

## **Grounds for Marriage Annulment in the Catholic Church**

There are very well defined canonical grounds for Marriage Annulment. Once these have been established marriage Annulment can proceed. It is important to understand the grounds for Marriage Annulment before making application, and if in doubt you should consult your local priest.

### **Insufficient use of reason (Canon 1095, 10)**

You or your spouse did not know what was happening during the marriage ceremony because of insanity, mental illness, or a lack of consciousness.

### **Grave lack of discretionary judgment concerning essential matrimonial rights and duties (Canon 1095, 20)**

You or your spouse was affected by some serious circumstances or factors that made you unable to judge or evaluate either the decision to marry or the ability to create a true marital relationship.

### **Psychic-natured incapacity to assume marital obligations (Canon 1095, 30)**

You or your spouse, at the time of consent, was unable to fulfill the obligations of marriage because of a serious psychological disorder or other condition.

### **Ignorance about the nature of marriage (Canon 1096, sec. 1)**

You or your spouse did not know that marriage is a permanent relationship between a man and a woman ordered toward the procreation of offspring by means of some sexual cooperation.

### **Error of person (Canon 1097, sec. 1) Reasons for Marriage Annulment**

You or your spouse intended to marry a specific individual who was not the individual with whom marriage was celebrated. (For example, mail order brides; otherwise, this rarely occurs in the United States.)

### **Error about a quality of a person (Canon 1097, sec. 2)**

You or your spouse intended to marry someone who either possessed or did not possess a certain quality, e.g., social status, marital status, education, religious conviction, freedom from disease, or arrest record. That quality must have been directly and principally intended.

### **Fraud (Canon 1098) Reasons for Marriage Annulment**

You or your spouse was intentionally deceived about the presence or absence of a quality in the other. The reason for this deception was to obtain consent to marriage.

### **Total willful exclusion of marriage (Canon 1101, sec. 2)**

You or your spouse did not intend to contract marriage as the law of the Catholic Church understands marriage. Rather, the ceremony was observed solely as a means of obtaining something other than marriage itself, e.g., to obtain legal status in the country or to legitimize a child.

**Willful exclusion of children (Canon 1101, sec. 2)**

You or your spouse married intending, either explicitly or implicitly, to deny the other's right to sexual acts open to procreation.

**Willful exclusion of marital fidelity (Canon 1101, 12)**

You or your spouse married intending, either explicitly or implicitly, not to remain faithful.

**Willful exclusion of marital permanence (Canon 1101, sec. 2)**

You or your spouse married intending, either explicitly or implicitly, not to create a permanent relationship, retaining an option to divorce.

**Future condition (Canon 1102, sec. 2)**

You or your spouse attached a future condition to your decision to marry, e.g., you will complete your education, your income will be at a certain level, you will remain in this area.

**Past condition (Canon 1102, sec. 2)R**

You or your spouse attached a past condition so your decision to marry and that condition did not exist; e.g., I will marry you provided that you have never been married before, I will marry you provided that you have graduated from college.

**Present condition (Canon 1102, sec. 2)**

You or your spouse attached a present condition to your decision to marry and that condition did not exist, e.g., I will marry you provided you don't have any debt.

**Force (Canon 1103)**

You or your spouse married because of an external physical or moral force that you could not resist.

**Fear (1103)**

You or your spouse chose to marry because of fear that was grave and inescapable and was caused by an outside source.

**Error regarding marital unity that determined the will (1099)**

You or your spouse married believing that marriage was not necessarily an exclusive relationship.

**Error regarding marital indissolubility that determined the will (Canon 1099)**

You or your spouse married believing that civil law had the power to dissolve marriage and that remarriage was acceptable after civil divorce.

**Error regarding marital sacramental dignity that determined the will (Canon 1099)**

You and your spouse married believing that marriage is not a religious or sacred relationship but merely a civil contract or arrangement.

**Lack of new consent during convalidation (Canons 1157,1160)**

After your civil marriage, you and your spouse participated in a Catholic ceremony and you or your spouse believed that (1) you were already married, (2) the Catholic ceremony was merely a blessing, and (3) the consent given during the Catholic ceremony had no real effect.