



**THE M-A FORM:  
THE PRENUPTIAL  
INVESTIGATION (cont.)**

This month, we continue our look at the M-A form, also known as the Prenuptial Investigation. It is beyond the scope of this brief newsletter to address every question on the form, but we will look at some of the questions that may require an explanation.

**Impotence** – The question concerning a physical defect that would prevent a person from performing the physical marriage act refers solely and exclusively to permanent, physical impotence. This question arises due to the fact that an essential end of marriage is procreation; thus a person who is incapable of acts that are *per se* apt for the generation of children is incapable of validly marrying. Note that the impotence in question must be physical, not psychological, and permanent, that is, there is no possible cure for the condition. If there is any doubt regarding the nature of the impotence or the possibility of a cure, then the pastoral minister should err on the side of the person's right

to marry (canons 843 §1 & 1058) and consider the person free of the impediment.

**Impediments** – In the Diocese of Erie, pastoral ministers are highly unlikely to encounter any of the impediments listed under this question. If you do, please contact the tribunal to discuss the issue to make sure that it is in fact an impediment and what, if anything, can be done about it.

**Conditions** – The question concerning any conditions, restrictions, or reservations that the parties may be attaching to their consent to the marriage goes to the marital obligation of permanence. The presence of a condition in and of itself may not make a person's consent invalid. The real question is whether the person is reserving the right to him or herself to end the marriage if the condition is not met. For example, a person agrees to marry someone on the condition that he or she maintains a certain income level, fully intending that, should the person fail to maintain that level, then the person placing the condition will leave the marriage and seek greener pastures elsewhere. If either party is attaching a condition to his or her consent, the pastoral minister should discuss the issue with him or her and

determine exactly what the person's intention regarding permanence is.

**Witnesses** – Because marriage changes the legal status of the parties involved, canonical form requires the presence of two witnesses who can testify to the fact that the marriage was celebrated according to the norm of law. Witnesses are also important if the validity of the marriage is ever challenged. The only requirements to be a valid witness to a marriage are that the person be at least fourteen years of age and in possession of his or her mental faculties. The M-A form asks for the Best Man and Maid/Matron of Honor because it is assumed that both will be there, but the names of any two valid witnesses who are present suffice.

That's all we have space for this month. Tune in next time when we will conclude our journey through the M-A form. Until then, keep the faith, love God's people, and always honor the code!

