

# THEOLOGICAL TRENDS

## INTERCHURCH MARRIAGE II

### *The marriage ceremony*

THE DECREE *Ne Temere* of 1907, subsequently incorporated into the code of canon law, lays down that for the validity of a catholic's marriage it must be celebrated (bride and bridegroom are the ministers of the sacrament) in the presence of an authorized priest and two witnesses. This is called the 'canonical form' of the marriage. The law came in, not with mixed marriages in view, but to prevent clandestine marriages. But it has repercussions on mixed marriages: for example, if a catholic marries an anglican in an anglican church without a dispensation from the law of canonical form, the marriage is invalid, not because it took place in an anglican church or before an anglican minister: it would have been invalid in a registry office or anywhere else; whereas the marriage of non-catholic christians in their own churches or in a registry office is valid christian marriage by canon law, as they are not bound by the canonical form. (The law of canonical form in fact says nothing about the place at all: a church is obviously the appropriate place, but civil law enters into the determination of possible places.) The purpose of the law of canonical form and the situation created by it is frequently misunderstood by non-catholics.

Some have questioned the right of the catholic church to introduce such a law ruling a marriage *invalid* (no marriage) and not merely illicit. A marriage contracted by two baptized christians, they say, *must* be a christian marriage. The matter is only mentioned here in order to note a further difference about marriage. To go into it properly would involve discussing what 'valid' means. At least it means that the catholic church does not recognize the marriage as a sacrament, and therefore not as a marriage. And the Church must be able to define the conditions for the administration of the sacraments. There used to be a law excommunicating a catholic who married before a non-catholic minister, for this was seen as a public act of breaking with the catholic church. This has been repealed. However, such a catholic is still not admitted to holy Communion, not because of marrying in another christian church, but because publicly living a marriage relationship with someone to whom they are not married, and thereby ex-communicating themselves (it means cutting themselves off from holy Communion) on moral grounds.

A few years ago it was unheard of for a catholic to get a dispensation from canonical form so as to be married in the church of his or her partner. Between the papal directives of 1966 and 1970 requests had to go to Rome (so that Rome could be in touch with and assess the general mood in the Church), but since *Matrimonia Mixta* bishops can dispense from canonical form

themselves. An initial practice of doing so only when the non-catholic was closely related to a minister of his church proved unworkable, as it unintentionally brought in a class distinction: it is the middle-class who are related to ordained ministers. The result has been that the practice has become increasingly common, the church of the bride more and more becoming the one in which the wedding takes place. (There is theological sense in this, in that, in the wedding ceremony, the bridegroom represents Christ, and the bride the Church.) *Matrimonia Mixta* (Norm 9) says that, 'if serious difficulties stand in the way of observing the canonical form', bishops have the right to dispense from it. This is somewhat cagey and accounts for a tentative development in what is a new field of experience. But, if one looks at the matter more positively, improvement of relationship between the churches itself constitutes a serious ground for dispensation, and no doubt accounts more than any other reason for the gradual growth of the practice. The south african and canadian episcopal directories expressly give this reason, and add as a further one the pastoral good of the whole marriage and the tranquillity of family relationships.<sup>1</sup> There is no doubt that marriage in a non-catholic church helps to ease any tensions that may have arisen from the catholic requirement of a promise about the children.

The second and third reports of the joint anglican/roman-catholic commission on marriage went further and recommended, that is, from both sides, that, 'on condition that joint pastoral preparation has been given, and freedom to marry established to the satisfaction of the bishop of the roman catholic party and of the competent anglican authority, the marriage may validly and lawfully take place before the duly authorized minister of the church of either party'. Two reasons are given: 'First, it is preferable for any practice to be brought within the general law rather than be made the object of frequent dispensation. Secondly, to extend the scope of canonical form to include anglican ministers celebrating the anglican rite would be an ecumenical act of profound significance, giving notable substance to those official utterances which, in various ways, have declared a "special relationship" to exist between our two churches'.<sup>2</sup> The suggestion, then, does not amount to an abolition of the law of canonical form between catholics and anglicans (for then their marriage in a registry office would have to be recognized as valid), but is that anglican ministers should be included in the law. Though the second report was produced in 1968 and the third in 1971, there has still been no official reaction from Rome. The reason for the silence cannot be any complications with eastern churches, for what is proposed would bring roman-anglican practice into line with what already obtains between Rome and the eastern churches: for a marriage between a catholic (latin or eastern) and an eastern non-catholic (orthodox or even heretical),

<sup>1</sup> *One in Christ*, Vol VII (1971), p 227.

<sup>2</sup> *Ibid.* Vol IX (1973), pp 201-202. For the 'special relationship' see *Unitatis Redintegratio*, (the Decree on Ecumenism), 13, and Pope Paul's address at the Canonization of the Forty Martyrs.

the presence of a sacred minister of either church is required for validity.<sup>3</sup> Nor can the difficulty be that catholics would 'skip off' and marry in anglican churches, for the recommendation puts joint pastoral care as a condition, which anglican clergy would certainly honour; the need of a dispensation to marry, and the annexed promises, could continue on the catholic side, and anglican priests would not solemnize a marriage considered illicit by the catholic church.

If, with dispensation from canonical form, the marriage takes place in an anglican or protestant church, there is no legal necessity for a catholic priest to appear or to take any part. It is a pastoral question, to be decided in the concrete circumstances whether he should or not. If he does, it manifests the concord of the churches and helps the catholic 'side'. If he does not, it manifests full acceptance by the catholic church of the ceremony of the other church. At present, in the fairly novel experience of interchange, it seems that the former practice is the more common. It is arguable that the latter is more advanced ecumenically. For the same reason one may question the suggestion, made in some episcopal directories, of working out joint and agreed 'ecumenical marriage rites'. It may well be better that each should accept the other's marriage rite.

If the marriage takes place in a catholic church, a nuptial Mass is permitted by the bishops of England and Wales, whenever the non-catholic is baptized, and when the priest judges this appropriate.<sup>4</sup> The point of the latter qualification is that it is precisely in the true interchurch marriage that the nuptial Mass causes great difficulties. Firstly, it makes the wedding even more unfamiliar to the family of the non-catholic who, particularly if they are active christians, may even sense something like a catholic take-over. It is a delicate point, to which catholics about to marry are not always very sensitive. Secondly, and more seriously, it creates extreme difficulties about holy Communion. According to present ruling, either the catholic will communicate alone, or neither will; and there is nothing to prevent members of the catholic side coming up to receive holy Communion. Either situation seems intolerable at the centre of a sacrament of love and union between bride and bridegroom. Hence many priests find it necessary to dissuade the catholic party from a nuptial Mass when the other party is a committed member of his own church. The matter can be partly solved by admission of the non-catholic to holy Communion (on the usual condition of his having a eucharistic faith not inconsistent with catholic belief), as has been allowed in Holland since 1966 and in some dioceses outside Holland since then. But, though a considerable advance, this is not a complete solution from the churches' point of view: if the catholic is never to be able to receive Communion in the non-catholic's church, the invitation at the nuptial Mass remains one-sided and could be interpreted as proselytizing.

<sup>3</sup> Cf the decree, *Crescens Matrimoniorum*, of 1967, referred to in *Matrimonia Mixta*, Norm 8.

<sup>4</sup> *Directory*, comment on Norm 11.

The various parts of the new Marriage Rite lend themselves to participation by the minister and relatives of the non-catholic side, more so when celebrated on its own and apart from a nuptial Mass: words of welcome, scripture reading, responsorial psalm, address, possibly the ring ceremony, bidding prayers, concluding ritual and blessing, all offer opportunities. All participation by the non-catholic side, even to get one of them to be on the altar as server, helps them to experience the ceremony as their own.

*Joint pastoral care*

*Matrimonia Mixta* took a big step forward in advocating joint pastoral care of the couple by the clergy of both churches (para. d and Norm 14), and the desirability of this is stressed in the Directory of the English and Welsh Bishops. In 1971 the Joint Working Group of the British Council of Churches and the Roman Catholic Church produced a pamphlet of recommendations on the subject aimed to assist clergy in exploring the idea.<sup>5</sup>

The ability of clergy to co-operate in guiding an interchurch couple before their marriage will clearly depend on their already existing relationship and on wider fields of co-operation. It is also affected by whether the couple live in the same area or in different ones. The ideal form of co-operation would be for the couple to see both ministers together, even in a foursome, to demonstrate the openness on both sides. If they come to the parish priest first, he should do what he can to see that the non-catholic goes to his own minister. This may seem unrealistic if the non-catholic has not been in contact with any church or any minister for a long time, but even so, some effort in this direction is not out of place. Every aspect of preparation for marriage, from the basic christian theology of marriage to details about the service, can be the subject of such joint pastoral guidance. And often the clergy can help the couple with their own relatives, if these are distressed at the marriage and in need of reconciliation with either or both of the partners, and perhaps exerting pressures on them that make their own search for harmony in the religious field more difficult.

Joint pastoral care is not necessarily only a matter for clergy. The experienced and thoughtful interchurch couple can often be a great help to a younger pair preparing for marriage, especially in understanding the problems that will arise and the means of solving them. Some wider schemes have been tried in different parts of the world, notably in Canada, and these include joint publication by the churches of booklets to advise interchurch couples. In Liverpool, a pre-marriage guidance course specifically for mixed marriages has recently been started, to cover the many relevant and important areas that ordinary pre-marriage guidance does not treat. In England and Wales there has existed for some years a self-formed Association of Interchurch Families, which meets for an annual week-end conference, and

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<sup>5</sup> *Joint Pastoral Care of Interchurch Marriages*, obtainable from the BCC, 10 Eaton Gate, London S.W.1, and printed in full in *One in Christ*, Vol VII (1971), pp 235-254.

at regional group meetings during the year, and to these events both engaged and married couples come. They have recently produced their own booklet, *Two-Church Families*, expressing their experience and their views. It could be of help to many couples approaching an inter-church marriage, or already living one.<sup>6</sup> A parallel association has started in Dublin.

### *Joint prayer*

The two-church couple can discover and create unity for themselves and their children if they pray at home, whereas there will always be something less than 'full communion' in their public worship. Hence home prayer is more important for them than for the one-church family, both the adult prayer of man and wife and family prayer with the children. It needs effort, of course, but will bring corresponding rewards, particularly as the couple will be finding their own way of praying together and sharing their spiritual heritages, rather than trying to follow received patterns. The recurring decisions that have to be made about the religious life of the family will thus be moulded and carried by an habitual context of their seeking God's guidance together. Family prayers and homespun liturgies – for particular occasions (such as Sunday dinner), particular times of the year, the entertainment of friends, a house group meeting – require ingenuity and imagination, and call on all the talents of celebration, musical, artistic, literary, dramatic. Nowadays there is a lot of useful literature to help. A broad base of home prayer is far and away the most important way in which the couple can fulfil jointly their joint responsibility for the religious upbringing of their children. Even out of a two-church context we are all coming to realize (led chiefly by primary-school teachers) that religious education cannot begin with 'information', instruction of the mind: on the contrary, experience of God's self-giving in the realities of everyday life and of everyday Christian worship must come first, before it can be meaningfully formulated as 'beliefs'. Further, united home religion as an accepted part of family life enables both parents and children to experience unity as coming first, as putting division into perspective, and as being deep and strong enough to sustain within itself necessary differences of religious convictions; these, on such a basis, can then be made into creative rather than divisive tensions. That, of course, requires effort too. But how well worth while! For it is precisely at this point, and in this way, that the two-church family can be a sign of, and a force for, true ecumenism within the couple's churches and in their locality.

The older type of mixed marriage, in which the non-catholic partner (usually husband) at most accompanies the family to Sunday mass, is still far and away the commonest. If the catholic (wife) has never really tried to share the partner's tradition of Christian thought and public worship, it is hardly surprising if the non-catholic almost or wholly opts out of the religious life of the family – indeed, opts out of religious life, leaving this to the others

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<sup>6</sup> Obtainable from the Association of Interchurch Families, 23 Drury Lane, Lincoln.

(woman and children). The whole tenor of *Matrimonia Mixta* is against either partner opting out, and heralds a new age for the interchurch marriages of catholics. It is catholics far more than others who need to take the initiative, catholics who need urging and convincing that, from engagement onwards, they should belong as fully as possible to the church of their partner, if he is in any true sense to belong to theirs. (This is the right way, and the only right way today, to present catholicism as a church which other christians might some day want to join.<sup>7</sup>) Hence from the start couples are going to have to form their programme of public worship (both every sunday, or yours this week and mine next?), which will have to be modified in the developing situations of baby-minding, young children, children of varying ages. When they are young, the children will take for granted and as normal whatever their parents decide about church-going, and *a priori* fears about 'confusing the children' have been shown by experience to be illusory. When they are teenagers, well, there is a lot of sense in one grandparent's recent remark: 'We should be very relieved if they go to any church at all'. There is at least as much likelihood that they will develop their own church-going life, if they have been brought up to know two church traditions, even if they know they fully belong to only one, than if they have been kept exclusively in one.

### *Baptism*

Apart from 'the promises', there is nothing more acutely difficult for the inter-church couple than baptism. Particularly if they have done everything possible to be and to live as a united 'domestic church', as *Lumen Gentium* (n. 11) calls the family. There is a very great deal one can do to help them make, experience at the time of baptism, and live out in practice, a difficult decision. But one can help them most by enabling them to face the fact, right from the start, that they have a decision to make, which they cannot leave for their children to make for themselves. Most interchurch couples are not particularly 'theological'. Many will feel, perhaps with some vagueness about the details, that they can give their children an experience of the full strength of two traditions living in harmony with each other, and leave them to choose in time for themselves – if the two churches are still divided when that time comes. They will want to fend off the separation of the churches from their own family; they will try to avoid options that suggest that division is going to continue for ever; they will expect their two churches to be at least much closer to each other than they are at the moment, by the time their children get into their teens. And so they will grope for a baptism that is simply 'into Christ', or 'into the one Church of Christ', and not one that forces an option. But this is not possible. Why this is so can be explained at various levels. Firstly, and pragmatically, no minister will baptize except into his own communion (except perhaps in one of the rare 'ecumenical

<sup>7</sup> May I at this point refer to my CTS pamphlet, *Towards Christian Union*, pp 15–17, for a somewhat fuller treatment of this crucial matter.

parishes'), and certainly not a catholic priest. Secondly, the couple must look ahead to first communion: if the child is to be prepared (with other children with whom he will 'belong') for communion in the catholic church at the age of six or seven, he must first be a member of the catholic church, and so should be baptized into it in infancy; if for communion in another church at another age, this decision similarly redounds on baptism. So the parents in fact have to take the decision for the children, and must be helped to accept this fact from the outset: it will be harder to form a truly joint decision if its dimensions have not been clearly seen long before the time comes. It is a mistake to start from baptism and to try to solve other questions from there. What is going to matter most to the child is, not the church into which he is canonically baptized, but the religious upbringing the parents give – in its general and unitive aspects, but also in particular and in its option aspects. Among these is the fact that the child will soon need to 'belong principally' with other children of the same age, catholic or anglican or protestant.

But thirdly, and more profoundly, there is the nature of baptism itself. It is and must be into a believing community that is aware of itself as such internally, and recognizable as such externally. Certainly, baptism is primarily into Christ's Body, as a God-given and heavenly reality that transcends all divisions. Certainly, baptism is also into the one Church of Christ as it exists in *visible* unity in human history.<sup>8</sup> And the grasp of these two truths can greatly help an interchurch couple to see the 'divisive option' in perspective, as an option mainly for one church but not to the total exclusion of the other. But the one Church that makes visible and active among us the heavenly kingdom of Christ ultimately only exists in partly separated christian communions.<sup>9</sup> As a mystery of God's self-gift and man's inadequate reception, it simultaneously exists at the three levels of heavenly kingdom, one Church, separate churches. The option for baptism is an option at all three levels.

So the couple can be helped in their decision by a grasp of these truths. They can be helped to accept that there remain insurmountable difficulties for interchurch marriage, which can only be solved by the union of the churches, not by themselves. It is within such barriers that they are challenged to live and to work for that union. They can be further very considerably helped, when they have reached their decision about the church of baptism, by the way the baptism is performed. A baptized non-catholic is already by his own baptism in partial or imperfect communion with the catholic church. If as a parent he has agreed to have his child baptized into the catholic church, he is in far fuller communion with the catholic church than the rest of his own church, both by marrying a catholic and by under-

<sup>8</sup> The truth that the historical and actual Church is *visibly* united as well as visibly divided (theologically it is united prior to being divided) is of immense importance in any ecclesiology of ecumenism, but cannot be developed here.

<sup>9</sup> This thought does not exclude the idea that the one Church of Christ 'subsists' (only exists fully) in one communion.

taking the responsibility of bringing up his child as a catholic. It is these facts, and not merely the psychological needs of a christian parent (which have their importance), that need the fullest possible recognition and expression in the baptismal ceremony. It is to be hoped that church authorities will give the fullest consideration to the celebration of baptism into the catholic church (no other is here being considered) for interchurch families: not only full participation by the other church, when the child is baptized by a catholic priest in a catholic church; but baptism by a catholic priest in the church of the other partner; baptism in the home with a large interchurch gathering, for this may more fully express the actual situation of the family as two-church than a baptism in the church of either partner; and finally baptism by an anglican or protestant minister in a catholic church. When, in any of these situations, the child is entered into the baptismal registers of both churches, this helps the non-catholic parent very greatly to feel that his child has not been 'taken away'. It has no other theological significance, unless both churches accept the child as a member. And of course it has no here and now significance for the child: what matters to him is how he is brought up.

#### *Communion*

The deeper the mutual christian involvement of the couple becomes, the more will they develop and experience the need to receive communion together; and parents with their children. Intercommunion is a very complex topic, and the more one thinks about it the more one realizes that the main arguments both for and against are all good arguments – and do not cancel each other out. However, if one is focussing on interchurch marriages, it needs to be realized that one is not considering the total relationships between churches, but the profound and lifelong christian communion of a small and clearly distinguishable number of individuals, who are each firmly in communion with their own churches and intend to remain so: individuals, furthermore, who are more deeply committed than anyone else can claim to be to the union of the churches.

The free churches have long invited other committed christians to share their eucharistic communion. In 1972, the church of England 'admitted to the holy communion . . . baptized persons who are communicant members of other churches which subscribe to the doctrine of the holy Trinity' (Canon B, 15A). About the same, time official developments for interchurch couples began in the catholic church with the issue by the Secretariat for Promoting Christian Unity of an Instruction (approved by the Pope) on admission to communion in the catholic church in particular cases.<sup>10</sup> No mention is made in this instruction of interchurch families as possible cases, but it brings out two points: that exceptions to the general rule that ties eucharistic to

<sup>10</sup> Text in *One In Christ*, vol VIII (1972), pp 393–398. Text of a further 'interpretative note' on the Instruction, *ibid.*, vol X (1974).

ecclesial communion depend on situations of serious *spiritual* need and not on merely dramatic physical circumstances (concentration camps etc); and that rulings for particular cases cannot come from above, but must be and are in the hands of the local bishops or episcopal conference. (In addition to being in serious spiritual need, the non-catholic should take the initiative in asking, and should have a eucharistic faith not incompatible with catholic belief.) The reason why the interchurch family can be considered under this heading is that, the more profound their joint christian commitment, the greater will be their spiritual need to communicate together *as a family*; and from this they are at the moment barred in the catholic church's general rules.

Since this instruction, one french and one american bishop are known to have responded with directives for their own dioceses.<sup>11</sup> The latter gives general permission for the non-catholic partner to receive communion (provided the other conditions are fulfilled) at the nuptial mass, at a child's baptism administered during mass, and at a child's first communion when he has taken part in preparing the child. The french bishop gives no permission, but, in a theologically very sophisticated document, realizes that it is a matter for the life-pattern of interchurch families, and not only for some few 'foundational' occasions; he invites his priests to submit cases for his own decision. Further, he explores the conditions which would need to be fulfilled to enable the catholic to receive communion in the partner's church, thus showing sensitivity to the essential nature of marriage as a mutual sharing. He does so, not to give any permissions or to invite requests for permission, but to assist catholic partners in forming their own consciences.

It would falsify the facts if, at the end, the impression was left that interchurch couples are in any way a 'precious' group, or in any unacceptable sense a pressure group. They do not want to be regarded as chosen souls, or even as exceptional. They do not experience their humanity, their christianity or their marriage that way. They wish only to be understood and accepted for what they are. It is rather their churches than themselves who tend to regard them as odd, extraordinary, special, not quite fitting in. True interchurch marriages involving catholics are still comparatively rare, because the catholic church has only recently made them possible. If they were sympathetically understood and cared for among existing mixed marriages, and without increasing these, they could become quite common.

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<sup>11</sup> Full texts in *One In Christ*, vol IX (1973), pp 371-387, 401-404.