



## Is divorce a sin?

That's the question good Catholics often ask, usually because the years-long struggles have finally become unbearable or—God forbid—they have already met someone new. They want a quick and easy answer so they can move on.

The answer is found in *slowing down and taking the time to clearly and logically think it through*.

Thoughtful processing seems something more and more people are loathe to do but it's necessary to get to the truth. And the answer starts with another question:

### **Is it a sin to steal?**

*Let's lay some philosophical and moral groundwork:* If you're a neglected, starving four year old who steals a loaf of bread, then no.

If you are old enough to know stealing is wrong, but you are also starving, then your culpability (guilt) may be far reduced by your difficult circumstances.

However, if you are old enough to know better, are not really starving, and just want it anyway, yes, it's sinful. But because stealing a loaf of bread is not a serious matter, it is a venial sin.

Objectively, sin is sin, but as soon as a *specific* person and *specific* situation is involved, then the question changes from "what is a sin" to "was this a sin for that person at that time in that circumstance?"

To answer the latter always requires considering more than just the act. This is not making excuses; it's a matter of truth.

### **What's the difference between mortal and venial sin?**

No conversation of the sin in divorce is complete without remembering this:

*Venial sin wounds and weakens us*

The matter is not serious, and we usually have less self-awareness and less self-control. Or...and this confuses some...the matter is very serious, but we lacked full knowledge and full consent of our will.

*Mortal sin kills grace in our soul and separates us from God*

The matter is serious, one knows fully what he/she is doing, and one retains full awareness and full consent of the will.

Divorce is always a serious matter. So, in assessing if one can file for civil divorce and avoid grave (mortal) sin, one must honestly identify the situation, motivation, and intended results.

### **What underlies a sin?**

At the risk of oversimplifying: intentional selfishness.

- A refusal to obey God or his Church or the inner voice of a well-formed conscience.
- A placing of self above all else.
- An unwillingness to do the right thing because of the pain or discomfort it may cause.

When someone has been in a troubled marriage and has “had it up to here!” they may feel like filing for divorce to end the pain. The quick and easy way out.

Divorcing just because you feel like it, or without serious reason, may seem to bring immediate relief, but in the end will bring great harm to you, your spouse, the family, and the whole culture, and is a grave sin with serious consequences.

## **Can Catholics file for divorce?**

Maybe. The Catechism of the Catholic Church (CCC) states:

The separation of the spouses while maintaining the marriage bond can be legitimate in certain cases provided for by canon law. If civil divorce remains the only possible way of ensuring certain legal rights, the care of the children, or the protection of inheritance, it can be tolerated and does not constitute a moral offense. – CCC 2383

To keep a spouse from gambling away the family's finances, to stop a father from molesting his daughter, to escape forced illicit sexual acts, or other extreme cases such as ongoing emotional or physical violence, a spouse may seek protection through civil divorce—if it's the only possible way.

However . . . they are still married in the eyes of the Church until and unless they seek and receive a Decree of Nullity (commonly called annulment). These cases used to be rare but sadly are happening more and more.

## **Are there other reasons that are okay?**

No, but physical separation may be permitted.

I know a couple who had a relatively normal marriage in the early years. But she had some deep emotional struggles and turned to alcohol to cope while he avoided her by staying at the office—which only made her become angrier and drink more. The pattern worsened as she turned her bitterness toward him, and they both failed to get outside help for their problems.

After the adult children left the home, their relationship grew so caustic that no one wanted to be around them. For peace of mind, they finally separated. Each lived in a small apartment and their children visited them when they could. He supported her financially and occasionally on holidays they would get together for short periods of time.

Unable to work it out, this couple found separation a way to be kinder to and pray for each other...and to be faithful to their vows.

But they never filed for divorce. The whole family considered them as still married—as did the Church who recognizes separation like this as an option (CCC 1649). Their sin was in the years of failing to love each other, to hold onto bitterness, to avoid the hard work, but the sin was not in the separation.

Again, these cases are the exception rather than the rule. More often after separation, one or both will seek another romance, abandon their wedding vows, and fall into self-directed and selfish pursuits. SIN.

**Remember, though, that every marriage is difficult.**

Even titanic ups and downs can happen to anyone. And sinfulness is always present in marriage because the tendency to sin (selfishness) is in every heart.

Sin doesn't invalidate a marriage bond. It submits it to great pressure but grace and a firm and faithful commitment to vows can push it past the breaking point. If that were not true, then God's grace would be useless. He would be impotent, and we know he is not.

The culture will tell you that marriage should make us happy. The Church—our Mother who loves us—knows that marriage should make us holy. And that peace of mind, true identity, real security, and lasting happiness—those things we all want—are fruits of holiness.

**So how do I know if civil divorce is a sin for me?**

It's like going to a doctor to see if you have a disease. Most people can't fully self-diagnose—they often need expert help.

A qualified person who understands the human heart and who fully embraces Church teachings should be your guide. This can be a priest or a lay person—and maybe a good Catholic therapist—who will help you “take your temperature, draw blood, review your x-rays,” and rightly assess the results.

These are some litmus test questions that need to be asked and discussed:

*Have you been to marriage counseling?*

*Do you need to find another counselor or try again?*

*Have you talked to a wise and holy person to see what can be done to save the marriage?*

*Have you given it enough time?*

*Have you enlisted the appropriate help of family and friends?*

*If you have an addiction, have you gotten help and joined a support group?*

*Have you exhausted every practical measure available to you?*

*Have you avoided or stopped being romantically involved with anyone else?*

*Have you made a sincere effort to invite God into the situation?*

*Have you adequately researched what the Church teaches on this and why?*

*Have you considered how this will affect you, your spouse, and your children?*

*If you do file for divorce, what is your motivation?*

*What is the intended result?*

### **Do you need the Bishop's permission to divorce?**

Current Canon Law (written when divorce was not so prevalent) requires one to get the Bishop's permission before filing for civil divorce if it is not an emergency.

Canon 1153.1 A spouse who occasions grave danger of soul or body to the other or to the children, or otherwise makes the common life unduly difficult, provides the other spouse with a reason to leave, either by a decree of the local Ordinary *or, if there is danger in delay, even on his or her own authority.*

However, even bishops understand this is impractical if not impossible to implement in most places.

In my own diocese this year there are over 400 petitions for nullity; giving each party enough time and attention to hear their cause could be at least 6 hours (if not much more!), or 50+ hours per week just on hearing divorce pleas. And this is only a fraction of all divorced Catholics who don't bother with annulments.

Clearly the Church needs and wants to help but she is not equipped to handle the deluge of divorce. We need a better system to handle the crisis, but that's for another post!

If you've done everything you can, believe there is no possible solution left, and the marriage has been either extremely unbearable, gravely sinful, or dangerous to you or the children, *then you may decide on your own authority* (Canon 1153.1) to separate; after consulting with your pastor or a wise and holy priest you have three right choices:

( 1 ) *Separate for peace, remaining civilly married* and true to your vows—and to your spouse—until their death. This may seem impossible but it's not. Many people have chosen this path and have full and happy lives. The suffering you endure in this choice can be lovingly offered up as a gift to God for the healing and salvation of both of you.

( 2 ) *Separate for safety and file for civil divorce*, but only after careful counsel and understanding you're still married in the eyes of the Church. That means living faithfully to your marriage vows even if apart, until the death of your spouse.

( 3 ) *Consult with the Church* about the possibility of a Decree of Nullity for your attempt at marriage. Improperly but commonly called annulment, this is an investigation by the Church of the time you married to see if a valid marriage bond formed when you both said, "I do." It's like civil court proceedings but it's not the spouses who are on trial; it's the truth of the marriage bond that's being examined. Many times people marry under grave pressure (pregnancy) or as an escape (from childhood home abuse).

While the Church (in her justice) vows to uphold a valid marriage bond, she also recognizes (in her mercy and justice) that some people attempt marriage wrongly. There were hopes, dreams, and a wedding, but no true marriage bond. Then they have children and stay for several decades struggling against all odds. When the marriage finally fails, and it can be pointed back to the time of consent that there was some grave defect of consent, the marriage bond can be declared invalid.

The civil marriage, the good times, the years together, and the children are not "invalid," but no true marriage bond—as the Church understands from Christ—was ever formed. This is a complex topic

because we are complex persons, and almost nothing sets off more angry discussion than this among Catholics and non-Catholics alike. So seek the fullness of truth.

It's necessary to consult reliable sources and understand why you are making your choice.

### **Divorce is a grave matter**

Divorce is a grave offense (sin) against persons, the family, and the whole culture (CCC 2384-85) , and even if civil divorce is justified, the wounds reach far and wide.

Don't blindly follow the parish priest or someone who thinks they have the answers for you without being personally responsible for your actions.

### **So take these steps**

*Go to Our Lord in prayer, ask his help, and then take the time to ask the tough questions.*

*Get good counsel from wise and holy persons. Anyone who advises you don't have to follow Church teachings is to be avoided.*

*Learn more about what the Church really teaches and why. Read the Catechism of the Catholic Church.*

*Submit your marriage to expert Church scrutiny to see if you have recourse to civil divorce and/ or church annulment.*

*If there has been sin in your marriage--and there is in every marriage--make a thorough examination of conscience and go to Our Lord in the Sacrament of Reconciliation.*

*Seek forgiveness from those you have failed and make amends where possible.*

*You really won't know the answer to "Is (civil) divorce a sin?" for YOU until you do.*

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