Indissolubility: A Window Open Towards Heaven¹

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The ordained minister says to the fiancés:

"You are going to promise fidelity. Is this for your whole life?" or:

"Marriage supposes that spouses commit themselves to one another without being forced by anyone, promise each other to be faithful for life, and accept responsibility of spouses and parents. Is that how you intend to live in marriage?"

Wanting to live in a conjugal bond, means putting oneself "under the same yoke" (con-jugium) and "conjugating" henceforth one's life in the plural form, in the exclusivity of a man-woman relationship. Fidelity nourishes and strengthens this bond. How can it be understood as definitive, diachronic, creative,³ tied to the "body to body" of everyday life, and intimate? Jesus has a strong word about the indissoluble bond of spouses (Mt 19). The Church has maintained this since the beginning. She paid the price for it. The debates arising today do not seem to intentionally question the value of the indissolubility of this kind of promise, but sometimes they do throw us into doubt, confusion, hesitation in face of concrete relational problems, and deadlocks resulting from

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³ In the sense that the philosopher Gabriel Marcel expressed in his research.

failures and sins.⁴ Yet, do we measure the magnitude of the stakes represented by this sacramental value?

I. Sacramental Grace and Indissolubility

Sacramental indissolubility must be reflected on and lived—it has its joyful or suffering witnesses—as a precious help offered by Christ, in his Church: "If God is with us, who is against us?" (Rom 8:31). Christ saves everything, and especially what is weakened. He transfigures. He transforms. This grace is not magic. It is indeed present, however, within nature and human history. This sacramental grace is in harmony with the grace of man's created nature. Furthermore, the more natural grace appears opaque in a person's history and life, the more Christ's grace of salvation—in the sacrament he is, and in the sacraments he offers—appears pertinent for him/her. Sacramental grace inserts itself in the "natural" human traits of the union between man and woman, and in the desire to see this bond last until death, and even beyond, when the time and the eternity of our lives converge. Yet, this grace truly has a role, because human love, in all its components, must be saved by Christ.

Vatican II recalled the traditional importance of the unity and the indissolubility of marriage. The conditions for the commitment of the spouses, these properties that express promised faithfulness in the marital contract, are active in human time. The conjugal union is thus strengthened over time by the free, humble and faithful exercise of the mutual gift. This is the personal and institutional challenge of this "intimate partnership of life and love."

Thus a man and a woman, who by their compact of conjugal love "are no longer two, but one flesh" (Mt 19:6), render mutual help and service to each other through an intimate union of their persons and of their actions. Through this union they experience the meaning of their oneness and attain to it with growing perfection day by day. As a mutual gift of two persons, this intimate union and the good of the children impose total fidelity on the spouses and argue for an unbreakable oneness between them (*Gaudium et Spes* 48, 1).

The marriage bond in itself cannot be dissolved or broken during the earthly life of the spouses. Their mutual gift has the power of the Spirit, which no violence and no refusal can break. It makes Christ's personal presence visible in

⁴ This has already been evoked in our article: "L'amour de Dieu ne meurt jamais. La sainteté des divorcés remariés dans l'Église, » *NRT* 136 (2014), pp. 423–44.

the consent, in which He joins the spouses. Their gift belongs to the order of personal being. They give themselves, to the roots of their existence and until its end in this world. The marriage bond is irreversible and marked by the commitment of Christ.

Conjugal love animates and justifies this irreversible character. This was the Council's originality: to make the natural order of love communicate with the sacramental grace, and conjugate the "personal" character of the commitment of the baptized with the powerful work of the Spirit in them and in the Church. The multiple use of the term "love" itself in the Pastoral Declaration *Gaudium et Spes* appeared as a novelty, a doctrinal originality, which could help people to better understand the nature of the bond and its requirements in the legal and cultural orders. However, this conjugal love was first perceived in the image and likeness of Trinitarian love: "Authentic married love is caught up into divine love" (GS 48, 2). It was also connected to the saving act of Christ, who came to save all love and give it its ultimate meaning: his Passover. Marital love has its source in God, Creator and Savior.

This intensity of the bond is expressed once again in doctrinal form in the *Catechism* published after the Council:

By its very nature conjugal love requires the inviolable fidelity of the spouses. This is the consequence of the gift of themselves which they make to each other. Love seeks to be definitive; it cannot be an arrangement "until further notice." The "intimate union of marriage, as a mutual giving of two persons, and the good of the children, demand total fidelity from the spouses and require an unbreakable union between them (GS 48, 1)" (CCC 1646).

How can the intrinsic value of the spouses' sacramental bond be awakened and preciously kept? That is the question many researchers who wish to harmonize indissolubility with forgiveness and renewal in the terrain of certain situations marked by failures or sins. It seems that the travelled paths cannot ignore the deep sacramental reality of the spouses' commitment. With this aim, let us evoke some paths, which always need to be deepened.

II. The Power of the Sign

Indissolubility, as a pastoral issue, has been developed in recent years. Exposing the indissolubility of the gift perhaps means looking for the true roots and implications of the issue. More than thirty years ago, Cardinal G. Danneels

made this diagnostic in the face of the various ways in which indissolubility was being questioned:

Where the aspect of giving disappears in the couple is replaced by introversion or mutual consumption, the man-woman relationship changes and is distorted. We read on the first page of the Bible that, as long as the man and the woman were not centered on themselves, they shared the joy of simply being male and female, expressed by this little phrase: They were naked, and they were not ashamed. When the man withdraws into himself, forgetting that he himself is a gift from God and must extend that gift to his wife, and the woman to the man, he suddenly becomes ashamed. Where the aspect of the "gift" decreases—as is often the case in the consumer society—, joy disappears and a complex pathology develops in the couple.

The Christian faith, in what it calls the redemption of the couple, merely reaffirms the character of the pure gift in the relationship and, to the smallest possible extent, the self-assertion at the expense of the other. Jesus, talking about marriage, simply said that it is necessary to go back to the beginning, when this introversion did not yet exist. Going still a little further, when the man withdraws into himself, he darkens the image of God in him, for God is gift.⁵

To present the indissolubility of marriage, one must not begin with the registered failures⁶ nor with the free, irrevocable and personal gift and its importance for the education of children. One should also consider it by beginning with the beauty and goodness of the sacrament: its source is the personal commitment of Christ and of the Church. Marriage is *par excellence* intersubjective: this means that the spouses' promise is expressed within another promise that binds the Savior, the Bridegroom, to His Church that he wanted as his Bride. These two bonds, admittedly distinct, intimately penetrate one another.⁷ This point is not often consciously perceived and rarely manifested in

⁵ G. Danneels, "La Bonne Nouvelle à toutes les familles," La Libre Belgique 10/11 Sept. 1988, p. 2.

⁶ Ceux-ci peuvent être le signe particulier d'un autre problème: la préparation à ce type d'engagement si radical et l'adéquation pour l'intelligence et le cœur des futurs époux entre leur vie chrétienne et la profondeur et les harmoniques spirituelles du sacrement qu'ils veulent recevoir ou qu'ils ont célébré.

⁷ Speaking about the conjugal communion, *Familiaris Consortio* insists on the human requirement, but also adequately situates, in continuity with GS 49, the mission of Christ and of the Spirit: "the Holy Spirit who is poured out in the sacramental celebration offers Christian couples the gift of a new communion of love that is the living and real image of that unique unity which makes of the Church the indivisible Mystical Body of the Lord

ordinary pastoral teaching and catechesis. Yet the *Catechism of the Catholic Church* clearly expresses it:

The deepest reason is found in the fidelity of God to his covenant, in that of Christ to his Church. Through the sacrament of Matrimony the spouses are enabled to represent this fidelity and witness to it. Through the sacrament, the indissolubility of marriage receives a new and deeper meaning (CCC 1647).

Christ committed himself in the promise of fidelity that he sealed by assuming his pascal act: "The gifts of God are irrevocable" (Rom 11:29). Man cannot refute or try to destroy God's gift. This gift remains in its beauty and truth, even if human freedom can mask and conceal it. The sacramental gift remains offered and alive, in spite of all the vicissitudes in the life of the spouses. The gift of the sacramental indissolubility is a strength for conjugal love and creates in it conditions favorable for the spouses' ever-deepening mutual gift. The indissolubility of the bond is often evoked in the case of ruptures; it is too seldom meditated on in the perspective of God's power. God remains committed to his gift to each person and to every couple in particular.

Indissolubility expresses the power of God, who committed himself in the words that have been exchanged. Christ is the one who tied the personal bond between the spouses. Recalling the original plan, grace in the order of creation—let not man separate what God has united (Mt 19:6)—, Christ not only poses a gesture of prophetic memory, but he also binds himself by his word to every human covenant: "I tell you, if someone divorces his wife—except in cases of illegitimate union—and marries another, he commits adultery" (Mt 19:9). If these words are hard to hear or speak, every pastor and every baptized person is nevertheless called to understand their depth. In the mouth of Christ, they are weighty: they are not an "accusation" but they do throw light on human relations, for the mind and the heart. This is not a judgment pronounced "ad hominem" but rather a light put on situations that can be created or undergone by human freedoms, in ordinary life and in the life of the Church. These words are a true act of mercy in comparison to the lability of the human feelings that

Jesus" (FC 19).

⁸ See our reflection: "La permanence du sacrement de mariage au cœur du divorce," in : A. Bandelier (dir.), Séparés, divorcés à cœur ouvert. Témoignages, réflexions et propositions de fidèles et de pasteurs catholiques, préf. Mgr P. d'Ornellas, Paris, Lethielleux - Parole et Silence, 2010, p. 117–40.

we can experience or even to the temptations of infidelity that can cross any person's mind and heart.

Christ commits himself, historically, in the relationship of the spouses. Every sacrament reminds us of this fact. This commitment is an act of salvation given and offered to the fragility of human freedoms. This divine consciousness of taking part in what is human, limited, fragile and may one day be wounded, broken and refused in the relationship, was not added extrinsically. It is manifested liturgically, from the first instant of the existence of the new *ecclesiola*. It can cope with the failures and the death of human feelings. The paschal mystery of death and life is part of Christ's commitment at the heart of the matrimonial consent.

Furthermore, what he does, he does with his Church and in the Church, unceasingly vivifying the spousal relationship he wanted between himself and his Church. The sacrament of marriage—if it is valid—and its permanence are a sign of the action of Christ and of the Church.

Pastorally, it seems that the "sign" given in the Church has been underestimated for years by separated men and women, who explicitly choose not to remarry civilly. The weight—not numerical but symbolic—of this choice, which is spiritual and sacramental, is not sufficiently appreciated and reflected on from the doctrinal and pastoral viewpoints. It expresses, freely and carnally, a deep truth about the sacramental grace received. Indeed, by proposing to them that they become one flesh forever and reminding them of the original goodness, Jesus makes the spouses into the image of the divine unity that he reveals in its fertility. For, "our God is one." He reaffirms the divine plan and accomplishes it, by inscribing in the heart of the couple's bond the Holy Spirit who unites them. God's commitment in the gift opens infinite spaces in the human gift between man and woman. If marriage is indissoluble, this is because it has been placed into Christ's hands, and because he has given it, in the Holy Spirit, a unity and density beyond all human measure.

The ties of indissolubility and those of forgiveness should certainly not be undone. This is essential to our lives as pardoned Christians; but we must realize and think about the place where they truly converge in God's plan. Let us constantly contemplate how God joins them in the heart of His Son on the cross. The mystery of his Passover is present in every sacramental act. We cannot reflect on these issues without the light of the Risen One, who assumes every consent and act of love within himself and in the unfailing relationship that he desired and maintains with his Bride, the Church.

III. The Requirements of the Sacramental Affinities

Saying that the Church is a sacrament means witnessing to the existence of a sacramental economy, which is distinct in time and space from what the world lives. It is the same life, but faith transforms, from within, both love and hope. This consideration, classical in sacramental theology, transforms the values, questions and actions of the Church's members, not always in their materiality or in their formality, but certainly in their relation to the history of salvation and to eternity (man's destiny). Thus, grace is active in the ecclesial Body and marks not only the intentionality of subjects, but their way of living and acting as well as the stakes of their free and conscious decisions. Are they always united to Christ's personal action and to his specific bond with his Church?

Here we need to ask what the sacramental economy changes for the behavior of Christians. In this perspective, weakening the tie between the conjugal union and that between Christ and the Church does not, in our view, respectfully follow the Tradition. In any case, avoiding both confusion and concordism, we should keep in mind, as just and true, the interpretation that was advanced in particular by John Paul II in his famous Catecheses on human love in the divine plan. For many authors, and especially for theologians who in their thinking put the concept "first" rather than the symbol, this bond is most often merely a metaphor rather than an expression of a sacramental reality that "says" what the Church is and how she lives and grows. Reflecting on Gaudium et Spes 49, John Paul II based his ecclesiological argumentation concerning the conjugal covenant and that of Christ with the Church on St. Paul's commentary in Ephesians 5:31. There, the literal sense deploys its various spiritual openings, which should not be underestimated under the pretext that they are "allegorical." A true marriage is a true image, historically situated, but sacramentally active, of the bond between the Savior and the body of his Spouse, once saved by him in time and that he continues to save throughout history. Weakening the density and the truth of this bond implies weakening the salvific act of Christ, who is able to bear all the bonds, as they are, in the saving act that he accomplished on the Cross. The Savior, by opening man and woman to this perspective of the indissolubility and unity of love, has already accorded them mercy, starting at the moment of their consent: he is able to always carry them thus in baptismal mercy.

It is important to show the structuring nature of the marital bond and the public institution of a promise of love. However, admitting or emphasizing that

love is one of the causes of the fragility of couples in fact reduces its conception to the various partial phenomenological traits of love, and risks not to account for the specificity of Christian love as *Gaudium et Spes* 49 does. All the discussions concerning the drafting of *Gaudium et Spes*, and especially in what regards the family and the couple, are focused on the depth of a conjugal love rooted and saved in Christ (GS 49). God always takes "the first step:" His grace precedes us and the gift is always already a pardon. However, this forgiveness takes different forms in the history of salvation: it is never purely a "new beginning," but the assumption of human acts and their consequences. The Church is not foreign to this story. Moreover, reading Scripture, we see that the Creation, the Election, and the Redemption of mankind are always expressed in the same way: the moments of salvation are expressed in a "spousal" mode. The sacramental economy of Christians finds its full meaning there, and it reaches well beyond any ritual reduction: it has its foundation in Scripture and Tradition! Is marriage not—to quote John Paul II—the "primordial sacrament?"

In this context, marriage, its effects and thematic complexes, cannot be considered outside of the reality of the ecclesial body and the sacramental affinities that can be detected or reflected between the seven sacraments. Both asserting that one is "for indissolubility" and seeking "forgiveness" for those who do not succeed in living it or being faithful are decisive, but it is impossible to reflect on this question outside the mutual unity of the sacraments in themselves. This does not mean judging people, but it is essential to raise awareness about the sacramental unity of Christian life and the coherence of the meaning of the sacraments for the entire Body.

There is a connection between the assertion of the indissolubility of the sacramental bond and the delicate questions raised by other sacramental acts: participation in the Eucharist, confession, perhaps "remarrying," going to Communion occasionally or regularly. People often think that the prohibition for remarried divorcees to receive Communion is a punishment—but it is precisely not a punishment! The deep reason lies in the consistency of God's action in the unity of the seven sacraments, and also outside that unity. Many writers, who seek a pastoral solution, clearly indicate that they take to heart the indissolubility of the marriage bond. Is it perhaps the fear of being misunderstood or of not finding the right solution that drives them to reaffirm the bond's indissoluble character? Or maybe it is a cultural element, since we no longer understand the

⁹ The expression "sacramental affinities" is increasingly used to show the unity of salvation, which works through a variety of ecclesial signs that mutually call and strengthen each other in Christian life. This unification of the ensemble of the seven sacraments is one of the fruits of Vatican II.

meaning of the indissolubility of a bond, because at every instant, culturally, even in our own bodies and our health, everything seems to be "rebuilt"? This may also be a sign that there is a lot at stake, not so much for the discipline of the Church but for the truth of the sacrament offered—whether in its preparation or in its accompaniment. If it were only a point of discipline, it would not be the object of so much reflection!

Therefore, Familiaris Consortio 84, speaking of the remarried divorcees, tried to recall the coherence between the different sacraments, not to judge people, but in order to enable us to deepen the meanings and finalities. 11 In this context, we can strengthen our awareness of God's love present to all this, to all relations of every kind; but this assurance—we hope—cannot coalesce in a confused reflection, synonymous with "de-creation," which would no longer allow us to recognize the modes of presence of this divine love. While we must insist on God's love, which is always alive, it is of course also necessary to emphasize that all situations are not identical. God has many ways of expressing "His mercy." Like every fault, that against true marriage and especially against the "indissoluble" bond can be forgiven by God and in His Church through the sacrament of reconciliation. In the process of soothing, of reconciliation and of truth of the marital bond, the husband or wife is invited to receive this grace and can truly receive the forgiveness of his/her sins, while living a situation of separation or legalized divorce. Remarried divorcees can in fact experience true peace in their conscience, when contracting a new link. However, the new bond, which does not express the same reality as the unique sacramental marriage, impedes them from receiving the forgiveness for their personal faults through the sacramental channel, except if they change their conjugal situation—but this is often impossible. Now, does this mean that they cannot experience the fruits of grace and in particular of forgiveness? That is not what Familiaris Consortio says. Their "singularized" presence in the body of the Church is, in itself, the proof of the Church's pardon and acceptance of what they do and what they are. The new union is not a new marriage, but the love of God is not dead, neither in the Church nor in this union. This is the assurance that should be deployed

¹⁰ Let us realize that the possibility of divorce is explicitly and permanently inscribed in the civil contract of many States. This type of engagement promoted by civil legislation most often makes the stakes of an unbreakable bond "for life, until death" incomprehensible for the conscience. The breach of contract is, in these cases, always understood as "normal:" it has significant influence on the consciences, and makes them opaque and closed to the sacramental reality of the indissoluble bond.

¹¹ See the analysis of this paragraph in "L'amour de Dieu ne meurt jamais. La sainteté des divorcés remariés dans l'Église" (art. cit., in n. 2), pp. 426–30.

baptismally, in relation with the sacramental economy and the sacramental reality of our lives.¹²

Let us say this in another way. The ecclesial significance of the new relationship initiated by remarried divorcees is not the same as that of those who are separated and that of married spouses. The difference of these situations does not mean "opposition" or "excommunication" or "imperfect communion." They are fully members of the Church, but they do not signify the same "thing" as a sacramentally married couple. They cannot express in Eucharistic communion and in the ecclesial body the same reality as before their new union.¹³ The situation is analogous to that of a priest who, having left the priesthood, can and must remain in communion with the Church, but is no longer called and can no longer exercise, as before, the sacrament he has received. We must refuse the confusion that would put on the same plane the forgiveness granted to individuals (whether in a sacrament, a fraternal word, in an inner certainty, through a penitential and sacramental act) and the exterior and ecclesial situation in which they live and present themselves. It is really hard to think that sacramental forgiveness coincides, outwardly, with the situation of remarried divorcees. Yet, who can in fact make a judgment at this level of depth? However, why and how can this "difference" be disregarded without denying the truth of Christ's action in our history?

There are, of course many ways of showing one's repentance, but what is at stake is the objectively new situation of the remarried divorcees in the Christian community and especially the ecclesial significance of the sacraments out of which they live: their single and only marriage (if valid), the sacraments of Christian initiation and others. This way of living the sacraments in the body of the Church does not depend on the subjective intention of the spouses, their guilt —real or not—, or their sexuality: to receive Holy Communion, we must believe that we are in the state of grace and have the desire (at least the desire of desire!) to change the negative or sinful points of our life. In the state of remarriage as such, what is primarily at stake is not the sexual order, but rather the new marital and parental status, with its significance in the ecclesial body. Divine mercy certainly touches the heart of the "new spouses" (of the remarried), showing them that they are loved by God and that their love says something about God; however, that word does not express the same thing as a sacramentally married couple or a divorced person who remains "faithful to the bond."

¹² Cf. *ibid.*, p. 440-4.

¹³ For a strongly unified pastoral and doctrinal approach, see A. Léonard, *Séparés, divorcés remariés, l'Église vous aime*, Paris, éd. de l'Emmanuel, 1996.

Many authors also speak about a "discipline" of the Church for remarried divorcees, thus underlining its relativity. It seems us that this statement falls short of the reality, which is more complex; legislation shows weaknesses in this area, because it does not open up to the symbolic order and develops a moral obligation on restricted horizons. If the term discipline is used in FC 84, this is precisely because the discipline there is "based on Scripture." The issue should therefore be considered on the basis of Scripture. True pastoral ministry, in its doctrinal unity, should find in Scripture an argument or biblical figure capable of opening the way to the truth of the new relationship and to the forgiveness that, in itself, it already represents in some cases: it is through mercy that the new bond may be considered and lived in the light of God within the Church. This new relationship must be presented as a "path" of the children of God in the Church; but it is difficult to express objectively in the sacramental mode. Indeed, every sacramental figure is marked by the before and the after of a gesture and word. This is how sacramental consent produces its effect in time, but the sacramental realism cannot fade over time, like fog that disperses or an illusion that disappears. 14 Freedoms in the Church are called to assume the time in which they are engaged. The sacraments express God's time on earth and, simultaneously, take time, on the human side, to be received, welcomed, entrusted and changed. That is why the remarried divorcees are fully in the Church, but without the possibility of being consecrated there by a new sacrament of marriage.

IV. The Persisting Bond

Can we conclude, while the debates are intense and the research is spread in many directions? We wanted to indicate that the sacramental path cannot be forgotten, but rather needs to be deepened: the sacramental economy—although full of paradoxes—is the place of God's truth and forgiveness on earth. The distances between the definitive character of our free acts, sin and its consequences, are not always resolved in the same way in time. The sacramental economy, through the Church and the seven sacraments, intends to show the unity between what is irreconcilable in people's eyes. The sacraments are the places that indicate God's ultimate intention to us, even if this intention is not accomplished entirely in human history.

Christ truly is the Savior of the conjugal relationship: through the renewal of the plan of the original Covenant: he "offers a 'new heart': thus the couples are not only able to overcome 'hardness of heart,' but also and above all they are

¹⁴ This is even truer in the sacramental theology for the sacraments that have a "character."

able to share the full and definitive love of Christ, the new and eternal Covenant made flesh." The sacramental consent—if valid— is already always a "merciful grace" accorded to the spouses, who are "called to participate truly in the irrevocable indissolubility that binds Christ to the Church His bride, loved by him to the end" (FC 20).

It is necessary to return to *Familiaris Consortio* in order to consider all its wealth. We need to explore what FC 84 says about remarried divorcees: no, the Church cannot abandon those who have entered in to other unions. Yet, how can we explain this paragraph without admitting that there is a difference between the lifestyle of remarried divorcees (and its sense) and that of people seeking to be faithful to the personal place of their promise: Christ? Yes, Christ, in the power of the Spirit, is the guarantee of the permanence of the sacramental sign. Yes, Christ remains present in every relationship that he can assume in the power of his heart, yet without leading all Christians to live the same mission in the Church.

We sought to throw light on a new interpretation of the grace of the one and only marriage. If time is so decisive in these difficult situations—the story of a couple, the permanence of the union, the death of one of the spouses—, it is also necessary to show Christ's domination over time. There is a "before" and an "after" with respect to the sacrament of marriage. After it, whatever the developments of the spouses' freedom may be, until death, Christ accompanies them, cares for them and for their commitment. Objectively, through the commitment of Christ and of his Church, the one and only marriage offered is always fertile, fertilizing, and a source of grace. This grace is inscribed in that of the sacraments of the Christian initiation.

A doctrinal word is necessary for the coherence of the faith and the life of faith. Allowing concrete and specific pastoral ministries to develop without this coherence is not a sign of spiritual vitality. Experimenting? The original and specific proposals have their value: they manifest the research. But without a coherent unity between the doctrinal statement and pastoral work, we do not advance towards a "solution" of true resourcing or of spiritual adjustment to God's great plan for conjugal and familial love.

We do not have answers to all the questions asked or solutions to subjective and painful impasses of many baptized. But we will not have any if we do not deepen together the reflection on the nodal point of this question: when a real marriage was concluded between two baptized and they can no longer live together and love according to the promise made in Christ in the Church, what remains of the sacramental bond? That is what is at stake in promised indissolubility. It is neither accidental nor legal. The search for forgiveness or for a new meaning to a new relationship cannot leave us in a bind or take us into other more fundamental deadlocks. Marriage is not a contract like any other. It poses no problems and does not lead to de facto failures. Deepening the particular reality of marriage implies diving into the world of human freedoms that, passing from desolation to consolations and from sins to virtuous deeds, open up to God's unique love. Hence, the aim is not to resolve "problems," but to go ever deeper into a *mysterium* that has no doors to open or close but is always a window open towards heaven.