

Missionary Families of Christ

Jacob's Well -- Implementing Guidelines

What is Jacob's Well?

Jacob's Well is a special ministry of MFC. It is a ministry for those who are in irregular unions, and who would remain in such irregular unions for the foreseeable future.

What is an irregular union?

An irregular union is a marriage between a man and a woman, one or both of whom have a previous valid sacramental marriage. The person involved would normally have secured a legal annulment and/or a divorce on the first marriage, and would have entered into a second civil union.

Why is the second marriage called an irregular union?

The second marriage is an irregular union since the first marriage is still considered as valid, since there is no divorce in the Catholic Church.

How about those married in Christian Churches that allow divorce?

While divorce is allowed and valid in other Christian Churches, MFC would still consider a divorced non-Catholic Christian who enters into a second marriage, even if a Church marriage, as being in an irregular union, since MFC follows the teaching of Jesus on the indissolubility of Christian marriage. In other words, MFC does not accept divorce, and so any Christian who is divorced and remarried would be considered as being in an irregular union.

What is our pastoral policy in MFC regarding those in irregular unions?

Our pastoral policy has evolved through the years.

From the beginning, we stood for the indissolubility of marriage, and so did not accept as member any couple or person who was in an irregular union.

Later we allowed those in irregular unions to become members, provided they fulfilled two conditions: (a) there seems to be valid grounds for securing a declaration of nullity on their previous marriage, and (b) they will actively pursue their case with the Church marriage tribunal.

Now we look to helping also those who have a previous valid marriage but have broken up (and have no grounds for securing a declaration of nullity), have entered into a new marriage, and after that have experienced renewal in Christ.

So have we changed our stance towards divorce?

No. Just like the Catholic Church, we continue to look at irregular unions as objectively wrong. MFC still, and will always, stand for the indissolubility of Christian marriage.

Thus a Catholic in an irregular union cannot receive Holy Communion.

However, Jesus came for sinners (Mt 9:13), and the mercy of God is immeasurable.

Thus we do not conclude that such a person, if he/she dies, would go to hell. We judge the objective situation as wrong, but we do not judge the subjective state of such a person's relationship with God.

Why should MFC be involved at all in such a ministry?

There are a number of reasons:

- (1) Because one of our Core Values is “Living a Preferential Option for the Poor,” and in this we want to help build the Church of the Poor, to reach out to every sector of society that is in dire need of experiencing the kingdom of God on earth.
 - Those in irregular unions form one sector of society that has been outside our normal ministry of evangelization and renewal. If we truly seek to do a holistic work that reaches out to all persons in all circumstances in all places in society, then this growing sector cannot be excluded.
 - Those in irregular unions can be considered among those who are poor, since they are on the fringes of the pastoral care of the Church, and they cannot participate fully in the Eucharistic celebration, since they are not allowed to receive communion.
 - Also consider this: With all other sins, if a person truly repents and confesses, he/she is put right with God. A mistake in life can be rectified, at least in the eyes of God, and the sinner moves on, with the slate wiped clean. Thus a former murderer, rapist, abortionist, or any other person who has committed a heinous crime or grievous sin, can repent and experience renewal.¹ However, when one makes a mistake in choosing a marriage partner,² has not struggled enough to be faithful to the marriage covenant, or has become a victim of infidelity, leading to separation, and there are no circumstances that can render the marriage null and void, if one moves on to another union, he/she is hounded by a mistake that is not fully rectified by repentance nor renewal, but only by the death of one of the original spouses.³
 - For our reflection: If a person with such a broken but valid marriage has moved on and found someone new, perhaps together have started a new family, and by God’s grace enters into a renewed life in the Spirit, would such a person stand condemned before the Lord? Isn’t such a person among the poor who have been dealt a cruel blow by life, and who are in need of help and care?
- (2) Because our work of worldwide evangelization already involves us with such persons, and there will most probably be more, since many couples have still not been touched by spiritual renewal.⁴
 - CFC-FFL already counts among its members those in irregular unions. They were able to become members due to various reasons: (a) because they kept the truth of their irregular situation from us, or (b) we found out only during the course of the CLS or after and we did not have the heart to turn them away anymore, or (c) our own leaders were simply ignorant about their ineligibility for membership in MFC. Such persons then were mistakenly integrated as regular members of MFC or our Sections.

¹ And can join MFC.

² And this has happened very many times to Catholics.

³ And such a person cannot join MFC.

⁴ In many countries especially in the western world, there are very many Catholic marriages that have broken up.

- (3) Because of the great need in the world today, where so many marriages have broken apart and the spouses have moved on to new relationships. Oftentimes there are innocent parties involved, especially the children.
- Those in irregular unions form a large segment of the Church and society that greatly needs to be evangelized and cared for, but because of their circumstances are often outside the regular support structures within the Church.⁵
- (4) Because this is the way by which we as MFC can preserve our basic stance regarding the indissolubility and sanctity of marriage, while allowing us to help those in irregular unions.
- Without the ministry of Jacob's Well, MFC cannot accept as members those who are in irregular unions, since this is contrary to what we stand for. Thus, in the face of so many in such irregular unions who were finding themselves drawn to MFC, we faced a dilemma: Either we turned away such persons and so remain true to our calling as MFC, or we accepted such persons but then jeopardize our spiritual foundation. With Jacob's Well we have the solution to the dilemma. We maintain our basic stance on the indissolubility of Christian marriage, which provides us the spiritual foundation for our work, by not accepting such persons in MFC itself (i.e., as members of MFC), but we can still care for such persons within the larger work of MFC, as part of our special ministry.
- (5) Because one of our Core Values is "Being a Servant to the Church," and this is the call of the Catholic Church to us.
- The Pontifical Council for the Family, in "The Pastoral Care of the Divorced and Remarried," says: "We also invite all Church leaders to make a special effort with those who are suffering the hurtful consequences of divorce, keeping in mind:
 - the solidarity of the whole community;
 - the importance of the virtue of mercy which respects the truth of marriage;
 - trust in God's law and in the Church's provisions which lovingly protect marriage and the family;
 - a spirit enlivened by hope."
- (6) Because we are inspired by the compassion of Jesus on those in such situations.
- Our inspiration for this special ministry is from John 4:4-30,39-42. Here Jesus has an encounter with a Samaritan woman who has had five husbands and who was currently living in with another man.
 - The following points are interesting and important:
 - a) Jesus knew the reality of her irregular situation, but it is not recorded that he told her to leave her live-in partner (v.17-18). This is unlike his dealing with the cripple and the adulteress, both of whom he directed not to sin anymore (Jn 5:14 & 8:11). Pastoral note: While it is not recorded that Jesus told the Samaritan woman to leave her live-in partner, it does not also mean that he did not actually say it, nor does it mean that she did not eventually do it. Many of the things Jesus did are not recorded in the Bible (Jn 20:30, 21:25). In fact, we can assume that

⁵ It seems the Church's pastors are at a loss as to how to do more for Catholics in irregular unions.

Jesus would not have tolerated something incompatible with his teachings on marriage.

- b) Jesus revealed himself to her as the Messiah (v.26). For reflection: Could Jesus have so intimately shared with her about living water and revealed himself as Messiah, only to withhold salvation and eternal life from her?
- c) God used her as an evangelizer (v.29) and she was effective in her testimony (v.39). For reflection: Could God have used her so effectively as an evangelizer, only to prevent her from joining the company of disciples?⁶

Why is this ministry called “Jacob’s Well”?

The name of this special ministry is taken from John 4:6. Jacob’s well was the place of encounter between Jesus and the Samaritan woman.

- (1) Jesus was just passing through Samaria on his way to Galilee (Jn 4:3-4). His basic mission initially was just to the house of Israel (Mt 10:5-6).
 - CFC-FFL’s mission is the renewal of family life, among those who are validly married. But along the way, we encounter this need of others. Moreover, our basic thrust is evangelization, wherever or however we encounter people.
- (2) Jews considered Samaritans as sinners (they had inter-married with pagans) and Samaritan women as ritually impure, thus not having anything to do with them (Jn 4:9). Jesus not only asked her for a drink but offered her living water (Jn 4:7,10).
 - Those in irregular unions are “ritually impure,”⁷ but like Jesus, we relate with them and offer them the life of the Spirit through our ministry.
- (3) Jesus talked not only with a Samaritan, but with a woman, an activity which had religious and social restrictions, which Jesus treated as unimportant (Jn 4:27).
 - Just as God desires mercy, not sacrifice, and Jesus is Lord of the sabbath (Mt 12:7-8), so is God’s mercy and compassion greater than the law.
 - We too look beyond the law regarding marriage (though without negating it), and exercise compassion for those marginalized by the law.⁸
 - In fact, the Pontifical Council for the Family, in “The Pastoral Care of the Divorced and Remarried,” says: “Furthermore, the Church does not limit herself to condemning errors, but in accordance with the constant teaching of her Magisterium, she wishes to use every means so that the local communities can provide support for those who are living in situations of this sort The first sign of the Church’s love is that she does not allow such a worrying situation to be passed over in silence.”

⁶ Salvation of course is not assured by the mere fact of Jesus intimately sharing his life with people, but is dependent on one’s taking the necessary steps of conversion.

⁷ The phrase “ritually impure” is not meant to imply that the Sacrament of Marriage is just a ritual, a ceremony without substance, or a merely externalistic reality.

⁸ The phrase “marginalized by the law” makes no implication that a certain lack of justice is involved on the part of the Church or its laws. We are fully supportive of the Church law on marriage, which derives from Christ’s teaching. This phrase simply refers to being not in conformity with the law, i.e., being in an irregular union.

(4) Jacob's well was deep (Jn 4:11).

- Deep too is the love and mercy of God. In fact, it is bottomless.
- Jesus came to minister to sinners and to those in need. We can do no less.

Thus Jacob's Well is a place (group) where those who are "ritually impure":

- * can encounter Jesus;**
- * can partake of living water;**
- * can become an effective evangelizer;**
- * can be accepted into the community of disciples.**

Implementing the Ministry

Can we now invite anyone to the CLS?

Now that we have Jacob's Well, we need not assess anymore the eligibility of a person or couple in being invited to the CLS. Now we have a place for everyone. This simplifies our evangelization efforts.

However, while we are now open to accept those who are in irregular unions, we need not aggressively evangelize this sector. We accept those whom the Lord sends our way, but we do not have to systematically seek them out.

So what happens when a person or couple in an irregular union joins our CLS?

There will be a progression in our pastoral approach.

First, consider if the person/couple should terminate the irregular union. Since an irregular union is a state of serious objective wrongdoing (sin), then the simple way out of the situation is to terminate the union.

However, the person/couple might not want to give up the union. This might be due to love, or children, or for any other seemingly valid reason. If so, we move to our second approach: study if there are grounds to declare the previous marriage null and void, and if so, help the person/couple get a declaration of nullity on the previous existing marriage(s). We can refer the situation to a competent priest.

If however there seem to be no grounds for nullity, or if the person/couple is not interested in pursuing the case, then we move to our third option: consider eligibility for Jacob's Well.

Who are eligible for Jacob's Well?

In saying that we need to consider eligibility, we are making clear that not everyone who is not in a valid sacramental marriage is eligible for Jacob's Well.

Those who are in a mere live-in arrangement or casual relationship are not eligible. Our pastoral approach here is to insist that they break up. Otherwise, we cannot accept them.

We then consider the particular situation of the individual/couple. Our guidelines for eligibility are as follows:

- (1) They must have been together for some years already, clearly showing stability in the present relationship.⁹ This assessment of stability would be enhanced by the presence of children born of the present union.
- (2) He and/or she must not already have been a renewed member of the MFC family prior to the present irregular relationship. Thus, a MFC member who breaks up his/her present union and marries another will not be eligible. The rationale for this is that such a person, being in MFC, should already know right from wrong, and breaking up his/her valid marriage is inexcusable.
- (3) He and/or she must have begun to genuinely walk toward Christ. While some may question if one's walk toward Christ is genuine if one does not get away from the sinful state of an irregular union, nevertheless there will be many Christians who, though continuing to struggle with various sins, may be experiencing repentance, a true love for God, and a desire to live a life in the Spirit. We will consider this condition fulfilled if he/she faithfully attends and participates in the CLS.

So what happens to them during the CLS?

They go through the CLS just like any other participant. They are mixed with "regular" persons/couples in discussion groups. They are prayed with for the baptism in the Spirit. They can continue on after the end of the CLS.

And what happens after the CLS?

They can choose to become members of Jacob's Well.

They will be assigned to a household. They can be placed in a household of "regular" MFC Couples / Handmaids / Servants members, but retaining his/her identity as a member of the special ministry. There might not be enough Jacob's Well members in an area to form its own household. Though more importantly, they are mixed with the "regular" members so that they do not feel second-class.

They will join the rest of the "regular" MFC Couples / Handmaids / Servants members in all activities, such as prayer assemblies, formation courses, recollections, retreats, conferences, etc.

They may serve in various capacities within MFC Couples / Handmaids / Servants. The only prohibition is service as a pastoral leader, i.e., leader of a household group, if such a household includes "regular" couples/persons.¹⁰

How about those who seem to have grounds for getting a declaration of nullity and are willing to pursue the same?

With this special ministry, we have an option regarding the membership of those persons/couples who seem to have grounds for getting a declaration of nullity and are pursuing the same.

First option: They can be integrated directly into MFC Couples / Handmaids / Servants. Second option: they can be integrated into Jacob's Well.

The basic determining factor in this decision is whether or not the situation of their irregular union is publicly known. If publicly known, they should join Jacob's Well. If not publicly

⁹ We will not put a definite minimum number to the years they have been together. Our determination of stability in the union will be done on a case-to-case assessment.

¹⁰ If there are enough persons in irregular unions who can be placed in one household, the Household Servant can be one who is in an irregular union.

known, and making them join the special ministry will cause scandal or disrupt their life unnecessarily, they should join MFC Couples / Handmaids / Servants.

Pastoral note: The term “publicly known” lends itself to various interpretations. The irregular situation, though not known by the public at large, would most certainly be known by relatives and intimate friends. Allowing such a couple to join MFC Couples / Handmaids / Servants might scandalize these knowing people against MFC. On the other hand, making them join Jacob’s Well might jeopardize their standing among those not in the know. There is no hard and fast rule in interpreting the term “publicly known.” Discernment will be essential.

Pastoral note: The option of being integrated into MFC Couples / Handmaids / Servants rather than Jacob’s Well is available only for those who meet two criteria: (a) that they seem to have grounds for being able to secure a declaration of nullity, and (b) that they will actively pursue the same. The option is not available to other persons/couples in irregular unions who do not meet these two criteria.

But for those for whom the option is not available, won’t putting them in Jacob’s Well place them in an embarrassing position? What if they do not want others to know?

This is one difficulty we, or rather the persons concerned, face. However, we cannot put such persons/couples in MFC Couples / Handmaids / Servants because we need to protect the integrity of our belief in the indissolubility of Christian marriage. This is what we stand for. This is one basic block in the spiritual foundation for our family life renewal ministry. If people know that those in irregular unions are part of MFC Couples / Handmaids / Servants, we lose a part of our effective witness. And even if people do not know, since we are engaged in spiritual warfare, our ministry would still be affected adversely.

So such persons need to be placed in Jacob’s Well. However, perhaps this situation, for the persons/couples involved, is not as bad as it seems. We must realize that there are those in irregular unions who do not mind if they are identified as such by being placed in Jacob’s Well. This is especially true in the First World, where such unions are not uncommon and are not socially unacceptable.

But assuming they themselves object to being so identified, how can this situation be resolved? We can present a scenario to them, and it is this: As Catholics and members of the family of MFC, they will find themselves in many Eucharistic celebrations, both in MFC events and in their parish. If they receive communion because they are hiding their true situation, then they commit sin on top of sin. So that option is unacceptable. If they do not receive communion (as they should not), and this happens every time, then their brethren in MFC will start to wonder about their situation, and since we are supposed to love one another and care for each other, eventually the MFC brethren, especially the leaders, will at some point feel compelled to ask them why they do not go to communion, with the intention only of helping them in whatever way. If they lie in order to hide their true situation, then again that is unacceptable. So what can they say? Eventually they will be “forced” by the circumstances to confess their situation. So why not do this at the very start?

One very good thing about the brethren knowing about their situation is that they can be cared for and pastored accordingly. We confess our sins to one another in order that our situation might be brought into the light and so we can be helped. This is what MFC is about. Knowing the true situation of a person, we can give more proper advice and pray for specific intentions.

But won’t the MFC brethren look down on them because of their irregular union? No one has the right to look down on anyone else. We are all sinful people who need the mercy of God and

love from one another. We just have different weaknesses and shortcomings. But no sinner should look down on another sinner.

So we try to convince those in irregular unions that it is better for them to be so identified in MFC. If however they refuse, then we can do no more. They then cannot be accepted into MFC.

But we wanted to help them in the first place. Now we won't accept them?

Prior to Jacob's Well, we also could not accept such persons/couples, given that we stood for the indissolubility of Christian marriage. The coming of Jacob's Well now allows us to accept them and care for them. Prior to Jacob's Well, we had to tell such persons/couples that MFC was not the place for them. With Jacob's Well, we are now able to offer them almost the fullness of life in MFC. But there is a slight cost, and that is the identification of being in an irregular union. The decision is now up to them to accept or not.

Pastoral note: The identification as Jacob's Well is only by way of the member's I.D. But there is no such identification to the larger public, i.e., outside MFC. Also, the member can forego wearing the I.D. even in MFC gatherings if this is deemed a problem.

How about those who avail of the option of being in MFC Couples / Handmaids / Servants but whose application for nullity is ultimately denied by the Church Marriage Tribunal?

Those in irregular unions who are placed in MFC Couples / Handmaids / Servants and whose application for nullity is ultimately denied by the marriage tribunal will have to transfer to Jacob's Well.

Of course conversely, those placed from the beginning in Jacob's Well but whose application for nullity is approved and who finally marry in Church will automatically be transferred to MFC Couples / Handmaids / Servants.

Commitment in Jacob's Well

Trusting in the Lord's help and guidance,

1. I shall strive to follow Christ.

- * Pray and read the Bible everyday.
- * Actively participate in the worship life of the Church.
- * Avoid sin and wrongdoing.

2. I shall uphold Christian marriage and family life.

- * Fully support the life and mission of MFC.
- * Observe the elementary demands of justice toward my spouse in the sacrament and our children.

3. I shall relate in love and loyalty to other members of Jacob's Well as well as others in the larger family of MFC.

- * Attend my small group meetings regularly and support the good order of the meeting.
- * Faithfully attend all other meetings.
- * Accept other persons whom the Lord adds to our number.

* Make time to serve when called.

4. I shall study and seek to grow as a Christian.

* Attend all courses, conferences and events of Jacob's Well.

* Diligently study all materials given to me.

May our Lord Jesus Christ help me to live this commitment everyday, for His greater honor and glory and for the good of my brothers and sisters.

Pastoral notes:

1. "Commitment" is used instead of "covenant."

This is just in recognition of the irregular situation of the member. "Covenant" is just too solemn a name for the relationship between God and a person who is in an objective state of wrongdoing.

2. "Avoid sin and wrongdoing."

In an irregular union, it is sinful to have sexual relations with one's partner/spouse. Avoiding sin therefore means living in continence. Though very difficult, we should encourage the couple to try to avoid this sin. We should however be mindful of the difficulty and be patient with the couple if they fail to live this out.

3. "I shall uphold Christian marriage and family life."

Though in an irregular union, the Jacob's Well member commits to uphold all the ideals of MFC, including its belief in the indissolubility of Christian marriage.

4. "Observe the elementary demands of justice toward my spouse in the sacrament and our children."

"Spouse in the sacrament" refers to the spouse from the previous valid marriage.

Justice demands that one is mindful of the well-being of his/her spouse and children from the previous valid marriage. This may include financial support, paternal/maternal visits to and interaction with the children, etc.

MFC Policy on Pastoral Challenges regarding Marriage Relationships

MFC is a family life renewal ministry. Our basic thrust is the defense and strengthening of marriage and family life. In this regard, we stand for the permanence and indissolubility of Christian marriage. There are, however, various pastoral challenges regarding various marital situations that we need to face.

Our goals are threefold:

1. That every Catholic couple in MFC is to be validly married in Church.

2. That people in sinful relationships are to be helped to get out of such relationships, and put their lives right with God. As such, no person or couple is to be denied participation in a CLS.
3. That those in irregular unions would be shown mercy and thus still be provided with pastoral support.

Following herewith is our policy regarding aberrant situations.

Situation #1: A live-in relationship but with no impediment to marriage.

* The solution: (A) Part ways, if either or both are still doubting whether to enter into marriage, or (B) get married as soon as possible.

MFC policy:

1. We should make clear that a live-in relationship is sinful and thus unacceptable.
2. We should help them discern if they should get married or not.
3. If they decide they do not want to marry, they should part ways immediately.
4. If they decide to get married, they can be prayed with for baptism in the Spirit during the CLS, and also be accepted as regular members of MFC after the CR.
5. MFC may grant some leeway as to when the couple finally gets married, should the couple have a valid reason for a delay (e.g., get married in hometown with parents present; earn money for wedding expenses; etc.). However, such leeway should not be too long, perhaps at most just a few months.
6. Such a couple that fails to get married within the agreed time for no good reason will be expelled from MFC.

Situation #2: A couple unmarried to each other are living in together, with one or both married to another, but with the married party still open to preserving his/her marriage.

* The solution: the sinful live-in relationship must be immediately ended.

MFC policy:

1. Such a couple may join or continue the CLS but should end their relationship right after or soon after Session 3 (Repentance and Faith), or when such relationship is discovered if later in the CLS. They would then continue the CLS as a servant or a handmaid (for the married party) and a single (for the unmarried).
2. Such a couple that is open to terminating the wrong relationship but requests time to seriously consider the matter and finally make the right decision, should such a request be granted, may be allowed to continue the CLS, including being baptized in the Spirit.
3. Such a couple, already having made the decision to terminate the wrong relationship, can be given some time in starting to physically live separately for good cause (e.g., necessity to find a place to stay), but such leeway should not be for long.
4. Such persons should not be given any position of pastoral leadership, until such time as they have actually terminated the relationship and are already living separately.

Situation #3: (A) A couple unmarried to each other are living in together, with one or both married to another, and with the married party or parties already having abandoned or been

abandoned by his/her original partner(s); or (B) A couple civilly married to each other but one or both having a previous valid Church marriage, thus being in an irregular union.

* The solution: consider securing a declaration of nullity on the previous marriage if there are grounds.

* Refer for assistance to competent clergy or lay brethren.

MFC policy:

1. We should first determine if there is no longer any desire on the part of the couple to return to their original spouse(s).
 - Consider if the original marriage has irretrievably broken down, and if the original spouses have been separated for a long time (like some years).
 - Consider if the couple, having met the Lord, are convinced that they are meant for each other and want to regularize their relationship.
2. Next we determine if there seem to be grounds for securing a declaration of nullity.
3. If there seem to be such grounds, and if the married party will start the process of securing the declaration of nullity, then MFC can support the couple, as follows:
 - by allowing them to continue the CLS, be baptized in the Spirit, and finish the CLS as regular participants.
 - by allowing them to become regular members of MFC after the CR.
 - we understand that the process itself may take years.
 - it will be made clear to the couple that should the application for nullity be denied, they will have to transfer to Jacob's Well.
4. MFC, through the Chapter Servant of the couple, will monitor the application for nullity and ensure that the applicant pursues it vigorously. Should the application not be pursued, they will have to transfer to Jacob's Well.
5. Since the couple is not in a state of valid marriage, any sexual relationship would be sinful. While MFC would hold this view and clearly state the same to the couple, MFC will leave it up to the couple how to respond.
6. Such a couple will not be given any leadership position in MFC, until such time that they become validly married. However, they may serve in other non-pastoral capacities.

Situation #4: Similar to #3, but there are no grounds for a declaration of nullity.

* The solution: Place the couple in our Jacob's Well ministry.

* Looking to God's mercy, we look to regularizing and making valid their union upon the death of the original spouse(s).

Authority for decision-making:

1. Decisions regarding the above are to be made by the Chapter Servant.
2. In case of doubt, or in case of appeal, the case should be elevated to the next level of senior(s).

Grounds for Marriage Nullity

What is marriage nullity?

This is a declaration of the Church that a marriage was not valid from the very start. Thus there was no marriage to speak of. The declaration of nullity simply formalizes the recognition of such reality.

The declaration of nullity is not civil annulment or Catholic divorce. Annulment or divorce presupposes a valid marriage, which is then terminated. Marriage nullity is based on the reality that there was no valid marriage to begin with.

What elements constitute the validity of Church marriage?

The validity of a Church marriage depends on the presence of three elements:

- (1) Legal capacity to marry.
- (2) Integrality of matrimonial consent.
- (3) Observance of the canonical form.

What constitutes legal capacity to marry?

To answer that, let us look instead at what impediments bring about a legal incapacity to marry.

- (1) Age.
 - A man must be at least 16 years old, and a woman must be at least 14 years old.
 - However, in the Philippines, the CBCP has placed the minimum age requirement for both man and woman at 18 years.
- (2) Impotence.
 - This is the inability to copulate on the part of either party. Impotence must be physical, antecedent (precedes the marriage) and permanent (incurable).
 - This does not refer to sterility, which is the inability to procreate, in spite of being able to copulate.
- (3) A pre-existing bond.
 - This refers to either party having a previous valid marriage.
- (4) Disparity of cult.
 - This is marriage between a Catholic and a non-baptized person.
 - A valid sacramental marriage can be entered in only by two baptized persons.
- (5) Sacred orders.
 - Bishops, priests and deacons may not marry.
- (6) Vow of chastity.
 - Those bound by a public perpetual vow of chastity in a religious institute may not marry.
- (7) Abduction.
 - There is no valid marriage if the woman has been abducted or detained, unless she later agrees to the marriage when separated, safe and free from the abductor.
- (8) Crime.

- A man and/or woman who causes the death of his/her spouse or causes the death of the spouse of his/her intended spouse in order to marry the other does not enter into a valid marriage.

(9) Consanguinity.

- Marriage is invalid up to and inclusive of the fourth degree of consanguinity.

(10) Affinity.

- Affinity is the juridical relationship arising from marriage and existing between one spouse and the blood relatives of the other spouse. Affinity in the direct line and in all degrees invalidates marriage. However, affinity in the collateral line is allowed (e.g., a widower and his sister-in-law).

(11) Public propriety.

- This impediment arises when a couple lives together notwithstanding the fact of an invalid marriage, or when a couple cohabits in a notorious concubinage. The man or the woman in such a union cannot validly marry the blood relatives in the first degree of the other.

(12) Legal relationship.

- An adopted person cannot validly marry the adopting person, nor the latter's direct ascendants or descendants, nor the latter's children, nor the latter's other adopted children if any.

What constitutes integrality of matrimonial consent?

The following defects, which negate integral matrimonial consent, render a marriage invalid:

(1) Consensual incapacity.

- This refers to (a) the lack of sufficient reason, or (b) the grave lack of due discretion of judgment concerning mutually given and accepted essential matrimonial rights and obligations, or (c) the inability to assume the essential obligations of marriage due to causes of psychical nature. In any of these cases, there is no effective consent.

(2) Ignorance.

- This refers to ignorance of the reality that marriage is a permanent partnership that is ordered for the procreation of children.

(3) Error.

- This refers to error about the very identity of the party (substantive error), or error about a personal quality of the other party that is directly and principally intended by the former in marrying the latter (attributive error).
- Substantive error exists when one marries someone identified but ends up marrying someone else.
- Attributive error has to do with desired qualities, whether moral, physical, social, religious or legal.

(4) Misconception.

- This has to do with one's misconception about the reality of marriage in the order of nature, or if one willed something essentially distinct from Church marriage in the sphere of grace.

(5) Fraud.

- Fraud is deliberate deception made upon someone for the purpose of inducing the person to marry.

(6) Simulation.

- A marriage is simulated when it is just an external expression of consent but contrary to an internal option of dissent.

(7) Condition.

- An expressed condition concerning the past or the present, made with the written permission of the Local Ordinary for licitude, invalidates marriage when the contrary is true. The object content of the condition should be something past or present, possible, contingent, moral or licit. Otherwise, the condition would have no bearing on the validity of the marriage.
- Without the written permission of the Local Ordinary, it is illicit to append condition of any kind and in any form, to matrimonial consent.

(8) Force or fear.

- Force refers to physical or moral coercion that is grave in intensity and external in causality, even if inflicted unintentionally, and that compels a person to choose marriage in order to be freed therefrom.
- Fear is intimidation in the mind of the victim on account of an impending and threatening evil usually by reason of the external force.

(9) Proxy marriage.

- Marriage by proxy can be legitimately allowed for any grave or urgent cause, when it is physically or morally impossible for either or both parties to be personally present for the exchange of mutual matrimonial consent.
- Marriage entered into by proxy is valid only: first, when the proxy is appointed by the party concerned; second, when the proxy has the special mandate to contract marriage with a specific person; an third, when the proxy personally fulfills the mandate.

What constitutes observance of the canonical form?

Marriage is valid only in the assisting presence of the Local Ordinary or the parish priest, or a priest or a deacon delegated by either, and in the attesting presence of two witnesses at least.

Miscellaneous

Do we have approval of the Catholic Church?

Yes, Jacob's Well was submitted to the Church hierarchy for study, comment and approval. Such approval has been given, though with the understanding that there will be continuing discernment as to the ultimate direction and shape of the ministry.

It would be a good idea to secure the approval of the parish priest or the bishop before implementing the ministry in the parish or diocese. If however such approval is not forthcoming, a candidate for Jacob's Well can be connected to the social ministry outside the parish or diocese.

How about those in irregular unions who are already members of MFC Couples / Handmaids / Servants, having joined prior to Jacob's Well?

We should speak to them about this special ministry and secure their approval for their transfer to Jacob's Well. The advantages for such membership as cited in this pamphlet may be explained. Should they object however, then they can remain in the meantime where they are, since we already accepted them as such, though we did so in error. As Jacob's Well becomes more accepted and has more members, perhaps they will accept a transfer then.

How should our posture be towards the members of Jacob's Well?

It is important to assure those who will be in Jacob's Well that they will receive the same support in MFC as those who are regular members. Jacob's Well members should be prayed with for the baptism in the Spirit, will be placed in households after the CLS (ordinarily with regular MFC members), should go to all formation courses and activities, can attend the MER, and so on.

It is also important that our members have sympathy and charity for the members of Jacob's Well, and not in any way make them feel unwanted, looked down on, ostracized or unloved. Divorced/separated and remarried Catholics are in a very difficult situation and need the love and care of the Church. We have been provided an opportunity to help out through the ministry of Jacob's Well. Judging the situation but not judging those involved, we leave them to the mercy and compassion of God who loves all and seeks out especially the sinners.

In forming Jacob's Well while insisting on the indissolubility of Christian marriage, we in MFC are living out the principle of loving the sinner while hating the sin.

How do we handle the issue of intimacy in an irregular union?

Assuming the person concerned has already repented of his/her part in the break-up of the previous valid marriage and has confessed the same, the only sin left in an irregular union is the sexual act between the spouses. It is sin because the spouses in an irregular union are not sacramentally married, which is the only state where the conjugal act can be done.

The spouses can avoid this sin by not having any sexual relationship, i.e., living together but as brother and sister. Difficult as this might be, it is the only option for Catholics who want to avoid sin. As such, we should encourage them to struggle to live out this Church teaching, through the help of God's grace. However, we must be pastorally aware that living in continence could be very difficult for some couples, and so should be patient with them. Jacob's Well members are not to be expelled for failure to live in continence.

Why are those in irregular unions prohibited by the Church from receiving holy communion?

They may not receive communion because they are in a state of serious sin, presuming sexual intimacy in the irregular union. Being still validly married to their original spouse, this is

tantamount to adultery. Such state of sin objectively contradicts that union of love between Christ and the Church that is signified by the Eucharist.

Furthermore, allowing those in irregular unions to receive communion may lead the other faithful into error and confusion regarding the Church's teaching on the indissolubility of Christian marriage.

Given the above, those in irregular unions can only receive communion under two conditions: (a) that they are living in continence; and (b) that they receive communion in churches where they are not known, thus avoiding scandal.

How about the so-called internal forum?

Church law provides that, when necessary, certain acts of Church governance and jurisdiction can be carried out in a private or secret way. Although such acts then cannot have all their usual legal consequences, they can affect someone's moral status and so enable him/her to live with a good conscience. Such acts are said to be carried out "in the internal forum."

Some priests argue or use the "internal forum" solution. Basically this means that the person concerned is convinced, given a formed conscience, that his/her previous marriage is null and void, but for some reason cannot secure a declaration of nullity. Given such a situation, the person looks upon his/her current marriage as valid and thus is not living in an ongoing adulterous relationship. As such, he/she is allowed by the priest to receive communion.

The validity of the "internal forum" solution to irregular unions is questionable. Moreover, the Church Magisterium has not sanctioned its use. Also, especially with today's badly-formed consciences and the tendency to rationalize, we should not rely on just the individual's conscience to determine right or wrong, but we need to fall back on Church law. Finally, we need to consider as well the consequences for the external forum. Since marriage is not a private act, it has deep implications for both the spouses and resulting children as well as for Christian and civil society.

Thus for us in MFC, we will not accept the "internal forum" solution.

Will there ever be a resolution of the situation of a couple in an irregular union?

If there is no possibility of getting a declaration of nullity from the Church Marriage Tribunal, then the only way out is the death of the spouse from the previous valid marriage. When this happens, then the couple in the irregular union can already get married sacramentally.

Pastoral note: We should not pray for the death of the spouse from the previous valid marriage.

Are members of Jacob's Well considered members of MFC?

Yes, as a social ministry of MFC, the members of Jacob's Well are considered part of the community of MFC. However, they are not part of the Family Ministries that include the ministry for couples which is Couples for Christ.

In submitting year-end membership statistics, our leaders should submit the tally for Jacob's Well separate from the tally for Sections.