

# MIXED MARRIAGES

## THE REVISED DIRECTORY

*PROMULGATED BY THE BISHOPS'  
CONFERENCE OF ENGLAND AND WALES,  
30th APRIL 1990*

Marriage is at the very centre of society and from the beginning of the life of the Church it has been the firm teaching that marriage is a sacred union. Christians believe that Christ raised marriage between Christians to be a sacrament, namely, that the matrimonial union is also a special grace-filled union with and through Jesus Christ. It follows, therefore, that the well-being of society, of the Church's life indeed, depends on the wellbeing of the family unit and that depends on the wellbeing of the marriage of husband and wife. It cannot be overstated these days that we are all in some way or other being affected by the huge and tragic break-up of marriage. Britain apparently has the highest divorce rate in Europe. It is, consequently, very timely that the Bishops of England and Wales, deeply concerned with the state of marriage and family life in our nation, have issued this Directory. This Revised Directory is, of course, primarily concerned with 'mixed marriages', that is, marriages contracted either between Roman Catholics and other baptised Christians, or between Roman Catholics and persons who are not baptised, be they members of any other religious group or not.

### **A Second Revision of the 1970 Directory**

This new Directory is a revised document of the 1970 one and its 1977 revision. The Catholic Bishops of England and Wales feel that since the visit of Pope John Paul II in 1982: "The continuing dialogue between the Catholic Church and the other Christian Churches in this country has helped to create a new ecumenical situation and a commitment to grow into full unity. This should be reflected in our approach to so important a question as mixed marriages."

### **A Pastoral Document**

What follows is definitely a new style of directory. It is not simply a section by section explanatory commentary of the Canons concerning marriage from the Code of Canon Law, but gives pastoral instruction and shows genuine compassion and concern for the real problems and difficulties facing engaged and married couples today. In other words, the tone is more positive and encouraging in content, rather than the kind of official discouragement of mixed marriage expressed in former documents.

There are no surprises as one would, of course, expect and no indication of possible new developments - which may be a disappointment to some people.

What is extremely important is the great emphasis made on the more professional nature of marriage preparation and post-marital care by both priests and the local parish community. This emphasis is new and very timely, and will require a lot of serious consideration and work on the part of the priest and community. A much more serious responsibility and obligation is now being placed upon them. I would consider this a very urgent matter.

The Directory attempts not simply to lay down very clearly and precisely the necessary legal aspects involved, but in a very special way the Directory spends a lot of time giving very helpful and practical pastoral instruction for priests and people.

The Directory begins by making clear distinctions between different kinds of 'mixed marriage': pp.1-2 from *Matrimonia Mixta*, Paul VI 1970. In the Directory the Bishops want to recognise the particular pastoral needs of 'inter-church marriages' in which both partners are committed members of their own church.

It is important to bear in mind that genuine 'interchurch' marriages are very much the exception. The Directory therefore gives clear guidance to those involved in mixed marriages where this ecumenical dimension is missing. Problems arise frequently from the fact that religion itself becomes a source of division between partners, either because of mutually firmly held beliefs or when one partner has no religious faith and is antagonistic to any kind of religious faith in another, sometimes particularly when it is Roman Catholic.

From the opening pages of the Directory we are given quite a lengthy and detailed section on pastoral guidance. The prime responsibility for the immediate pastoral preparation for the engaged couple rests with the priest and deacon who must 'adopt a positive attitude' welcoming and kind. Pope Paul's Directory of 1970 is quoted frequently with the clear and fine reminder that Catholic partners have a conscientious obligation of letting -nothing imperil their own faith and of doing all that they can to pass on that faith to their children, and of respecting the conscientious convictions of their partner in marriage. For those Catholics who have lapsed, this will provide a valuable opportunity for priests to rekindle in them the gift given at their baptism.- (pp.4-5) Since the 1970 Directory the parish community itself is now much more involved in every stage of preparation for the sacraments, and preparation for the sacrament of marriage is increasingly being undertaken in this way. It is therefore most important that newly-weds do not miss out on pastoral care by not introducing themselves in their new parish. In some cases priests, in the course of preparing people for their marriage, let future parish priests know in advance of the couple's arrival. The Bishops emphatically recommend this practice for all marriages, stating that in some dioceses this practice is now of obligation.

### **Joint Pastoral Care**

There is an important section (pp.6-8) entitled "Joint Pastoral Care". The Bishops state: "In the case of an 'inter-church' marriage, namely one in which both partners are practising members of their own church, such pastoral care seems to be crucial. Pope John Paul II's words at York in 1982 about such couples living in their marriage 'the hopes and difficulties of the path to Christian unity' clearly imply that the partners need to deepen their own faith, and their knowledge of their faith, and that each will need to be strengthened by God's grace in the living out of that commitment. Each will be entitled to look to his or her respective pastor for real assistance in their vocation."

These are wonderfully encouraging words and the Directory goes on to suggest that "the Catholic priest should work as *closely as possible* with other clergy involved in the couple's preparation for marriage and in subsequent support of that Christian family" (our italics).

The Directory then faces the naturally vexed question of intercommunion: "The Catholic Church's understanding of itself and its convictions about who may and may not be admitted to the Eucharist can and do create problems." (pp6-7)

That is as far as the Bishops evidently feel they can write on this crucial matter at this stage. This will inevitably be a continuing and serious dimension of pain for many inter-church families. Priests need to be immensely sensitive and compassionate about all this and not just state the discipline of the Church in a cold and matter-of-fact manner. Helpfully the Bishops state that those questions can only be fully resolved when Christian unity is restored but that meanwhile it is necessary for Catholics to be fully aware of the teaching of the Church in these matters, as well as being sensitive to the different views of other Christians.

Obviously differences between a Christian and an unbaptised person may well be far more radical. What is absolutely vital is that there should be adequate time for serious preparation for marriage so that not only difficult questions can be considered seriously and calmly, but that the preparation is not first reduced to being an appendage to the preparation for the wedding ceremony. In other words, we are concerned here with the preparation for the future life of the partners and so all 'problem areas' must be sincerely brought to the surface and considered properly and not left to 'work themselves out later', as quite a number of couples are tempted to try and do, and frequently with disastrous consequences. Such questions as the religious education of the children must be gone into very carefully and the question of mutual preparation for the sacraments and worship. The Bishops end this section by saying: "We want to lay special emphasis on the positive contribution to be made by those partners in a mixed marriage who belong to a different Christian tradition or adhere to another faith. They will certainly recognise for themselves an obligation to do all that they can to pass on to their children their own deeply held religious convictions. If these convictions are directly opposed to the Catholic faith, then questions should be asked about the wisdom of such a marriage. In practice it will often be the case that while such partners are unable to share fully in the faith of the Catholic, finding some aspects of our faith difficult to accept, they will usually find a great deal in common between us, and will want to build on that unity which already exists. The change in wording of the promise in the norms which follow attempts to ensure that the other partner does not feel completely excluded by the terms of the Catholic partner's promise. Both the liturgy of Marriage and of Baptism acknowledge this shared responsibility on the part of both parents. Both partners have a vital role to play within the marriage as father or mother, and as husband or wife. The wording of the promise is intended to recognise this fact and welcome the contribution made to the marriage by both partners."

#### **The Canonical Norms**

In the Directory there is a final, quite long section, which goes into some detail and is concerned with "The Church's Norms". These are taken from the new Code of Canon Law, which came into force on 27th November 1983.

"Mixed religion" is no longer referred to as an impediment requiring dispensation. What is required is the express permission of the local bishop.

It notes clearer explanations and implications of the promises which are made by the Catholic but, of course, always with the consent of the other partner. "The other partner is to be informed in good time of these promises to be made by the Catholic party, so that it is certain that he or she is truly aware of the promise and of the obligation of the Catholic party." It is recommended to the Catholic that all this is clearly discussed very early in the relationship "long before they come to their marriage".

#### **Double Belonging?**

There is a section (pp.15-16) which will sadden a number of inter-church couples where the Directory explicitly states that children born of such a union cannot both be Catholic and also belong to the denomination of their partner. The theological reason given is that 'the Church' is not a purely abstract title to be given to all who believe in Christ but that it is a visible community. "...By baptism a child is received into that visible community and that so long as the sad and real divisions remain between Christians it is unrealistic to think of trying to bring up children in two distinct communities." It is likely that the children will be involved to some extent in both the communities to which their parents belong. The Bishops believe that it is necessary for them to belong to one or the other. At least they can only officially belong to one denomination, in the view of the Catholic Church.

I would not consider it true to say, as the Directory then goes on to say, that these are "rare cases and that they arise from misunderstanding". I personally believe that the time has come for a much deeper study into the whole question of sacramental participation in the case of sincerely committed inter-church couples and of the question of 'ecclesial membership'. It seems to me unjust and unrealistic to attempt to continue to have a kind of blanket legislation for all cases of mixed marriage. Interchurch couples participate and share together explicitly in their baptism and sacrament of marriage encountering thereby the same Christ in a special sacramental union. This surely singles them out for a different kind of pastoral treatment and recognition, I would suggest.

#### **Pre-marriage Instruction**

The Bishops rightly direct that there should be formal pre-nuptial instructions for all couples preparing for marriage - even when they are both Catholic. It is particularly necessary in these days for couples intending to marry to be clear in their knowledge and understanding of the essential elements of marriage and not exclude these from their matrimonial consent. These elements are: (i) the essence of the matrimonial consent itself, namely, the exchange of the right to sexual intercourse which is open to the generation of new life; (ii) the unity of marriage, namely that this right is to be exchanged with no other person during the lifetime of the other partner; (iii) the permanence of marriage, namely, that this right is intended to remain as long as both live.

#### **"Within the Unity of our Partnership"**

Since 1970 it has not been necessary for the other partner to make the promise concerning the Catholic education of the children, but this promise can only be made with the consent of the other partner. The Catholic's promise can now be given orally if preferred with the additional clause "within the unity of our Partnership". The instructing priest must witness whichever promise and confirm the details on the prenuptial form.

#### **The Wedding in Another Church**

Amongst the details given referring to the relevant Canons from the Code of Canon Law are the norms for Dispensation from Canonical Form; namely, when the couple request their marriage to be solemnized in a church building other than a Roman Catholic one. The reasons given for granting this should concern in some way (i) the spiritual well-being of the parties, especially if the non-Catholic party is attached to the familial faith; (ii) the tranquillity and peace of their personal or family relationships; (iii) or be based on the special relationship that the non-Catholic party has to a minister or non-Catholic place of worship.

The Catholic Church forbids having either before or after the canonical celebration another religious celebration of the same marriage for the purpose of giving or renewing matrimonial

consent, or the simultaneous performance of different rites. This is a measure of simple prudence, to ensure that consent is expressed only once, and so exclude possible doubts about validity. However, the Bishops "positively recommend a second service of blessing and thanksgiving in the church of the other party, provided it does not include the giving or renewal of matrimonial consent. It provides this other party with the opportunity to give witness to his or her new responsibilities before the Christian community to which that person belongs." (p.28)

## CONCLUSION

I can well understand that some inter-church families might have been hoping for possibly something more inspiring from this new Directory. However, in a close study this Directory does reveal quite a different, new, more encouraging style and there are pastoral emphases of a very important nature.

In this document there are no condemnations or lofty moralising. In the section concerning pastoral guidance what is emphasised for the young, right from school age, is proper instruction in the richness and holiness of the Christian gospel. No one is ever converted or led to a better lifestyle by condemnations or uninvited moralising. High ideals which can clearly be seen to be true, successful and full of hope and joy do, quite definitely, appeal to and inspire young people. Parents, teachers and priests must first live these ideals for 'no one gives what he does not have'.

I believe that in the light of this document it is now absolutely incumbent upon Roman Catholic priests to consider inter-church couples as quite another category requiring, of necessity, special particular pastoral premarital preparation and post-marital care. The Directory stresses that the ministers of both churches must *cooperate* continually. This is a new challenge being put before priests and people in all our parishes and to every diocesan leadership.

Inter-church couples are people, I believe, who in God's providence have a special and unique mission in the whole area of ecumenism. These couples share in a richness and also a suffering as they are intimately involved at the same time in a Christ-like union with a real continuing suffering dimension of dis-unity. We are all, inevitably, the heirs of our history, positively and negatively. But we are here and now the people of *today's Church*, not yesterday's and not yet tomorrow's, although we are affected by the former and can affect the latter. None of us can act independently or think that we or our actions do not matter one way or another. In God's eyes each of us is infinitely important, and indeed indispensable.

The Association of Interchurch Families will become more and more important in bringing about that unity which Christ wants and prayed for. As the family is the central fountain of life - the little church - so therefore the whole 'koinonia' - communion of the Christian family is coming into more perfect being through all the little churches, and especially those of inter-church families.

*David Donnelly Brentwood, May 1990*

*We are very grateful to Mgr David Donnelly Vicar General of the Diocese of Brentwood, for this presentation of the Revised Directory on Mixed Marriages. The full document is published by the Catholic Truth Society at £1.50*

*We give below two important passages from the 1990 Revised Directory which are of particular interest to interchurch families. We precede these with the earlier texts on the same matters from the 1970 Directory and its 1977 revision, to allow a comparison between the three versions.*

## The Wording of the 'Promise' and how it is to be Made 1970:

We have decided that we shall ask the Catholic who is seeking the dispensation to read and the sign the declaration and promise, as set out on the form used in applying for the dispensation.

This formula is derived from the text of the Motu Proprio: "I declare that I am ready, as God's law demands to preserve my Catholic faith and to remove all dangers of falling away from it. Moreover, I sincerely promise, that I will, as God's law also requires, do all in my power to have all the children of our marriage baptised and brought up in the Catholic Church."

..When (the declaration and promise) are made it should normally be done in the presence of the non-Catholic. **1977:** The priest . . . must . . . fill up a form which specifies . . . that the Catholic has given a declaration and promise (preferably in the presence of the non-Catholic). (*The wording of the promise is the same as that of 1970, except that "I sincerely promise" becomes "I sincerely undertake"*.) **1990** The priest . . . must . . . fill up a form which specifies . . . that the Catholic has given a declaration and promise (preferably in the presence of the other party) in the following words: I declare that I am ready to uphold my Catholic faith and to avoid all dangers of falling away from it. Moreover, I sincerely undertake that I will do all that I can within the unity of our partnership to have all the children of our marriage baptised and brought up in the Catholic Church.

The Catholic can choose to give this declaration in one of two ways: either:

- (a) The Catholic partner signs the above declaration contained in the appropriate form in the presence of the priest who also signs as a witness. Or
- (b) The Catholic partner makes the above declaration verbally in the presence of the priest who then signs a statement on the appropriate form confirming that this has been done.

## "The cases of difficulty, even of extreme difficulty" 1970

If, to the knowledge of the priest, the non-Catholic is opposed to the fulfilment of the Catholic's obligation, the full situation must be explained to the Ordinary when application for the dispensation is submitted. In such circumstances the dispensation may have to be deferred for further examination or refused.

But all this is to consider only the cases of difficulty, and even of extreme difficulty, in this matter. In our experience such cases are very rare indeed.

More commonly the non-Catholic generously cooperates in the Catholic education of the children . . .

## 1977

If the attitude of the non-Catholic remains so closed to the Catholic baptism and education of the children that it makes a non-sense of the Catholic's undertaking to do 'all in his power', then the matter must be referred to the local Ordinary because the need to refuse the dispensation may well have arisen. Similarly, it has been known, although very rarely, for Catholics to suggest that their children both be Catholics and belong to the denomination of their partner. This is not possible.

But all this is to consider only the cases of difficulty, and even of extreme difficulty, in this matter. In our experience such cases are rare, and indeed usually arise from misunderstanding.

More commonly the non-Catholic generously cooperates in the Catholic upbringing of the children . . .

## 1990

If the attitude of the Catholic's partner remains so closed to the Catholic baptism and education of all the children that it makes nonsense of the Catholic's undertaking to do 'all that I can', then the matter must be referred to the local Ordinary because the need to refuse permission or dispensation may well have arisen.

Similarly, it has been known, although very rarely, for Catholics to suggest that their children both be Catholics and belong to the denomination of their partner. This is not possible. It may be

necessary to explain to both partners the theological reason for saying this. 'The Church' is not a purely abstract title to be given to all who believe in Christ. It is a visible community, which gathers regularly to worship God, a community whose unity is expressed in a variety of ways. By baptism a child is received into that visible community. So long as the sad but real divisions remain between Christians it is unrealistic to think of trying to bring up children in two distinct communities. Where both parents are active and committed members of different churches it is very

likely that their children will be involved to some extent in both, but it is necessary for them to belong to one or the other.

But all this is to consider only the cases of difficulty, and even of extreme difficulty, in this matter. In our experience such cases are rare, and indeed usually arise from misunderstanding.

More commonly the person from a different Christian tradition generously co-operates in the Catholic education of the children ...