



Concerning Issues: Dissolution of Marriage

A dissolution of marriage occurs when, in certain circumstances, the competent authority permits a person to enter a new marriage after a valid but failed marriage. It is a kind of dispensation. It differs from a declaration of nullity in that the validity of the marriage bond is not called into question. There are three types:

1) Non-Consummation — For a just cause, the **Roman Pontiff** can dissolve a non-consummated marriage between two baptized persons or between a baptized person and a non-baptized person at the request of both parties or one of them, even if the other party is unwilling.

2) Pauline Privilege—The term comes from the pastoral situation found by Saint Paul in Corinth where Christians were married to non-believers. Since the 12th century it has been used to refer to the juridic response when the marriage of two non-baptized persons ends in divorce and one of them is then baptized and wishes to enter a new marriage. The Tribunal conducts a process to establish that the essential conditions are present for the **Diocesan Bishop** to grant permission for the newly baptized person to enter a new marriage utilizing the Pauline Privilege. The dissolution is actually granted by the law itself.

3) Favor of the Faith—These cases have sometimes been referred to as the “Petrine privilege” to distinguish them from the Pauline privilege because the dissolution is granted by the **Pope** himself. The term “Petrine privilege” is not used in official documents. It may be granted in the case of lack of baptism of at least one party for the whole of married life.

All of these situations require a specific process. The following chart provides an initial assessment tool to determine if either a Pauline or “Petrine” privilege may apply. Please call the Tribunal Office for further assistance with specific cases.

