



UNITED STATES CONFERENCE OF CATHOLIC BISHOPS

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A PASTORAL STATEMENT ON ORTHODOX/ROMAN CATHOLIC MARRIAGES

Introduction

A growing trust and a spirit of cooperation have developed between the Orthodox Church and the Roman Catholic Church during the last twenty-five years, not only in the United States but also in other parts of the world. Under the inspiration of the Holy Spirit, our Churches have been led to recognize more profoundly the need to manifest our unity in Christ and to pray for healing the wounds of centuries-old estrangement.

As bishops of these two churches, we hail this progress in mutual commitment to Church unity. We recognize that the Orthodox Church has expressed its seriousness in working for unity in the Church of Christ in this century through encyclicals and gestures of reconciliation. The Pan-Orthodox conferences held at Rhodes and preparations underway for convening a Great and Holy Synod are tangible signs of hope. We also recognize that the Roman Catholic Church, especially at the Second Vatican Council (1962-1965), committed itself to the cause of Christian unity and recognized its close ties with the Orthodox Church. The creation of the Vatican Secretariat (now Pontifical Council) for Promoting Christian Unity is one sign of its dedication to restoring visible unity. Both our churches welcomed the establishment in 1975 of the official Joint International Commission for Theological Dialogue. Notwithstanding the difficulties this commission has encountered and no doubt will continue to encounter, we rejoice in the work which it has already accomplished.

In the United States, under the sponsorship of the Standing Conference of Canonical Orthodox Bishops in America (SCOBA) and the National Conference of Catholic Bishops (NCCB), a fruitful series of theological consultations has been continuing since 1965. Twice each year members of the U.S. Orthodox/Roman Catholic Consultation meet to discuss common doctrinal and pastoral concerns of our two churches. Already this Consultation has met forty times and has published thirteen agreed statements on important religious concerns. It has also shared its work with the Joint International Commission for Theological Dialogue.

A Joint Committee of Orthodox and Roman Catholic Bishops was formed in the United States in 1981 at the suggestion of His Eminence Archbishop Iakovos, Primate of the Greek Orthodox Archdiocese of North and South America, especially to address common pastoral concerns. Foremost among these concerns was the marriage between members of the Roman Catholic and Orthodox Churches.

In this present statement, we, as members of this joint committee, wish to share a number of conclusions from our recent discussions and to propose recommendations that could be implemented in our churches in this country without delay.

To prepare for this statement we have reflected on earlier texts regarding Christian marriage produced by the U.S. Orthodox/ Roman Catholic Consultation: three agreed statements on (1) Mixed Marriages (May 20, 1970); (2) the Sanctity of Marriage (December 8, 1978); (3) the Spiritual Formation of Children of Marriages between Orthodox and Roman Catholics (October 11, 1980); and (4) a reaction to an agreement concluded in Boston between Cardinal Medeiros and Bishop Antimos (April 8, 1981) on ways of regularizing non-canonical marriages between an Orthodox and Roman

Catholic spouse (May 29, 1982). Also submitted to us for comment was a document of the Metropolitan New York/New Jersey Orthodox-Roman Catholic Dialogue, an "Agreed Statement on Orthodox-Roman Catholics Marriages" (January 6, 1986). Our own Joint Committee provided a response to its practical suggestions on March 23, 1989. At our previous meetings in 1988 and 1989, we also consulted scholars of Sacred Scripture regarding New Testament perspectives on the indissolubility of marriage.

Meeting now from October 3 to 5, 1990, in Johnstown, Pennsylvania, we wish to make this joint statement about Christian marriage and to offer recommendations which, if implemented, could assist Roman Catholic and Orthodox couples to fulfill more responsibly the requirements of their churches regarding the marriage ceremony, married life in Christ, and the spiritual formation of children.

The Sacredness of Marriage

At a time when the sacredness of married life is seriously threatened by contrary views and "lifestyles", we wish to reaffirm our common faith in the profound reality of married life in Christ. We regard Christian marriage as a vocation from God in which the liberating effect of divine love, a gift of Holy Spirit, is experienced through human love. This human love expresses itself in permanent commitment to mutual fidelity and support in all aspects of life, spiritual as well as physical. It also expresses itself in the generation of new life, that is, in the procreation and nurturing of children on both the spiritual and physical levels. A primary responsibility of parents is the spiritual formation of their children, a task not limited to assuring church membership and providing for formal religious education but extending to all aspects of Christian living.

We regard Christian marriage as having a social dimension which extends beyond the partners and their relatives. Through marriage, husband and wife assume new roles in the church community. Consequently, just as marriage partners have a responsibility for the building up of the Church, so too the Church community has a responsibility to help each Christian family foster its life of faith. In particular the church community shares in the parents' responsibility for the spiritual formation of children.

The Sacramentality of Marriage

We share a common faith and conviction that, for Christians in both the Orthodox and Roman Catholic Churches, marriage is a sacrament of Jesus Christ. We profess the presence of Christ in the Holy Spirit through the prayers and actions of our wedding liturgies. We express our belief that it is Christ who unites the spouses in a life of mutual love. Hence, in this holy union, both are seen as being called by Christ not only to live and work together, but also to share their Christian loves so that each spouse, under grace and with the aid of the other, may grow in holiness and Christian perfection. According to our shared belief, this relationship between husband and wife has been established and sanctified by the Lord. Marriage, as a sacred vocation, mirrors the union of Christ with the Church (Eph 5:23).

The Gospels record that Jesus affirmed the profound significance of marriage. Christian tradition, building upon the teaching of Jesus, continues to proclaim the sanctity of marriage. It is a fundamental relationship in which man and woman, by total sharing with each other, seek their own growth in holiness and that of their children, and show forth the presence of God's Kingdom. Having God's love poured in their hearts by the Holy Spirit, husband and wife exemplify and reflect in their lives together the mystery of love which unites the three persons of the Holy Trinity. Thus, marriage becomes a dynamic relationship which challenges the spouses to live according to the high standards of divine love.

In the teaching of our churches, a sacramental marriage requires both the mutual consent of the believing Christian partners and God's blessing imparted through the official ministry of the Church. At the present time, there are differences in the ways by which this ministry is exercised in order to fulfill the theological and canonical norms for marriage in our churches. The Orthodox Church, as a rule, accepts as sacramental only those marriages of Christians baptized in the name of the Holy Trinity which are sanctified in the Church's liturgy through the blessing of an Orthodox bishop or priest. The Catholic Church accepts as sacramental those marriages of Christians baptized in the name of the Holy Trinity which are witnessed by a Catholic bishop or priest (or, in more recent discipline, a deacon), but it also envisages some exceptional cases in which, whether by law or by dispensation, Catholics may enter into a sacramental marriage in the absence of a bishop, priest or deacon. There are also differences in our

theological explanations of this diversity. As older presentations of sacramental theology indicate, Orthodox theologians often have insisted that the priest is the proper "minister of the Sacrament", whereas Roman Catholic theologians more often have spoken of the couple as "ministering the sacrament to each other".

We do not wish to underestimate the seriousness of these differences in practice and theological explanation. We consider their further study to be desirable. At the same time, we wish to emphasize our fundamental agreement. Both our churches have always agreed that ecclesial context is constitutive of the Christian sacrament of marriage. Within this fundamental agreement, history has shown various possibilities of realization so that no one particular form of expressing this ecclesial context may be considered absolutely normative in all circumstances for both churches. In our judgment, our present differences of practice and theology concerning the required ecclesial context for marriage pertain to the level of secondary theological reflection rather than to the level of dogma.

The Enduring Nature of Marriage

The common teaching of our churches follows Sacred Scripture in affirming the enduring nature of marriage. Already the Old Testament used marriage to describe the covenantal relationship between God and God's people (Hosea). The Epistle to the Ephesians saw marriage as the type of the relationship which exists between Christ and the Church (Eph 5:31-33). Jesus spoke of marriage as established "from the beginning of creation." He also taught: "And the two shall become one. So they are no longer two but one. What therefore God has joined together, let no man put asunder." (Mk 10:6,8-9; Mt 19:4-6).

A number of scholars of Sacred Scripture in our churches consider it likely that Jesus' teaching about the indissolubility of marriage may have already been interpreted and adjusted by New Testament writers, moved by the Holy Spirit, to respond to new circumstances and pastoral problems (cf. Mt 5:32 and 1 Cor 7:15). Hence they ask, if Matthew, under the inspiration of the Holy Spirit, could have been moved to add an exceptive phrase to Jesus' saying about divorce, or if Paul, similarly inspired, could have introduced an exception on his own authority, then would it be possible for those exercising authoritative pastoral decision-making in today's Church to explore the examination of exceptions?

Our churches have expressed their conviction concerning the enduring nature of Christian marriage in diverse ways. In the canonical discipline of the Orthodox Church, for example, perpetual monogamy is upheld as the norm of marriage, so that those entering upon a second or subsequent marriage are subject to penance even in the case of widows and widowers. In the Roman Catholic Church the enduring nature of marriage has been emphasized especially in the absolute prohibition of divorce.

Our churches have also responded in diverse ways to the tragedies which can beset marriage in our fallen world. The Orthodox Church, following Mt 19:9 ("whoever divorces his wife *except for unchastity*, and marries another, commits adultery"), permits divorce under certain circumstance, not only in the case of adultery but also of other serious assaults on the moral and spiritual foundation of marriage (secret abortion, endangering the life of the spouse, forcing the spouse to prostitution and similar abusive situations). Out of pastoral consideration and in order better to serve the spiritual needs of the faithful, the Orthodox Church tolerates remarriage of divorced persons under certain specific circumstances as it permits the remarriage of widows and widowers under certain specific circumstances. The Roman Catholic Church has responded in other ways to such difficult situations. In order to resolve the personal and pastoral issues of failed consummated marriages, it undertakes inquiries to establish whether there may have existed some initial defect in the marriage covenant which provides grounds for the Church to make a declaration of nullity, that is, a decision attesting that the marriage lacked validity. It also recognizes the possibility of dissolving sacramental non-consummated marriages through papal dispensation. While it true that the Roman Catholic Church does not grant dissolution of the bond of a consummated sacramental marriage, it remains a question among theologians whether this is founded on a prudential judgment or on the Church's perception that it lacks the power to dissolve such a bond.

Study of the history of our various traditions has led us to conclude that some at times may raise a particular theological explanation of relatively recent origin to the level of unchangeable doctrine. The Second Vatican Council's "Pastoral Constitution on the Church in the Modern World" stated that there was need for a renewal of the Roman

Catholic Church's understanding and approach to its teaching on marriage. That council implicitly recognized that teaching on marriage had frequently proceeded from a biological and juridical point of view rather than from an interpersonal and existential one.

Spiritual Formation of Children

We also share a common conviction that in marriages in which one spouse is Catholic and the other is Orthodox both should take an active role in every aspect of their children's spiritual formation. Our priests are expected to counsel parents and children against indifference in religious matters. But since unity in Christ through the Holy Spirit is the ultimate goal of family life, all family members should be willing in a spirit of love, trust and freedom, to learn more about their Christian faith. They are expected to pray, study, discuss and seek unity in Christ and to express their commitment to this unity in all aspects of their lives.

In marriages in which our two churches are involved, decisions, including the initial one of the children's church membership, rest with both husband and wife. The decisions should take into account the good of the children, the strength of the religious convictions of the parents and other relatives, the demands of parents' consciences, the unity and stability of the family, and other specific contexts. In some cases, when it appears highly probable that only one of the partners will fulfill his or her responsibility, it seems desirable that children should be raised in that partner's church. In other cases, the children's spiritual formation may include a fuller participation in the life and traditions of both churches, respecting always each church's canonical order. In these cases, the decision regarding the children's church membership is more difficult to make. Yet we are convinced that it is possible to make this decision in good conscience because of the proximity of our churches' doctrine and practice which enables each, to a high degree, to see the other precisely as Church, as the locus for the communion of the faithful with God and with each other through Jesus Christ in the Holy Spirit.

Recommendations

In the light of our discussion together, we submit to our churches the following recommendations which we judge will greatly contribute to promoting Christian charity and honesty in our two sister churches in regard to marriages between our faithful.

(1) We urge that SCOBA and the NCCB establish and sponsor a joint committee to prepare for publication our common teaching regarding Christian marriage, family life, and the spiritual formation of children. Such an ecumenical publication would be produced in common for the guidance of our clergy and the use of all involved in marriages between Orthodox and Roman Catholics. Such material would reflect the profound spirit of love and commitment to Christian unity that has marked our churches in recent times. Such a publication would indicate that our common faith leads to the recognition of the sacramentality of marriage in each other's church.

We recommend that, in this jointly prepared material, pastors and couples be offered up-to-date information about the recent and persistent efforts to foster a closer relationship between our two churches. It would encourage Orthodox-Catholic families to draw deeply from the spiritual wealth of both churches. It would urge them to safeguard the richness and integrity of each tradition by cautioning against attempts to absorb one partner into the other's Church.

We also recommend that this material include sensitive and accurate presentation of the present canonical discipline of our churches with regard to marriage in order to aid pastors in counseling couples in a responsible manner, especially if there has been a previous marriage.

(2) We recommend that when an Orthodox and Catholic marry there be only one liturgical ceremony in which either one or both priests are present, with the rite being that of the officiating priest. The guest priest, normally dressed in cassock, would be invited to greet the bride and groom and to offer a prayer toward the end of the ceremony. We recommend that such marriages be recorded in the registries of both churches.

We recommend that in the case of marriages celebrated in the past, if it should be decided that some supplementary liturgical action is needed for a member to be readmitted to full eucharistic communion in one's church, care should be taken that this

liturgical celebration avoid the impression of being another marriage ceremony thereby implying that what had already taken place was not a marriage.

We earnestly submit these recommendations to the NCCB and SCOBA for adoption and rapid implementation by our churches.

While recognizing the integrity of the canonical and pastoral practices and procedures in both our churches which seek to provide for the faithful whose marriages have failed, we also note the major differences which exist between our practices and procedures. We therefore would also encourage further serious and specific study by canonists and others in a common effort to understand and, in so far as possible, resolve these differences of practice and procedure to move toward a commonly accepted declaration of freedom to marry. Our own Joint Committee, with the assistance of the U.S. Orthodox/Roman Catholic Consultation, and of specialists in canon law, church history, and sacramental theology, hopes to pursue this ongoing task.

We realize that this undertaking, as well as the many others that lie before us, is of such magnitude that it cannot be accomplished easily or quickly. Yet, relying on the Holy Spirit, we are confident that it can be achieved, given the spirit of trust and cooperation which exists in our churches and which we have experienced in our own deliberations.

October 5, 1990
Johnstown, PA
9th Meeting

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