

Invalid marriage—an impediment to making profession in the Secular Order

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At some point in a person's formation process prior to first profession, and probably sooner rather than later, you need to determine whether a candidate is in a valid Catholic marriage. This question is relevant simply because you cannot approve someone who is in an invalid marriage as a Secular Carmelite. This is not a judgment on the state of the person's soul, or their personal holiness, let alone their eternal salvation. It has only to do with their relationship with the Church—or, as we say, with their being in "good standing" in the Church.

Other questions about a person's marital life or status—questions such as, for example, Are you divorced?—while they are certainly pertinent to a candidate's life story, and so to that extent relevant to their formation, yet are not really relevant to the matter at hand—namely, the candidate's good standing in the Church, and so their freedom to make profession as a Secular Carmelite. Thus, all these other questions about married life and status are to be left for the usual process of self-disclosure that happens progressively during formation and is for the most part determined by the candidate's own comfort level in such matters.

Let me underscore this point. There is no problem with a person being divorced, for example, and so there is really no reason to inquire into whether or not a candidate has ever been divorced. He or she can reveal such things in their own good time, when they are ready. Of course, most of the time an invalid marriage results from someone having divorced and then re-married without first having had the prior marriage annulled. The issue, of course, is not the divorce but the remarriage "outside the church." In the same way there are those instances when someone has simply married "outside the Church," without there being a prior marriage at all. That marriage, too, is invalid and needs to be convalidated, or "blessed," by the Church.

Probably the simplest and gentlest way to get an answer to this question is to include on your community's guest information form the twofold question: Are you married? If so, are you married in the Church? There might be another way to phrase it. But to ask whether someone is married "in the Church" seems to me clear and straight-forward, and most Catholics know what is meant. Obviously, if there's any uncertainty in a particular situation, it would be appropriate to consult your spiritual assistant (or a pastor or other priest) as needed.

When should the question be asked? As I said above, probably sooner rather than later. In theory there's no reason a person in an invalid marriage cannot be admitted to formation and continue up to the point of First Promise. But that's where it would have to stop until the invalid marriage were convalidated or "blessed." Thus, both you and the candidate would do well to know about and have thoroughly discussed this potential obstacle sooner rather than later.

What should you do if a candidate is in an invalid marriage? Well, to some extent it's up to you—that is, to the local council. There's no single, one-size-fits-all approach or solution. If a person has already initiated an annulment process, and the process is well underway, and he or she intends to have their marriage "blessed" once the process is complete, and it seems there's

good reason to expect the annulment to be granted in the near future, then you might decide to let them continue in the aspirancy for the time being, although you should be very clear with them about the situation and the potential problem. On the other hand, if a person has not even begun an annulment process, then you might ask them to do that, of course, while in the meantime discontinuing formation. Thus, you and they can better determine just what and how long a time the annulment process might require. You can then offer to stay in touch with the person and, depending on how things unfold, invite him or her to return and begin formation at some point in the future.

Lastly, there will no doubt be those situations where you have no choice but to ask the person to discontinue with the community indefinitely and very possibly forever, as difficult and disappointing as that may be. Needless to say, any such discussions and decisions are to be conducted and made by the full council, being always subject to the confidentiality that holds for all such council deliberations.

Addendum from Claire Bloodgood, OCDS:

A couple of things I've run across in the last 20 years or so. One person in RCIA took "in the Church" to mean "in a church" and did not understand that we didn't mean a generic church building. Another person thought that being married in the Anglican Church was the same as being married in an eastern rite or Orthodox Church and therefore was valid in the Catholic Church.

Also be aware that many persons see nothing unusual about living with a significant other outside of marriage. So "are you married?" may not bring out the full answer you are looking for.