

SPECIAL CIRCUMSTANCES & ISSUES

One truth that emerges from the story of the wedding feast at Cana, which is good for every bride and groom to recall, is that, even when Jesus is present, it sometimes takes a miracle for a wedding to be a success.

-Anonymous-

1. MIXED MARRIAGES*

Once upon a time, a marriage between a Catholic and a person of a different faith tradition – or no particular tradition – was very unusual. But as diversity has increased in the United States, and the old ethnic neighborhoods have given way to a more pluralistic environment, so-called “mixed marriages” have become far more common. Attempting to accommodate this phenomenon, while still acknowledging that diversity in this fundamental area can increase the stress in a relationship, the Church has revised its guidelines on mixed marriages in recent years. Currently, although a dispensation is still required for such marriages – a requirement intended to insure careful reflection on what the difference means for the life of the couple – such dispensations are usually granted easily; and the ceremony itself occurs in much the same way as any Catholic marriage, although a mass is usually not celebrated and other adaptations may be made to respect the tradition of both spouses (*see Chapters One and Two*).

The current situation in the Church.

Among the most important changes in the Church’s approach to mixed marriage concerns the care of children. At one time, the non-Catholic party was required to promise that he/she would insure that any children from the marriage was raised Catholic. Since the Catholic party was required to make no such promise, this occasionally resulted in the strange situation of a non-Catholic working to make sure all the children were at weekly mass, while the Catholic parent stayed at home watching football.

The historical approach to children.

Now, it is the Catholic party who is asked to affirm his/her faith by making a three-part commitment: (1) that he/she intends to remain Catholic, (2) that he/she understands the respect owed to the

* In Canon Law, a distinction is made between *mixed marriages*—between a Catholic and another baptized Christian—and *disparity of worship*—between a Catholic and a non-baptized person. Though this distinction may effect how a couple prepares for and lives in marriage, it is less significant for the purposes of this chapter.

conscience of his/her spouse, and (3) that he/she intends to do everything possible to share the Catholic faith with their children by having them baptized and raised in the Catholic Church. The person in the couple who is not Catholic is then asked if the two of them have discussed together the intentions and promises of the Catholic spouse – again emphasizing the Church’s overarching desire that the spouses enter into their marriage with full knowledge and freedom.

The promises asked of the Catholic party.

Asking these questions before marriage not only clarifies an area that can cause great stress in a marriage (especially as children arrive), it also helps a couple clarify whether the Catholic community is, indeed, where they intend to find support and, to some extent, where they intend to ground their marriage. In calling the couple to face their *intentions*, these questions help them to decide whether the Catholic Church is the community in which they ought to proclaim their marriage, or if, instead, another community is more truly *theirs*.

Sorting out intentions.

Yet, if parts (1) and (3) of the Catholic spouse’s affirmation seek to place the marriage in the Catholic community, part (2) of this affirmation makes clear that a mixed marriage is not to be the triumph of the Catholic partner’s faith over the conscience of his/her spouse. On the contrary, the marriage – and the wedding, as well – should illustrate how their vocation, their call to mutual love and respect, enables the spouses to find a union deeper than any of their differences.

Mutual respect.

Throughout the course of their marriage, one way this respect might be manifested is if each parent sees to it that their children – though baptized Catholic – learn not only their Catholic faith but the heritage and spirituality that comes as a birthright from their non-Catholic parent. Such sharing enriches the child, and can deepen the unity of the couple, who may respect each other’s faith, even though different.

Sharing faith with children.

Even in the wedding ceremony, the couple can illustrate this mutual respect by the choices they make. As noted elsewhere, perhaps the ceremony itself might be held in the non-Catholic partner’s place of worship; or perhaps someone from that partner’s tradition – e.g., a minister or rabbi – might be invited to take part in the ceremony; or perhaps one of the readings might be chosen particularly to reflect the tradition out of which that partner comes. These are not absolute demands, but suggestions to find a way to speak to the common ground of the couple’s love. At the very least, every effort should be made in adapting the rite to insure that neither partner says or affirms what he/she does not really believe.

Proclaiming shared faith in the wedding ceremony.

2. MARRYING IN A PLACE OTHER THAN A CHURCH OR CHAPEL

Christian tradition holds that marriage is more than a contract between two people. It is an act of God's grace that blesses not just the couple who minister the sacrament, but the whole community of faith. This is why the Church dissuades couples from marrying somewhere other than a church or chapel. Though an outside wedding or wedding in some other site is not forbidden when there is a good reason (e.g., when the bride or groom is not baptized and going to a church would be uncomfortable for the family), to marry outside the place of prayer and celebration risks losing some of the symbolism that says that marriage is an act by which the whole community is blessed.

Why marry in a church or chapel?

However, to say that the marriage should ordinarily be celebrated in a place of worship does not necessarily mean a Catholic church. As already mentioned, in cases of mixed marriage—i.e., where a Catholic marries a person of a different Christian tradition or a non-Christian—the wedding might reasonably be held at the place of worship of the non-Catholic party or at some other appropriate location; yet such a ceremony would still be validly Catholic, so long as a priest or deacon was given delegation* by the local pastor (or, in some diocese, the bishop) to witness the commitment. Indeed, as mentioned previously, such a celebration might even be a good way to demonstrate the mutual respect that the spouses have for one another's spiritual and religious experience.

Celebrating a wedding in a non-Catholic place of worship.

3. PREVIOUS MARRIAGES

Because the Catholic tradition affirms the sacramental nature of marriage—i.e., believes that marriage is a living symbol of God's presence in the world—the Catholic Church has always held that such a marriage, entered into with full freedom and understanding, cannot be dissolved. Only if a marriage has some flaw present from the start—e.g., a lack of freedom on the part of one or both of the spouses due to pressure or immaturity—can it be *annulled*. Annulment differs from divorce because it does not seek to undo the sacrament, but asserts that something necessary for the sacrament was lacking, even though this may not have been obvious during the time of the marriage. To go into all the reasoning around this distinction, and all the discussion it has

Divorce & annulment in Roman Catholic theology.

* Because a priest or deacon always witnesses a marriage on behalf of the whole Church community, such permission—i.e. delegation—is always required, even for weddings performed in a parish church or chapel.

engendered, would take volumes, and is not within the scope or competency of this particular work. Suffice it to say that in a culture where divorce is wide-spread, the issue of remarriage in the Catholic Church is one that arises often enough to deserve at least a *brief* discussion and explanation here.

The Catholic Church presumes *every* marriage to be valid until it is shown to be otherwise. This is true whether the marriage was done in front of a judge, a preacher, or a priest. Even common-law marriages (in those areas where they are civilly recognized) are presumed to be valid in the eyes of the Church; thus, they are indissoluble, until the opposite is proven. This can happen in a number of ways, but two of the most common are these:

Marriage presumed valid until proven otherwise.

➤ **Lack of Form:** The Church requires *Catholics* to be married in a Catholic ceremony. Because of this, any time a Catholic marries in a non-Catholic ceremony (e.g., in front of a judge) without a prior dispensation, that marriage is said to *lack form*, and so be invalid. In such cases, very little is needed to establish that the marriage was invalid and so free both parties to marry again in the Catholic Church. However, even though it is only a relatively small procedural matter, the paperwork must be done with the diocese before either party can enter into a Catholic marriage.

Lack of Form: Catholics married in non-Catholic rites.

➤ **Annulment:** Any marriage—Catholic or not—that is not invalid for a lack of form can only be declared invalid after a full annulment proceeding. Such a proceeding requires the petitioner (the person wanting the annulment) to demonstrate that some necessary condition was lacking when the marriage began. The procedure is long—it can take up to a year, or sometimes more—and can be very emotionally painful for all involved. If one needs such an annulment, one should contact the person charged with marriage cases in one’s parish or the **Diocesan Marriage Tribunal** at the Chancery (i.e., the diocesan offices) and find out about an Advocate who can evaluate the case and say if an annulment is possible.*

Annulment: full hearing for all marriages, Catholic or other, that appear valid.

Annulment and Children

A question that often comes up when one deals with issues of annulment and remarriage has to do with the status of children from an annulled marriage, and the fear that somehow these children will be

The legitimacy

* In most places, because of the length of annulment hearings and because the result is not a foregone conclusion, a couple may not be permitted to schedule their wedding until the judgment of the marriage tribunal is given in a final decree.

viewed as illegitimate if the marriage is declared sacramentally invalid. Because the Catholic Church gives the “*benefit of the law*” to marriage—i.e., presumes all marriages to be valid unless the opposite is shown—children born when a couple is married are *always* considered legitimate, even if the marriage is later declared invalid. In issuing such a declaration, the Church is saying that something was lacking for the *sacrament* of marriage to be complete, but this absence of sacramental completeness says nothing about the children, since when they were conceived the parents, presumably, were acting in good faith that they were married.

of children is not changed by annulment.

4. BLESSING OF A MARRIAGE OR CONVALIDATION

There may be occasions when a couple marries in a civil ceremony or in a non-Catholic religious ceremony and later wishes to have their marriage recognized in the Catholic Church. In such cases, the couple enters into the process of *convalidation*.

When convalidation is appropriate.

To understand convalidation, we need to recall that the ministers of the sacrament of marriage are the couple themselves. The priest or deacon, on behalf of the Church, *assists* at the marriage but does not administer it. Convalidation, then, is not remarriage or *real* marriage, but the opportunity for the Church to recognize and confirm the sacramental nature of what the couple is doing in being married. In such an view, convalidation conforms the marriage to the Catholic Church and so, if there was an issue of lack of form, it is eliminated by a convalidation.

Not remarriage, but the Church’s recognition and blessing.

The procedure for convalidation is very similar to that for marriage—i.e., couples go through the same process of preparation (though it may be modified according to how long they have been married) and the same Church documents are used. When all is in place, the couple is invited to renew their consent in the presence of the Church’s minister and witnesses. Again, this is not so they can be *really* married, but so that the conditions of freedom and self-gift can be witnessed by the Church as it affirms and blesses the union.

Procedures.

While the same basic structure as the Rite of Marriage or Nuptial Mass may be used in a convalidation, the phrasing of prayers and promises should reflect that the couple has already been living as husband and wife. As always, the rite should be modified so that the couple affirms honestly what they are doing. For example, in the questions asked prior to the vows, it might be appropriate to change “*Homer and Marge, have you come here freely and without reservation to give yourselves to each other in marriage?*” to something more accurate, such as: “*Homer and*

Adapting the rite.

Marge, have you come here freely and without reservation to consecrate the marriage into which you have entered?"

- More suggestions for adapting the rite to appropriately celebrate the convalidation of a marriage are given in Chapter Two.

5. QUESTIONS OF MONEY

An unfortunate reality of many weddings is their excessive cost.

Pressured from many directions, brides and grooms can feel trapped by the expectations of others or by their own images to spend more than is prudent. One hope for this book is that it will help couples keep their priorities focused on what is central to their celebration – i.e., their love for one another and God’s love for them. Yet, even the simplest of weddings may have money issues, so without getting into receptions, etc., let me address two: the church and the Presider.

Try to keep the central ideas central – not extravagance, but love.

- **Paying the Church:** The first thing to know is that the payment of the church is usually distinct from payment of the priest or deacon. The former is usually a set fee (although often on a sliding scale, differing according to such things as whether the couple belongs to the parish). These fees are an important help for any parish in their ministry, often supporting the wedding coordinator and others who work behind the scenes. Couples in financial need should inquire about special terms, as many churches offer the option of paying a percentage, e.g. 10% of the overall wedding cost, in lieu of a set fee.

Why churches need to charge.

Couples needing financial assistance.

- **Paying the Presider:** An oftentimes awkward question for couples is what to pay the priest or deacon who officiates at their ceremony. Though some parishes may have a set fee or guideline, *here I speak only as a Jesuit*. It is a long tradition, going back to the very beginning of the Society of Jesus, that Jesuits do not charge for spiritual ministry. Thus, there is, properly speaking, no charge for a Jesuit to do a wedding. Yet, some may wish – if they can – to make an offering to the Jesuit community. If so, they should give not as a payment, but as a gift, knowing that God similarly gives to them the blessing of their life together. Perhaps, in the midst of all the bills, nothing is more valuable than recalling the gratuity of this love.

Gratuity of ministry.

