

The Catechism of the Catholic Church, §1859, “Mortal sin requires full knowledge and complete consent. It presupposes knowledge of the sinful character of the act, of its opposition to God’s law. It also implies a consent sufficiently deliberate to be a personal choice. Feigned ignorance and hardness of heart do not diminish, but rather increase, the voluntary character of a sin.”

This means that mortal sins cannot be committed “accidentally.” A person who commits a mortal sin is one who knows that their sin is wrong, but still deliberately commits the sin. Mortal sins are “premeditated” by the sinner and thus are truly a rejection of God’s law and love.

§1861, Mortal sin is a radical possibility of human freedom, as is love itself. It results in the loss of charity and the privation of sanctifying grace, that is, of the state of grace. If it is not redeemed by repentance and God’s forgiveness, it causes exclusion from Christ’s kingdom and the eternal death of hell, for our freedom has the power to make choices for ever, with no turning back.

Note: Individual culpability for mortal sin may be mitigated by two factors: knowledge that the act is gravely wrong and degree of willingness with which one committed the act.

§1860 *Unintentional ignorance* can diminish or even remove the imputability of a grave offense. But no one is deemed to be ignorant of the principles of the moral law, which are written in the conscience of every man. The promptings of feelings and passions can also diminish the voluntary and free character of the offense, as can external pressures or pathological disorders. Sin committed through malice, by deliberate choice of evil, is the gravest.

Although the bonds of a legitimate consummated marriage can never be broken, there may be an occasion where a civil divorce is necessary to protect the welfare of one of the spouses or the family:

§2383, “The *separation* of spouses while maintaining the marriage bond can be legitimate in certain cases provided for by canon law. (see Canons 1151-1155).

Divorce is not an intrinsically evil act, and therefore it cannot constitute, at all times and all circumstances, grave matter. There may be proportionate reasons, and justifiable circumstances, when the matter of the act of divorcing can be lessened to where it would no longer be a grave sin or, in fact, any sin at all. Examples:

1. Violent physical abuse and fear of one’s well being because of a spouse who may stalk or threaten to kill their partner.
2. Complete loss of the sense of financial responsibility to where one of the spouses must divorce in order to support the household and evade the exorbitant debt into which the other plunges, and continues to plunge the family. This is seen often with drug or alcohol addiction on the part of one of the spouses.
3. Wanton and continued promiscuous infidelity, which endangers the health of the faithful spouse with the transmission of disease.
4. The sins of heresy, apostasy, and schism, which make it impractical or impossible for the faithful spouse to live and or transmit the true Faith to the rest of the family.
5. The affliction of debilitating mental disease, where continuation in the marriage threatens the other spouse with the real danger of suicide.

These are just some circumstances where the bishop would certainly grant permission for a legal divorce and where the gravity of the matter is lessened or completely removed. In any event, the marriage bond would still be maintained.

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Pamphlet 651

Is Divorce a Mortal Sin?

“I hate divorce, says the Lord, the God of Israel” (Mal 2:16).

Marriage.

“Marriage. As a natural institution, the lasting union of a man and a woman who agree to give and receive rights over each other for the performance of the act of generation and for the fostering of their mutual love.

“The state of marriage implies four chief conditions:

1. There must be a union of opposite sexes; it is therefore opposed to all forms of unnatural, homosexual behavior;
2. It is a permanent union until the death of either spouse;
3. It is an exclusive union, so that extramarital acts are a violation of justice; and
4. Its permanence and exclusiveness are guaranteed by contract; mere living together, without mutually binding themselves to do so, is concubinage and not marriage. “Christ elevated marriage to a sacrament of the New Law. Christian spouses signify and partake of the mystery of that unity and fruitful love which exists between Christ and his Church, helping each other attain to holiness in their married life and in the rearing and education of their children.” (John A. Hardon, S.J., *Modern Catholic Dictionary*, Eternal Life Publishing, Bardstown, KY, 1999, page 335.)

Marriage in the Plan of Creation.

“Then the Lord God said, “It is not good that the man should be alone; I will make him a helper fit for him.” So out of the ground the Lord God formed every beast of the field and every bird of the air, and brought them to the man to see what he would call them; and whatever the man called every living creature, that was its name. The man gave names to all cattle, and to the birds of the air, and to every beast of the field; but for the man there was not found a helper fit for him. So the Lord God caused a deep sleep to fall upon the man, and while he slept took one of his ribs and closed up its place with flesh; and the rib which the Lord God had taken from the man he made into a woman and brought her to the man. Then the man said, “This at last is bone of my bones and flesh of my flesh; she shall be called Woman,

because she was taken out of Man." Therefore a man leaves his father and his mother and cleaves to his wife, and they become one flesh." (*Gen. 2:18-24*).

Marriage in the New Law.

"Now when Jesus had finished these sayings, he went away from Galilee and entered the region of Judea beyond the Jordan; and large crowds followed him, and he healed them there. And Pharisees came up to him and tested him by asking, 'Is it lawful to divorce one's wife for any cause?' He answered, 'Have you not read that he who made them from the beginning made them male and female, and said, 'For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one'? So they are no longer two but one. What therefore God has joined together, let not man put asunder.' They said to him, 'Why then did Moses command one to give a certificate of divorce, and to put her away?' He said to them, 'For your hardness of heart Moses allowed you to divorce your wives, but from the beginning it was not so. And I say to you: whoever divorces his wife, except for unchastity, and marries another, commits adultery; and he who marries a divorced woman, commits adultery.'" (*Mt. 19:1-9*)

"Christ elevated marriage to a sacrament of the New Law. Christian spouses signify and partake of the mystery of that unity and fruitful love which exists between Christ and his Church, helping each other attain to holiness in their married life and in the rearing and education of their children." (*Modern Catholic Dictionary*, page 335.)

The Catechism of the Catholic Church, §1614, In his preaching Jesus unequivocally taught the original meaning of the union of man and woman as the Creator willed it from the beginning: permission given by Moses to divorce one's wife was a concession to the hardness of hearts. The matrimonial union of man and woman is indissoluble: God himself has determined it: "what therefore God has joined together, let no man put asunder."

§1615, "This unequivocal insistence on the indissolubility of the marriage bond may have left

some perplexed and could seem to be a demand impossible to realize. However, Jesus has not placed on spouses a burden impossible to bear, or too heavy - heavier than the Law of Moses. By coming to restore the original order of creation disturbed by sin, he himself gives the strength and grace to live marriage in the new dimension of the Reign of God. It is by following Christ, renouncing themselves, and taking up their crosses that spouses will be able to "receive" the original meaning of marriage and live it with the help of Christ. This grace of Christian marriage is a fruit of Christ's cross, the source of all Christian life."

§1616 This is what the Apostle Paul makes clear when he says: "Husbands, love your wives, as Christ loved the church and gave himself up for her, that he might sanctify her," adding at once: "For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one. This is a great mystery, and I mean in reference to Christ and the Church."

Vow.

"Vow. A free and deliberate promise made to God to do something that is good and that is more pleasing to God than its omission would be. The one vowing must realize that a special sin is committed by violating the promise. A vow binds under pain of sin (grave or slight) according to the intention of the one taking the vow. If one vows with regard to grave matter, one is presumed to intend to bind oneself under the pain of serious sin. Vows enhance the moral value of human action on several counts. They unite the soul to God by a new bond of religion, and so the acts included under the vow also become acts of religion. Hence they are more meritorious. By taking a vow, a person surrenders to God the moral freedom to acting otherwise, like the one who not only gives the fruit of the tree, but gives up the tree itself. And vows forestall human weakness, since they do not leave matters to the indecision or caprice of the moment. Their very purpose is to invoke divine grace to sustain one's resolution until the vow expires or, in the case of perpetual vows, even until death"(*Modern Catholic Dictionary*, page 566).

Divorce.

"Divorce. Legal separation of husband and wife, or the release by civil authority from any one or more of the bonds of matrimony between them. Imperfect divorce is the separation of a husband and wife so that the duty of living together, and sometimes the support is relaxed, but giving them no right to remarry. Also called separation from bed and board, but not the severance of the primary bond of marriage, which is the exclusive lifelong fidelity in the use of marital rights." (*Ibid*, page 167.)

Divorce is a Grave Offence.

The Catechism of the Catholic Church,

§2384, "Divorce is a grave offence against the natural law."

§2385, "Divorce is immoral because it introduces disorder into the family and into society." §2386, "There is a considerable difference between a spouse who has sincerely tried to be faithful to the sacrament of marriage and is unjustly abandoned, and one who through his own grave fault destroys a canonically valid marriage."

§2400, "Adultery, divorce, polygamy, and free union are grave offences against the dignity of marriage."

Grave sin.

The transgression of a divine law in a grievous matter with full knowledge and consent. ... Sufficient knowledge of the serious nature of a sinful action is present if one is clearly conscious that the act is mortally sinful, say because the Scriptures or the Church identify certain acts as seriously offensive to God." (*Modern Catholic Dictionary*, page 237).

Mortal sin.

In order for a sin to be mortal, it must meet three conditions:

- Mortal sin is a sin of grave matter.
- Mortal sin is committed with full knowledge of the sinner.
- Mortal sin is committed with deliberate consent of the sinner.