

Annulment criteria: Did a sacramental marriage exist?

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Q. What's the concept of an annulment? It seems like it is just a term for "Catholic divorce."

A. The concept of annulment is sometimes difficult to understand (or explain), but it is even more difficult to navigate around all of the painful histories and broken hearts that are always present in the annulment process.

Please keep this in mind as I address this topic: I cannot even begin to fathom the depth of pain that many people reading this have gone through in their divorces.

I don't think that the pain of divorce can be underestimated. There are many individuals with whom I have spoken who never wanted a divorce, but their spouse walked away. I have spoken with others who know that they were responsible for walking away, and they regret the decision.

This is also not to ignore those people who were in physical or emotional danger, and it seemed that the only option for their safety was to leave.

Nonetheless, we have to come face-to-face with the words of Jesus. If the words of Christ aren't optional, then we can't ignore what he said about divorce. Jesus clearly states that "if a man divorces his wife and marries another, he is committing adultery." Jesus is making it clear that marriage is more than a contract, it is a covenant.

We are accustomed to the idea that marriage is a "contract." Contracts are useful. They are an agreement to an exchange of goods or services. They are also "conditional." If I hire someone to re-roof my house, we will work up a contract. If he doesn't do the work, he has violated the contract, and I am released from my part of the deal (I don't have to pay him), and vice versa.

Covenant vs. contract

Sometimes people will look at marriage as a contract. Maybe they will see it as an exchange of affection or support or faithfulness. But, the Bible reveals that marriage is meant to be an image of God's faithfulness. God doesn't enter into "contracts" with people; God initiates "covenants."

Covenants differ radically from contracts. A contract may be an exchange of goods or services, but a covenant is an exchange of persons. Contracts may be conditional, but covenants are without condition; they are literally "unconditional." This means that they cannot be broken; you cannot void the conditions of an unconditional relationship.

The groom makes a vow about what he will be for his bride (and vice versa). He promises that he will be hers in good times and in bad, in sickness and in health, etc., until death. His vow contains nothing about "as long as you are good to me" or "as long as you are faithful to me" or "as long as we are living in the same house." He will be hers until death.

This means that, as long as both of them are alive, they are married to each other. If she were to leave him, he would be no more free to date another woman than he would if they were geographically together.

Now, what we call "granting an annulment" is actually more accurately called a "declaration of nullity." This

does not mean that the Church is “undoing the covenant” or making the “one become two.” No one has the ability to break an unbreakable bond. But the Church has a process to try to establish whether there was a covenant in the first place.

Obviously, this is not simple. But, if it can be demonstrated that there were certain obstacles (or impediments) to a covenant existing, then it is reasonable to declare that a covenant never existed.

Learn more For more information about marriage and annulments in the local Church, visit the [Archdiocese of St. Paul and Minneapolis' Metropolitan Tribunal](#)

Important criteria

A covenantal marriage (or sacramental marriage) must be entered into with sufficient freedom, without reservation, intending faithfulness, and open to life.

For example, if it can be demonstrated that one or both of the spouses never intended to be faithful, then that would be an impediment to a sacrament being established in the first place. Or if one or both parties were never open to children, then it could be revealed that no covenant existed.

This is different from a spouse intending faithfulness at the time of the sacrament but then failing to be faithful. The requirement for a sacramental marriage is not whether a couple lives up to the vows, but whether they meant the vows at the wedding.

The Church always presumes that a covenant exists until it is demonstrated that it hasn't existed. For this reason, the sacrament of matrimony is a solemn thing and should never be entered into lightly. A person is risking their entire life when they make this vow. They are taking the entirety of their future and placing it into the hands of the person they love.

They do this knowing that the other person will continue to grow and change. They do this knowing that the other person will fail them at times. They are staking their life on this covenant. But this is what love calls us to do.

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Marriage and annulments: continuing the discussion

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