



All truth, even painful truth, sets us free. (cf. Jn 8:32)

Introduction: When “forever” breaks

In a world that moves faster every day, where promises fade and human relationships grow fragile, marriage often finds itself caught in a storm. The longing for faithful, stable, and fruitful love remains alive in the human heart, but reality shows that many marriages end in separation, divorce, and confusion.

In this landscape, the Catholic Church does not close its eyes nor harden its heart. On the contrary, it offers a light that, far from judging, seeks to heal: **the possibility of declaring a marriage null**. But what does that really mean? Isn't that just a “Catholic divorce”? How can fidelity to the Gospel be reconciled with compassion for those whose marriages have failed? What does Church Tradition say? And what can the faithful do when facing such situations?

This article aims to be a compass: clear, deep, theologically faithful, and pastorally close. A guide so that truth may not become a burden, but a path to freedom.

1. What is marriage nullity? An essential definition

Marriage nullity is the official recognition by an ecclesiastical tribunal that a marriage **was not valid from the beginning**, even though it may have appeared to be. In other words, it is not that the bond is broken, but that **it never truly existed** in the sacramental order due to the absence of essential elements of Christian marriage.

“What God has joined together, let no man separate” (Mk 10:9).
But what if God never joined it, even if it seemed so?

Difference between nullity and divorce

- **Divorce**: breaks a valid marriage bond. It has no effect in the sacramental realm.



- **Nullity: declares that a true sacramental marriage never existed**, due to defects in consent, impediments, lack of canonical form, etc.
-

2. Theological foundation: Why can the Church declare a marriage null?

Marriage as a Sacrament

Marriage is not simply a human contract or a stable cohabitation: **it is a sacrament instituted by Christ**, a reflection of the union between Christ and His Church (Eph 5:25-32). Like every sacrament, it requires **matter, form, and proper intention**.

Essential elements for a valid marriage:

1. **Free and full consent** from both parties.
2. Absence of **diriment impediments** (such as being already married, permanent impotence, etc.).
3. Observance of **canonical form** (i.e., marrying before a qualified priest and witnesses).

If any of these elements is missing or gravely flawed, **the marriage is null from the start**, even if the parties are unaware.

3. History of nullity in the Church: Mercy and truth through the ages

From the earliest centuries, the Church recognized that **not all seemingly valid marriages were actually valid**. As early as the 4th century, St. Ambrose and St. Augustine wrote about situations where the bond could be considered nonexistent.

Over time, Canon Law defined clear criteria to discern the validity of marriage. It is neither a modern invention nor a concession to today's culture of disposability, but a **practice deeply rooted in Tradition**.



The Council of Trent (16th century), the Code of Canon Law (especially the 1983 Code), and recent documents like *Dignitas Connubii* or the reforms of Pope Francis (*Mitis Iudex Dominus Iesus*, 2015), show **a pastoral and doctrinal continuity**, always seeking to protect the truth of marriage and the dignity of persons.

4. Common causes of nullity: When is a marriage invalid?

The causes of nullity fall into three major categories:

A. Defects of consent

- **Serious immaturity** to assume marital obligations.
- **Grave fear** or external pressure that annuls freedom.
- **Grave ignorance** about what marriage is.
- **Simulation** (entering marriage while faking, without intending the real marital commitment).
- **Deliberate exclusion** of fidelity, indissolubility, or openness to life.

B. Canonical impediments (cf. CIC, cc. 1083-1094)

- A prior undissolved marriage.
- Permanent impotence.
- Close blood relationship.
- Disparity of cult (if no dispensation is granted).
- Insufficient age, etc.

C. Lack of canonical form

- Marriages conducted outside the Church without dispensation.
 - Lack of witnesses or qualified minister.
-



5. How to request a nullity? A step-by-step practical guide

Nullity **is not an automatic or immediate process**, but neither is it inaccessible. Here is a clear summary:

Step 1: Approach a trusted priest or the local ecclesiastical tribunal

- Explain the case.
- Receive initial guidance on its viability.

Step 2: File the petition

- With the help of a canon lawyer (many dioceses offer free counseling).
- Clearly explain the reasons why one believes the marriage was null.

Step 3: Instruction of the case

- Evidence is gathered: testimonies, documents, psychological assessments (if needed).
- Both parties are heard.

Step 4: Verdict

- The tribunal evaluates everything and issues a ruling. If nullity is declared, the bond is considered nonexistent.

Step 5: Possibility of remarriage

- Once nullity is recognized, the person **may validly remarry in the Church**, provided no new impediments exist.

6. What if there is no nullity? Living fidelity through pain

Nullity **is not always possible or appropriate**. When the marriage was valid, even if civilly ended, **the bond remains**. The Church then asks the individual to **live fidelity within**



separation, especially if a new union cannot be regularized.

This is a path of **cross and hope**, but also of **grace and spiritual fruitfulness**, heroically lived by many.

“Let each of you remain in the condition in which he was called” (1 Cor 7:20).

Fidelity amid suffering is a prophetic witness.

7. Pastoral accompaniment: A look of mercy

Pope Francis has emphasized a Church that **does not condemn but accompanies**. Discernment, guided by truth, must always be accompanied by **pastoral charity**.

The faithful going through irregular marital situations must be **welcomed with tenderness, listened to with respect, and guided with prudence**, helping them to approach the sacraments when possible, or to live a committed Christian life within their current situation.

8. Frequently Asked Questions: To dispel myths and errors

Is nullity just a disguised divorce?

No. The Church **never breaks a valid bond**. It merely recognizes that in some cases, **such a bond never existed**.

Is it easy to obtain a nullity?

It's not easy, but it's not impossible. **It does not depend on money or influence**, but on objective evidence. Truth is what matters.



What happens to the children of a marriage declared null?

Children remain legitimate. Nullity does not affect their dignity or rights.

Can a civilly married and separated person receive Communion?

It depends. If living in a new union outside of sacramental marriage, **they may not receive Communion**, unless living in continence as “brother and sister” (cf. *Familiaris Consortio*, 84). But **they can and should take part in the life of the Church** through prayer, charity, and formation.

9. Practical application: Living in truth and hope

Each faithful Christian can apply these truths to their own life:

- **Discern well before marrying.** Prepare spiritually, psychologically, and emotionally.
 - **Do not be afraid to seek the truth** about your marital history. The truth heals.
 - **Accompany others** with mercy, without judging, helping them walk toward Christ.
 - **Seek light in the Church**, not in the world. Not everything legal is true.
 - **Trust in grace:** even in loneliness or failure, Christ never abandons those who sincerely seek Him.
-

Conclusion: The truth will set you free (Jn 8:32)

Marriage nullity is not an escape route nor a modern concession, but an **act of justice and charity** that aims to **free the soul from a false appearance, allowing it to live in Christ’s light**. It is an act of **courage, faith, and humility**, both for those who request it and for those who recognize it.

Now more than ever, we need Christians who **live truth with love, and love with truth**. Who are unafraid to look at their life story in the light of the Gospel, and who find in the Church not a rigid institution, but a Mother who walks with them, teaches them, and heals them.



“Come to me, all who are weary and burdened, and I will give you rest” (Mt 11:28).

May Mary, Mother of True Love, intercede for all marriages—those that flourish and those that suffer. May she, the faithful Spouse, always guide us to her Son, who never abandons those who seek Him with a sincere heart.