate in the Church's law, a putative marriage being one celebrated in good faith by at least one party (canon 1137).

THE DIVORCED, AND THE DIVORCED AND REMARRIED

Distinguish two situations and do not blur them.

- **Divorced and not remarried.** No automatic canonical bar to the sacraments arises from being divorced, and the Catechism treats separated spouses who remain faithful with evident sympathy (CCC 1649, 1651). As with any grave sin, a person who unjustly destroyed a valid marriage has something to bring to confession; that is a different point from the myth that divorce itself excludes anyone. If someone in your room believes their divorced mother cannot receive communion, correct it tonight.
- **Divorced and civilly remarried without a declaration of nullity.** The Church holds that this situation objectively contradicts the union signified by the Eucharist, and that such persons are not admitted to Eucharistic communion while it persists (CCC 1650). They are not excommunicated, they are urged to participate in the life of the Church, and where the couple cannot separate for serious reasons, for example the raising of children, the Church has spoken of living in complete continence (Familiaris Consortio 84).

More recent magisterial teaching, particularly *Amoris Laetitia*, has emphasized accompaniment, discernment, and the examination of individual situations, and its application has been interpreted with some variation among bishops. Represent this honestly: the doctrine of indissolubility is not in question, the

pastoral application of the discipline in individual cases has been the subject of real discussion, and a person in that situation should speak with their pastor rather than rely on a study leader's summary. Say that last part out loud.

Old Testament Roots and Fulfillment

- Matthew 19:6 and Mark 10:9 give the principle: what God has joined together, let not man put asunder.
- 1 Corinthians 7:10-11 gives the apostolic ruling for two believers, presented as from the Lord.
- 1 Corinthians 7:12-16 gives a different ruling for a mixed case, presented explicitly as the apostle's own, and is the seed of the Pauline privilege.
- Romans 7:2-3 states that a wife is bound to her husband as long as he lives, which St. Paul uses as an illustration of something else entirely, and which is therefore good evidence about what he simply assumed.
- The prophets of Session 3 stand behind all of this: God does not treat a broken covenant as an ended one.

Voices of the Church

VOICE OF THE CHURCH: ST. JOHN FISHER AND THE PRICE OF A MARRIAGE CASE

St. John Fisher, Bishop of Rochester, was executed in 1535 for refusing the oath at the center of the same crisis that killed St. Thomas More. He had defended the validity of the king's marriage when nearly the entire English hierarchy found a way not to.

Tell your couples the detail that matters. He was the only English bishop who publicly and consistently opposed the king's cause, and the only one executed for it. Whatever else this session is about, it is about a Church that has historically paid for saying that a marriage was valid when powerful people needed it not to be.

Historical summary. Fisher was tried and executed in 1535 for refusing the oath required under the Acts of Succession and Supremacy.

VOICE OF THE CHURCH: ST. JOHN PAUL II ON THOSE IN A SECOND UNION

St. John Paul II taught that the divorced and remarried belong to the Church, that pastors and the community must care for them so that they do not consider themselves separated from her, and that they should be encouraged to hear the word of God, attend Mass, pray, and raise their children in the faith.

He also reaffirmed that they are not admitted to Eucharistic communion while the situation persists, and spoke of the case of those who for serious reasons cannot separate and undertake to live in complete continence.

Both halves of that are his. Quoting only one of them misrepresents him.

Summary of his teaching in Familiaris Consortio, section 84.

VOICE OF THE CHURCH: THE CHURCH REFORMING HER OWN COURTS

In 2015 Pope Francis reformed the process for judging nullity: the requirement that an affirmative decision be confirmed by a second court was removed, a briefer process before the diocesan bishop was created for cases of evident nullity, and episcopal conferences were asked to ensure, insofar as possible, a free process, while preserving just remuneration for tribunal workers, so that cost would not bar access.

The stated reason is worth repeating to a room that has heard the cynical version: that the faithful should not be kept waiting for years by the structures meant to serve them.

Mitis Iudex Dominus Iesus, 2015. Note for the leader: a papal legal document, not the voice of a canonized saint.

Catechism Connection

CATECHISM CONNECTION

CCC 1629 states that when the Church, after examination, declares that a marriage never existed, the parties are free to marry, though they must fulfil the natural obligations of a previous union.

CCC 2382-2383 distinguishes the Church's teaching on divorce from the recognition that civil divorce may be tolerated where it is the only way to secure certain legal rights, the care of children, or the protection of inheritance. Where a spouse or child is in danger, the relevant law is the separation law, canons 1151 to 1153.

CCC 2386 is the paragraph on the innocent victim of a divorce, who has not contravened the moral law. Have it ready and use it out loud.

CCC 1649 treats separation while the bond remains, and the community's duty toward those living it. **CCC 1651** is where the Church states that they are not separated from her.

CCC 1650-1651 treats the situation of the divorced and civilly remarried, including the reasons they are not admitted to Eucharistic communion and the Church's insistence that they are not separated from her.

THREAD WATCH (LEADER ONLY)

One Flesh resolves in its legal form tonight. The reason a ratified but non-consummated marriage can be dissolved, and a consummated one cannot, is that the one flesh union completes the sign. If someone in the room makes that connection unprompted, the thread has done its work.

The Bridegroom returns quietly: God does not treat a broken covenant as an ended one, and neither does his Church.

Watch for the person who has been waiting for this session since Session 4. Somebody in your room has a parent, a sibling, or a past of their own attached to this material. Do not single them out. Do follow up privately this week.

IF A COUPLE IS IN AN IRREGULAR SITUATION (LEADER ONLY)

A participant currently in a nullity process. Do not ask about the grounds and do not ask how it is going in front of others. If they raise it, be warm and brief. Never speculate about the outcome, and never suggest that a favorable decision is likely, however sympathetic the story.

A participant whose petition was denied. This is the hardest case in the room and it does happen. Do not relitigate it, do not suggest they try another diocese, and do not imply the tribunal was wrong. Tell them plainly that they are not outside the Church, connect them with the priest, and make sure they know about CCC 1649.

A couple who assumed the process was a formality. Some couples set a date before the case is resolved. Say clearly that no date should be set until a declaration is issued, and that this is not a matter on which the parish can make exceptions.

Someone who says a family member was told they could never receive communion again because

they are divorced. Correct it. Being divorced does not bar anyone from the sacraments. Remarriage without a declaration of nullity is the situation the discipline concerns. That distinction has been badly taught for decades and your room may be able to fix it in one family this week.

Session Goals

1. The group finds in 1 Corinthians 7 that St. Paul himself distinguishes cases, before anyone explains the Pauline privilege to them.
2. Every participant can state the difference between a declaration of nullity and a dissolution, and between both and a civil divorce.
3. Every participant can name at least three grounds on which a marriage may be found null.
4. Nobody leaves believing that annulment makes children illegitimate, that being divorced bars a person from communion, or that the process requires money.
5. The criticism that annulments function as Catholic divorce is answered honestly, including the parts of it that are fair.

Time Note and Pre-Chosen Cuts

Ninety-minute plan. Opening prayer, 4 minutes. Win questions, 8. Live discovery moment, 15. Build questions 1 through 4, 22. The steelman, 18. Build questions 5 through 7, 16. Send and Live It, 4. Closing prayer, 3.

Seventy-five minute plan. Cut the Dig Deeper box and Build question 6. Keep the discovery moment and keep the steelman.

A pacing warning. This session generates specific personal questions faster than any other. Keep a list, defer them to the priest by name, and do not let one case consume the evening.

Part 2. Discussion Guide

Opening Prayer

OPENING PRAYER

In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

Lord, tonight we are talking about marriages that ended and about people we love. Keep us from cruelty and keep us from carelessness. Give us clear minds about what your Church teaches, and soft hearts toward everyone it touches. For anyone here carrying a wound from this, be near them tonight. Amen.

Win. Getting Started

Open questions. No wrong answers, no answer box. Let every couple speak once before anyone speaks twice.

- A.** What have you heard about annulments, before tonight, from anyone at all? Say it even if you suspect it was wrong.
- B.** When have you seen a rule applied well, in a way that actually protected somebody?

Build. Into the Text

LIVE DISCOVERY MOMENT

Start here. Do not define anything first.

The instruction: read 1 Corinthians 7:10-16 carefully and answer two questions in pairs, twelve minutes.

One. How many different situations does St. Paul address, and what does he say about each?

Two. Who does he say each ruling comes from?

What they will find: in verses 10 and 11 he addresses the married, says the charge is not his but the Lord's, and rules that a wife should not separate, and if she does she must remain single or be reconciled. Then in verse 12 he says to the rest I say, not the Lord, and addresses a believer married to an unbeliever: do not divorce them if they consent to live together. And in verse 15 he says that if the unbelieving partner desires to separate, let it be so, and that the brother or sister is not bound.

Then ask the question that matters: the same apostle who said a wife who separates must remain single now says a believer in a different situation is not bound. What is he distinguishing?

Let them work it out. They will get close to it: the two cases are not the same kind of marriage. Only then name the Pauline privilege, and tell them that the Church's law on this comes from the passage they just read (canon 1143).

- 1.** A declaration of nullity and a divorce both end with two people free to marry. What is the actual difference?

ANSWER (SHARE AFTER THE DISCUSSION)

A divorce says a marriage existed and now is over. A declaration of nullity says that after examination, the Church judges that a marriage never came into existence, because consent, capacity, or canonical form was defective at the beginning, or because an impediment such as a prior bond stood in the way.

The difference is not cosmetic. One claims a power to dissolve; the other claims to have discovered a fact about the past. The Church says she has no power to do the first, for a ratified and consummated marriage (canon 1141).

Push the room on this: is that a real distinction or a convenient one? Take the objection seriously. It is exactly the steelman coming up.

2. On what grounds could a marriage be found null? Try to name as many as you can before we list them.

ANSWER (SHARE AFTER THE DISCUSSION)

Group them in three families.

Defects of consent: grave lack of discretion of judgment, incapacity to assume the essential obligations for reasons of a psychic nature (canon 1095), exclusion of permanence, fidelity, children, or marriage itself (canon 1101), force or grave fear (canon 1103), and deception carried out in order to obtain consent, about a quality that by its nature can gravely disturb the partnership (canon 1098).

Impediments: a prior bond, disparity of cult without dispensation, and the others from Session 7.

Defect of form: a Catholic who married outside the required form without dispensation.

Note what almost all of these have in common. They are about what happened before and during the wedding, not about what happened afterward. That is the whole logic of nullity.

3. The Church says she can dissolve some marriages but not others. Which ones, and why those?

ANSWER (SHARE AFTER THE DISCUSSION)

She cannot dissolve a marriage that is both ratified, meaning sacramental between two baptized persons, and consummated (canon 1141).

She can dissolve a ratified but non-consummated marriage, by act of the Pope for a just cause (canon 1142). A natural marriage is dissolved under the Pauline privilege by the fact that the baptized party contracts a new marriage once the conditions of canon 1143 are met, the Church verifying those conditions rather than performing a discretionary act. Certain marriages may also be dissolved in favor of the faith where one party was never baptized.

Ask why consummation would matter. Bring them back to Genesis 2:24 and to Session 6. The one flesh union completes the sign of Christ and the Church. Where the sign is complete, the Church has nothing left to act on.

BUILD THEN PRESS: ANNULMENTS ARE CATHOLIC DIVORCE WITH BETTER PAPERWORK

Build it at full strength.

Build it hard and do not flinch. This is the single most common objection your couples will hear, and a defensive answer confirms it.

The Church says she cannot dissolve marriages, and then grants tens of thousands of declarations a year. For decades the United States, with a small fraction of the world's Catholics, produced a large share of the world's annulments, which is difficult to explain by anything other than local practice. The grounds have expanded over time, particularly the psychological grounds, to the point where a sufficiently thorough account of any

couple's immaturity at the time of the wedding could support a case. Prominent and wealthy Catholics have received declarations after long marriages with several children, and ordinary people have watched. The recent reforms made the process faster and removed the automatic review by a second court, which is exactly what a body wishing to grant more of them would do. So the charge is not that the distinction between nullity and dissolution is unintelligible. It is that the distinction has become a formality that permits the Church to keep her doctrine while behaving, in practice, like everyone else.

Then press.

Concede first, and concede the real parts. The volume disparity was real and was criticized inside the Church, by bishops and by Rome, not only by outsiders. Tribunals can and do err, since a declaration is a human judgment on evidence and not an infallible statement about a soul. And scandal caused by prominent cases is a fair complaint.

Press first on what the distinction actually does. It is not rhetorical. It changes what must be proven. In a nullity case nobody asks whether the marriage failed; they ask what happened at the moment of consent, which is why cases turn on evidence about the wedding and the period before it. A tribunal that found a marriage had become intolerable would have to rule against the petitioner. That is a real constraint and it produces real denials.

Press second on the direction of the reforms. Speed is not laxity. The reforms removed a mandatory second review that had originally been introduced to stop abuses in a particular era, and replaced it with a right of appeal that any party or the defender of the bond may exercise. The defender of the bond, whose job is to argue for validity, was not abolished. And the push toward gratuity, addressed to episcopal conferences and qualified by the duty to pay tribunal workers justly, cuts against the charge that money buys results.

Press third on the alternative. If the Church abandoned the process, the outcome would not be fewer broken marriages. It would be no mechanism for a person who was forced into a wedding at nineteen, or deceived about a sterilization, or married to someone incapable of consent, to have that recognized. The process exists because those cases are real.

Do not overclaim. Do not tell the room that the numbers were fine, that no tribunal has ever been lax, or that the psychological grounds have never been stretched. Say that the doctrine binds the Church and that her practice is judged by it, which is a standard she has publicly set for herself.

4. If a marriage is declared null, what does that say about the relationship, and about the children?

ANSWER (SHARE AFTER THE DISCUSSION)

About the relationship: nothing dismissive. It does not say the love was fake, that the spouses were insincere, or that the years did not happen. It says that what the Church requires for a marriage bond was not present at the beginning.

About the children: children conceived or born of a valid or putative marriage are legitimate in the Church's law (canon 1137), a putative marriage being one celebrated in good faith by at least one party. And the natural obligations toward a former spouse and toward children remain and must be fulfilled (CCC 1629). Say this plainly, because the false version has caused real pain in families your couples know.

5. Can a divorced Catholic receive communion?

ANSWER (SHARE AFTER THE DISCUSSION)

Yes. Being divorced creates no automatic canonical bar to the sacraments, and the Catechism treats separated

spouses who remain faithful with evident sympathy (CCC 1649, 1651). As with any grave sin, someone who unjustly destroyed a valid marriage has something to bring to confession, which is a different point from the myth that divorce itself excludes a person.

The situation the discipline concerns is a person who has divorced and civilly remarried without a declaration of nullity. The Church holds that this objectively contradicts the union signified by the Eucharist and does not admit such persons to communion while it persists (CCC 1650). They are not excommunicated and are urged to remain part of the life of the Church.

Add the honest note: more recent teaching has emphasized accompaniment and the discernment of individual situations, and its application has been interpreted with some variation among bishops. The doctrine of indissolubility is not in question. Anyone actually in that situation should speak with their pastor rather than with a study leader, and you should say those exact words.

DIG DEEPER: WHY THE TRIBUNAL ASKS SUCH PERSONAL QUESTIONS

People who go through the process are often surprised by how far back the questions reach: dating, family background, what each party said and believed before the wedding, who advised them, what they intended about children.

That is because the question under examination is the consent, and consent is invisible. The only way to reach it is through the circumstances that surrounded it.

For your couples this has a forward looking use. Everything a tribunal would one day ask about is something they can attend to now, in Session 8's language: freedom, honesty, capacity, and knowing what they mean.

COUPLE CONVERSATION (JUST THE TWO OF YOU, NOT THE ROOM)

Just the two of you.

Is there anyone in either of our families whose situation we have quietly misunderstood, or judged, because we did not know what the Church actually teaches? Name them.

Is there anything at all in either of our histories that we have not disclosed to the priest preparing us? If yes, when this week will we do it?

Send. Carrying It Out

Open questions again. No answer boxes.

Y. What is one thing you can now correct, kindly, when it comes up at a family gathering?

Z. Who in your life needs to hear that the Church has not written them off?

Live It This Week

- **Correct one false belief this week**, gently, in a real conversation. Most families carry at least one of the four myths from tonight.
- **Call the person you thought of.** The divorced aunt, the remarried cousin, the friend whose marriage ended. Do not bring up theology. Just call them.

- **Disclose anything outstanding to the priest.** If the Couple Conversation surfaced something, book the appointment this week.
- **Read 1 Corinthians 6:12-20 before Session 10,** and note what St. Paul says the body is for.

Closing Prayer

CLOSING PRAYER

Lord, you said that what God has joined, no one should separate, and you meant it. Give your Church the courage to keep saying it and the tenderness to say it to real people. For everyone we know whose marriage has ended, and for their children, we ask your healing. Keep us from judging what we have not lived. And prepare us so carefully that we mean every word we are about to say.

St. John Fisher, pray for us. St. Thomas More, pray for us. In the name of the Father, and of the Son, and of the Holy Spirit. Amen.

SCRIPTURE MEMORY VERSE

For your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so.

Matthew 19:8

Part 3. Leader Reference Card

Every passage used in this session, in the order it appears.

- 1 Corinthians 7:10-16. The session's discovery text.
- Matthew 19:6-9 and Mark 10:9. The principle.
- Romans 7:2-3. What St. Paul assumed while arguing about something else.
- Genesis 2:24. Behind the significance of consummation.
- Canons 1141, 1142, 1143. What can and cannot be dissolved.
- Canons 1095, 1098, 1101, 1103. The principal grounds concerning consent.
- 1 Corinthians 6:12-20. Assigned reading before Session 10.

Catechism Paragraphs Used

CCC 1629, 1649, 1650-1651, 2382-2383, 2386. Code of Canon Law, canons 1095, 1098, 1101, 1103, 1141-1143.

Before Next Session

Read 1 Corinthians 6:12-20 before Session 10. Note what St. Paul says the body is for.