

## Some Basic Notes on Marriage

The Pharisees approached [Jesus] 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)

"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)

### What is marriage?

*Marriage* is a "covenant, by which a man and a woman establish between themselves a partnership of the whole of life" (*Code of Canon Law*, c. 1055). Marriage is by its nature ordered to the good of the spouses and the procreation and education of children.

### Who instituted marriage?

God instituted marriage as fitting to human nature, which he created to have both a male and a female expression. Marriage is, therefore, a relationship toward which human beings have a natural tendency, corresponding to their own nature, but which they are not free to define themselves. In other words, human beings can enter into marriage but cannot determine for themselves what marriage essentially is.

### How does marriage come about?

Marriage comes about through the legitimately manifested consent of the spouses.

Therefore, the marriage covenant is a type of *contract*, that is, an exchange of rights and obligations. Since marriage is a *covenant*, these rights and obligations are about the persons of the spouses themselves.

### What are the essential rights exchanged in marriage?

In giving marital consent, each spouse consents to give the other:

- 1) the right to fidelity;
- 2) the right to a permanent relationship;
- 3) the right to those acts which are apt for the procreation of children.

### To what form of marriage are Catholics bound?

Anyone baptized in the Catholic Church or received into it must exchange marital consent in the

present of a sacred minister (bishop; priest; or deacon) and two witnesses. If this form is not followed without a dispensation (a relaxation of Church law in a particular case), then no valid marriage comes into existence.

### **Is marriage a sacrament?**

Every marriage between two persons who are baptized is by that very fact a sacrament. This is called a *sacramental marriage*. A sacramental marriage is supernatural, that is, above the order of what marriage is on a merely human level. A sacramental marriage signifies the great mystery of the union of Jesus Christ with the Church (Ephesians 5:32).

### **How is marriage a sacrament?**

Marriage is a sacrament because Jesus Christ personally raised the institution of marriage to the supernatural level of a sacrament among the members of his Body, the Church. This is evident, for example, from Christ's teaching about marriage, his miracle at the Wedding at Cana, and St Paul's instruction that Christian marriage is a sign of Christ's union with the Church.

Marriage, as a sacramental sign is born from the side of Christ on the cross. Even as Eve was created from the side of Adam, so the Church sprung from the heart of Christ pierced on the cross. Thus, the sacrament of marriage has its root in Christ's love for the Church by which he gave himself up to death for her.

### **Is every marriage a sacrament?**

No. A marriage between two persons at least one of whom is not baptized is not a sacrament. Such a marriage is called a *natural marriage*. A natural marriage is good but imperfect, since by its very nature it points to a greater unity and permanence beyond itself, namely, a sacramental marriage.

When both spouses have been baptized, the marriage automatically becomes sacramental.

### **What are some of the fruits of a sacramental marriage?**

Couples in a sacramental marriage:

- 1) Are living a relationship that is a supernatural sign of Christ's union with the Church.
- 2) Have God's guaranteed assistance through grace to live out their responsibilities.
- 3) Are a Christianizing element in society.
- 4) Are the first teachers of their children in the faith; the family is called the *domestic Church*.
- 5) Are for each other the way God has chosen for salvation and growth in holiness.
- 6) Are in a relationship with a permanence and firmness beyond the natural level.

### **What does consummation do in a marriage?**

Consummation occurs when the spouses have “in a human manner engaged together in a conjugal act in itself apt for the generation of offspring. To this act marriage is by its nature ordered and by it the spouses become one flesh.” (Canon 1061) Consummation *perfects* or *completes* marriage.

### **What is an “annulment”?**

A *decree of nullity*, often incorrectly called an “annulment,” is a decree from a Church tribunal that, although there was the outward appearance of a marriage, a valid marriage contract never came into existence.

A valid marriage contract never ceases to be valid.

Reasons why a marriage contract that seems valid would be, in reality, invalid are, for example:

- 1) at the time consent was exchanged, either the man or the woman lacked the capacity to consent to the essential rights and obligations of marriage;
- 2) at the time consent was exchanged, either the man or the woman did not consent to one of the essential rights, obligations, or properties of marriage;
- 3) at the time consent was exchanged, either the man or the woman was prevented from entering into marriage by Church law.

### **What is divorce?**

Divorce is a fiction created by the law of the state which claims to dissolve a valid marriage. A civil divorce has no effect, in reality, on the contract of any marriage (either natural or sacramental).