

**INTER-FAITH MARRIAGES IN THE PLURALISTIC CONTEXT
OF ASIA: CHALLENGES, THEOLOGICAL REFLECTIONS AND
PASTORAL APPROACHES**

**Bishops' Institute of Theological Animation (BITA) III
and
FABC Office of Theological Concerns**

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I. INTRODUCTION

- Fr. Vimal Tirimanna, CSsR, Executive Secretary, FABC Office of Theological Concerns

The Office of Theological Concerns [OTC] of the FABC recently conducted its third Bishops' Institute of Theological Animation [BITA]. It was entitled "Inter-Faith Marriages in the Pluralistic Contexts of Asia". It was held at Bishop Lei International House in Hong Kong from 9th to 11th May 2006, and 23 Asian bishops from the different member Episcopal Conferences of the FABC participated.

The fact that BITA-III was held in Hong Kong, was in a sense symbolic, because as His Eminence Joseph Cardinal Zen of Hong Kong, mentioned in his inaugural address, in Hong Kong, there is a peaceful co-existence of most of the principal religions of Asia.

The participants evinced a lively interest on the various aspects of inter-faith marriages. It was pointed out that not only in Asia, but elsewhere too, today, inter-faith marriages are fast becoming a fairly common phenomenon, and as such, the Church needs to gear herself up for a proper and adequate response, especially, a pastoral response to the needs of the persons concerned.

The following were the more poignant general orientations that emerged from this BITA-III:

1. Admittedly, the Inter-faith Marriage is not the optimum situation, but it is a reality in a pluralistic context of Asia, and as such, needs to be responded with love and compassion.
2. What is called for is an attitude of loyalty to one's own faith and respect for the faith of the other; hence, neither syncretism nor fundamentalism.
3. While respecting the dictates of canon law, we need to articulate a pastoral praxis which responds to the concrete challenges posed by Inter-faith Marriages.
4. We should not miss the cultural locus of faith and Inter-faith Marriages. This should enter into the pastoral approaches to such marriages. In this sense, it is important not to forget the human wholeness, as such.
5. Freedom to practice one's own religion:
 - the ways of practice of each one's religion can come into conflict or can be overcome in some cases.
 - The most difficult element becomes the faith of the children; this needs serious reflection before marriage.

In the area of freedom to practice one's religion, Marriages between Catholics and Muslims becomes quite problematic, and hence needs more consideration.

There is the need to accompany the couple with compassion and realism, before, during and after Inter-faith Marriages, mobilizing different ministries of the local Church in this regard.

The importance of keeping in mind that for the most part, an Inter-faith Marriage in Asia, concerns not merely two individuals, but two families, villages, clans, tribes,...etc. Hence, the local Church should extend support to all those affected by this event. To meet this need, formation of all the different sectors of the local Church towards this ministry of accompanying those involved in Inter-faith Marriages, is vitally important.

I. INTERFAITH MARRIAGES IN PLURALISTIC SOCIETIES

– *Bishop Francisco Claver, SJ*

A. Introduction

My role here is, in the language of the social sciences to try developing hypotheses, which might lead to the elaboration of a full-fledged scientific theory. In simple, ordinary language, “developing hypotheses” simply means asking questions.

I propose here to look at our subject, first, from a sociological/anthropological stand-point; secondly, analyze what problems arise from that same stand-point; thirdly, try seeing what solutions to those problems are possible; and lastly, say a few words about what I believe are deeper questions that must be faced up to.

B. Sociological/Anthropological Considerations

Interfaith marriages: Two people of different religions get married. A sociological reality we encounter everywhere. An interfaith marriage, where one partner is a Catholic—this will be the kind of marriage we will be concerned with here—is hence a “mixed marriage” in pastoral, canonical language. Needless to say, it carries a great many theological, canonical and pastoral implications that will be dealt with, according to your program, by others in the Conference. Here I will try to look at such marriages mainly from an anthropologist's point of view—which, again in ordinary language, should mean common sense!

Pluralistic societies: They are the common sociological reality of our globalized world today: people of different backgrounds, racial, religious, cultural, political, economic, etc. who live together, interact with one another, in some forms of permanent and stable relationships

as a community. They will be, in most societies in these times and in the Asian context, multi-racial and multi-cultural. The two terms, race and culture, are not interchangeable, we know. For two people of the same culture can belong to different races and vice versa, two people of the same race can belong to different cultures. And if we add religion as another important factor in pluralistic societies, the situation gets even more complicated since religion too is not wholly commensurate with either race or culture. But to simplify things a bit, we will take the term *pluralistic* to be synonymous, for all practical purposes, with *multi-cultural* for I believe it is culture, more than race *as such*, that makes for the problem in pluralistic societies. Also, culture in the anthropological use of the word would include all other aspects of the way of life of a people: religious, political, economic, social, etc.

This will be our context then when we consider interfaith marriages: pluralistic societies meaning people of different cultural traditions living together, interacting with one another despite their differences. And if, even in the face of those differences, there is present a sense of a national culture, we can look at those differences as sub-cultural traditions within that one wider culture.

Considering this context, we see a goodly number of complexities arising. For instance: (a) a married couple of two different faiths but mono-cultural (belonging to the same culture); or (b) a husband and wife of two different faiths and of two different cultures; and (c) both kinds of couples living in a pluralistic society in which one or the other of the two cultures (of husband and wife) is either (d) dominant or (e) only a sub-culture in a wider national culture, etc. All of these fall under the category of "problems" and we'll be attending to them in the next section.

Those cultural complexities of pluralistic societies lead us to note a few things underlying them.

First of all, cultures at their deepest level are value systems. A multi-cultural society hence means a society with plural value systems existing side by side with one another, but distinct from one another, at times conflicting, at other times, integrated somehow into a discernible whole, etc. Religions are value systems too and they usually are integral to a given culture where a particular religion is practically synonymous with a culture or where some form of inculturation has taken place. But this is not always the case, as we noted earlier. So in an interfaith marriage, even when a couple belongs to the same cultural tradition, the religious values of husband and wife will be different.

Secondly, values are transmitted through the socialization process of children, i.e., the education of children, which makes them imbibe

the ethos or values of a culture. The transmitters of these values are mainly the family, the community (secular or religious), schools, other institutions that have anything to do with bringing up children and teaching them how to behave like human beings (as their culture defines what it is to be human). Here we see where the basic problem lies as far as the upbringing of children is concerned: The values (religious values at least) of husband and wife in an interfaith marriage would be different; the values obtaining (and conflicting, possibly) in a pluralistic society could well be different too; so too the values ("modern" values, in most cases) taught and promoted in schools. How does a child assimilate all those values, not to say reconcile them when they conflict with one another? That is *the* problem at the heart of our subject.

Thirdly, of the diverse values-transmitters we have mentioned, the family holds and plays the primary role in most, if not all, known societies. And the main educators and socializers are performed by the parents, more especially the mother. This particular role of the family in regard to children is one of the major considerations we will be looking at in interfaith marriages. In modern anthropological studies, there has grown quite a bit of intriguing literature on the child-rearing practices of various societies. The thinking behind this interest is that if you know how children are brought up in any given society, you will understand its culture better. For seeing what members of the given culture deem important enough to pass on to children by way of interacting with other people, what rules of conduct must guide their interaction with others, what they must aspire and work to be if they are to be good members of their society, etc.—all this will give a clear insight into important aspects of culture, its values especially, cultural definitions of the good that is to be striven for.

And lastly, children are most plastic, i.e., formable, in their early years, perfect examples, I would think, of what is meant by *tabula rasa*. The most formative years of a person, child psychologists tell us, are between two and six. Hence the importance of child rearing practices: they show not only what values are taught children but also, just as importantly, how they are learned. Which makes me think kindergarten schooling might be more crucial than university!

Which makes me think further: It is very possible, especially with well-to-do families, that the early process of socialization during a child's most plastic years is under the care not of a parent but of a maid or servant. If so, it will be the values of the non-parental caretaker that will be transmitted to the child and most formative of it. And in this connection, we can ask what the values are, say, of Arab children brought up by Christian or at least non-Muslim maids. There are a good many Filipino *yayas* (maids, amahs, ayahs) employed as such

in thousands of households in the Middle East as overseas workers and we've heard of instances where Arab parents complain that their children know how to say prayers like the Our Father and the Hail Mary, not Koranic prayers! Will the upbringing of these children as wards of foreign Christian maids have an effect on their way of thinking and behaving later in life as adults?

C. The Problems

The main problem is that there are too many possibilities when we talk of interfaith marriages within a pluralistic society—the complexities alluded to above. There are any number of combinations or oppositions between faith on one hand, and culture on the other within the family; and these would be further aggravated by the myriad possibilities of social environments and influences found in a pluralistic society.

Thus, to go back to some of those complexities mentioned earlier. Just a few more wrinkles: (1) Couples will be of different faiths but could belong to the same culture. Thus in the Philippines, a member of the *Iglesia ni Kristo*, a virulently anti-Catholic religion, married to a Catholic—will the religious prejudices of the non-Catholic partner be passed on to the children of such a marriage? Or (2) if husband and wife are of different cultures, say, an Indonesian and a Japanese, which cultural tradition will prevail in the home? (3) The answer to the question might be easy depending on which of the two traditions is the dominant one even in the pluralistic society in which the marriage occurs. Still, (4) in the pluralistic (multi-cultural) situation that our subject posits, such a marriage could well occur within a society in which both Indonesian and Japanese cultures are absent. But even in such a cultural situation, (5) it is possible that either the faith or culture of one or the other spouse would be the stronger influence and therefore the children could be brought up as though they were living (at least within the family unit) as mono-cultural citizens. But it is possible too that (6) the two faiths in an interfaith marriage are both forces to reckon with within the pluralistic society, e.g. Shiite and Sunni in Iraq, and are antagonistic one to the other—how integrate the two? And so on and so on in a dizzying number of possibilities.

Confusing? Yes, but the confusion comes from the very subject itself as we have it worded here. For there are many possible outcomes of an interfaith marriage in the way it works out in the family itself. Put those possible outcomes in the further complicating conditions of life in a pluralistic society, and the variations can be as many and intricate as the married couple and the social context of their marriage can make them. As sociologists would put it, the variables of the problem are

simply too many.

Graphically put, we have these variables to contend with, first within the marriage itself, and then in the society at large, thus:

The Married Couple			The Environing Society
<u>Faith</u>	<u>Culture</u>		<u>Pluralistic in (Faith and) Culture</u>
Same	Same	>	Cultural Ghetto
		>	Cultures same as those husband and wife have
Different	Different	>	Cultures unlike those of either husband or wife
		>	Dominant culture that of either husband or wife
		>	Etc.

In the above diagram it is the couple with different faiths that concerns us. The husband and wife of different faiths can, as far as culture is concerned, belong to the same culture or to different ones. And these marriages have to be lived in an environment of pluralistic societies where all sorts of variations are possible with regard to religion and culture.

In all the possibilities (if they can be sorted out!), such questions as the following arise:

- Are the values of the different faiths very different, similar, complementary?
- Are the values of the pluralistic society in which the interfaith marriage occurs contradictory or at least different among themselves?
- With regard to the married couple themselves, do the values of the wider culture inhibit or support or coincide with the values of the interfaith marriage?

The above possibilities, needless to say, affect the very way the couple in an interfaith marriage will relate, first, to each other and, secondly, to their children's up-bringing.

How husband and wife relate to each other: "Cultural analysis", an exercise that has become quite common in basic ecclesial communities (BECs), is an effort that BEC members make in order to have a deeper understanding of their culture, the better to integrate it with faith in the inculturative process the BEC is basically. Where two or more cultures are analyzed, there grow as well an understanding and appreciation of the differences these have with one's own culture, and as well tolerance

of what can easily be dismissed as idiosyncratic behavior of people of those other cultures. The relation between husband and wife of different cultural backgrounds will be affected very much by the kind of analytical understanding that each has (or doesn't have) about the other's culture. This kind of understanding of cultural differences is something pastors in our Churches don't bother much with, simply accepting that there will be differences and trusting that the mutual love of the couple will somehow solve whatever problems will arise from those differences.

The socializing of children: From all the possible life situations in pluralistic societies that interfaith marriages find themselves in, a great concern for us in the Church has to do with values: All sorts of possibilities (opportunities, dangers, complications?) occur with regard to the values that are transmitted in the rearing of children, first within and by the family itself, and secondly within and by the wider society. Thus, to mention a few of these possibilities:

- In the inevitable clash of differing world- views (values, beliefs, practices) passed on to children, what values get inherited? If the differing world views are not harmonized somewhat, the danger of schizophrenic behavior in children would be very real.
- But harmonized or not, children can learn to be bicultural, even multi-cultural, know how to adapt to whatever differing cultural situations they have to operate in—does this flexibility contribute to genuine maturity?
- Or if they are brought up in the ambience of one culture despite the multi-cultural context of their lives, that culture would be dominant even if lived in a pluralistic context. Would that kind of psychological anchoring be sufficient to give them clear identities of their own?

These and many other developments call for solutions to the complex problems of living that they bring in their wake.

D. Possible Solutions

Whatever solutions are thought of or proffered, they will depend on these three questions:

- How does one continue to live one's faith in an interfaith marriage?
- How does one relate to a spouse in a religious way in such a marriage?

- How raise up children in a mixed marriage?

We have already looked at the second and third questions: the relationship of the spouses and the raising of children.

Probably these three are only one question—the first: How does the Catholic partner live (and keep) one's faith in an interfaith marriage? The other two seemingly serve to give the answer to the first. For if Christian partners in a mixed marriage are to live their faith well, their success will be measured largely by how they relate to their spouses and rear their children.

The context of interfaith marriages we have been considering here is that of pluralistic societies. The reason for the choice is that such marriages, if they occur in a mono-cultural society, would be less of a problem for the spouse, at least, the one who belongs to the culture of the place. For one would expect less difficulty for the Christian partner in that the society at large, if it were a Christian one, which would provide support for him or her in the practice of his/her faith. The problem will be different when those supportive factors are not present.

Looking then at all the possibilities and complexities we have cursorily mentioned above, it may not be possible to give an answer that will fit all of them.

But there must be an effort on the part of each partner to understand the religion and culture of the other. It was mentioned briefly above about the necessity of “cultural analysis”—possibly a pretentious term, but it only means the attempt to understand why people think and act like they do and empathize with them despite all differences. That attempt, carried into the variant religious cultures of couples in an interfaith marriage, is a basic necessity for its health and success. But above all there must be real love.

It thus seems that the only real answer is that provided by Pope Benedict XVI's first encyclical, *Deus Caritas Est*. Love, as the saying goes, will conquer all—*amor vincit omnia*. The couple, as Pope Benedict proposes for the ordinary Christian, will have to make strong efforts to sublimate possessive and self-centered *eros* into oblation and self-giving *agape*. For marriage is not just a sharing of bodies, but of minds, hearts and spirits too for the essential unity of man and woman that Genesis speaks of to happen.

When all is said and done, the approach, noted above, that most pastors take (who don't try to talk of cultural differences but instead simply advice love between husband and wife in a mixed marriage) is probably the best way for us to get through all the difficulties and problems we have been considering here.

The answer seems too easy, too glib. And yet it *is* the answer. But even as we say this, some deeper question must be asked from our way of proceeding in the Church.

E. The Deeper Questions

Perhaps the questions we will now be asking are not so much deeper as cognate ones, if we can go no deeper in our search for solutions that the kind of love Pope Benedict XVI so well speaks of. It is a love that, after all, is not proper to Catholics and Christians alone.

The “deeper” questions that come to mind come from some Vatican II documents, specifically the ones on ecumenism (*Unitatis Redintegratio*), inter-religious dialogue or relations with non-Christian religions (*Nostra Aetate*), and finally human dignity (*Dignitatis Humanae*). Each of these has a very special relevance to our subject. All three touch on basic aspects of Christian living and relationships. But somehow we have not applied them expressly to inter-faith marriages. Ecumenism and inter-religious dialogue in such marriages—their relevance is obvious, but human dignity? This presents problems we haven’t paid too much attention to in the past.

These a few points about what these three documents have to say in regard to our subject:

Ecumenism. In the pluralistic societies of Asia, Christians are a minuscule minority—although they number a 100 million (but what is that in a continent of more than three billion?). Still, few as they relatively are in numbers, marriages of couples belonging to different Christian groups are happening. In such marriages, all the lessons we have learned from ecumenical dialogues should be of great help. For in fact, it is in these marriages that ecumenical dialogue must take place by all means, possibly before all other such dialogues, simply because it goes to where human existence begins—the family. And it touches theological questions (or Church practices) as well that I’m afraid have not yet been satisfactorily resolved nor looked into seriously.

To mention just one instance: It is in these marriages that our strictures on “intercommunion” are most deeply felt—or should I say, “suffered from”. “A family that prays together stays together”—so we glibly proclaim for Catholic families. But what of “ecumenical” marriages? I know of families who worship regularly—alternately—in both Churches of husband and wife and receive the sacraments of either Church without any qualms such as we in the “official” Church are bothered about. I’ve never had the heart to discourage them and tell them—at least the Catholic partners—that such practice is against the law of the Church. In marriages, should we come between the love that binds couples in the name of “the only right way of worshipping

God” (our claim)? Canonically the question is easily answered, but theologically, and pastorally? Is it a heretical question?

Inter-religious dialogue. In marriages between a Catholic and a partner from a non-Christian religion, I can see where the problem of common worship that we have just talked about in regard to ecumenical couples would be even more difficult in that the object of worship and prayer can be very different: The one God, a personal God or an impersonal one, many gods and goddesses, spirits and culture heroes, ancestors? But this very difference is something that has to be courageously faced up to by the couple in question.

In other words, the inter-religious dialogue, as the ecumenical dialogue noted earlier, that we in the Church try to promote, must start in the family itself. For a healthy interfaith marriage, that dialogue is a crucial and necessary one. It must take place for at least mutual understanding of each other’s religious values and practices. The absence of that understanding will only mean tensions, divisions, quarrels that will make family peace hard—if not impossible—to attain. But again, it seems, if current practice in the Church is any indication, our interest has been more—even exclusively—for dialogue outside of the family, dialogue, that is, between official representatives or practitioners of religions, not between couples who have to live with the daily manifestations of differing religious orientations.

Freedom of religion. This may be the most difficult problem we face in interfaith marriages. Gone are the days when a non-Catholic partner had to make a promise of bringing the children up as Catholics as a condition for the Church’s allowing of a mixed marriage. Today we can only give this as an advice.

We spoke above of the family being the main socializer of children, the imparter of the values of a people’s culture to the young members of society. What kind of values, religious in particular, are passed on to children in an interfaith marriage? We also alluded above to the practice of an “ecumenical” family of worshiping in the Churches of the parents. In this situation, again we ask, what religious values and attitudes are nurtured in the children by such a practice? - a “religions-are-all-the-same” attitude, relativism, indifferentism? Does our stance on religious freedom apply to children and parents who must not put any pressure on them to join one or another religion?

In the case I cited above of a Catholic married to an adherent of the *Iglesia ni Kristo*, the latter objected strongly when the Catholic partner wanted their child to be baptized, maintaining that the child choose its religion only when he/she reached adulthood. Is his stance more in keeping with our position on religious liberty? Whatever our answer is to this troubling question, it seems to me the least we can ask

for is that in the ecumenical and inter-religious dialogue that we say must take place between man and wife in an interfaith marriage, the children must take part in the dialogue too and to do so actively. They should listen and learn from their parents, discuss with them, what the differences between their respective faiths are, what their beliefs are, what the disciplines of each religion are, etc. This requires more than what Catholics in most cases get in the course of catechetical lessons and religious education. If so, there is only one alternative open to us: Give our people that more than ordinary and very necessary grounding in the faith!

F. Conclusion

I am no expert on inter-faith marriages. But I could raise questions. And so I have. Sociological questions, yes, but requiring pastoral answers. I do not doubt that, in a gathering like this and with the rich experience of pastoral work in the differing conditions of life of the nations represented here, there will be answers forthcoming to all the questions raised. But whatever those answers will be, I have no doubt they will lead to further questions, as they should. And if they do, it will mean only one thing: that the Church of Asia is alive—seeking, moving, alive.

Just one last thought: At the Asian Synod of 1998, it was said that the image we have put forward as a Church to non-Christian peoples in Asia has been that of a well organized institution, outstanding in its social involvement, running good schools and hospitals, etc. A positive image but for one thing lacking: We did not project, so we were told, an image of holiness and asceticism as the more traditional religions of Asia did. We do not have the tradition of “professional” holy men that, for instance, the swamis in Hinduism and monks in Buddhism represent. And in view of that observation, the delegates at the Synod felt that the idea of discipleship with its strong emphasis on witnessing would be most appealing to Asian minds and should be worked at more conscientiously in our respective Churches.

If that assessment is valid, it would be well for us to ask further: What about families? Families considered as domestic Churches where Christian discipleship is first born and nurtured; where there is learning and openness to learning from one another, discerning, sharing one's experience and living of the faith? And especially families of mixed marriages where the Catholic partner should be truly a disciple—dialogic in words and deeds, imparting the faith not so much through words and arguments as through faithfulness to and the practice of the values of the Kingdom?

As I said, I only raise questions. You provide the answers—some answers, at least.

II. INTER-FAITH MARRIAGES IN THE CATHOLIC TRADITION *- Fr. Vimal Tirimanna, CSsR, Executive Secretary, FABC Office of Theological Concerns*

A. Introduction

Catholics getting married to non-Catholics (whether baptized or not) has been a real issue for the Church from the earliest times. In common Catholic parlance, the term “mixed marriage” has been used to refer to such marriages.¹ Although such a usage is done in a purely religious sense, strictly speaking, a marriage can be “mixed” in many other ways, too. For example, in our contemporary world, the same term “mixed marriage” can be applied to marriages between different races, different cultures or different religions; of course, there are times when all three differences can be found in the same couple! In this paper, the term “inter-faith marriage” refers to marriages from a purely religious (to be precise, from a purely Catholic) sense, and is taken to include what today is canonically called ‘mixed religion’ and ‘disparity of cult’.² That is to say that in this paper we use the term ‘inter-faith marriage’ to refer to any marriage of a baptized Catholic with a non-Catholic, whether baptized or not.

Inter-faith marriages are now becoming a common reality in our contemporary multi-religious societies, and this is true in a very special way in our Asian societies, which are pre-dominantly multi-religious and non-Christian.

In the first part of this paper, I will try to give a brief account of how inter faith marriages have been looked at, at different periods of Church’s history, and then, in the second part, I will discuss briefly the role played by faith in the sacrament of marriage. Using these two parts, I will wind up with the assertion that a change in the Church’s perception of such marriages is called for, especially during our contemporary times, when the official Church has radically changed its earlier exclusively negative attitude towards the other religions. Moreover, such a radical attitudinal change towards inter-faith marriages is badly needed in our Asian multi-religious contexts.

¹ For example, the term ‘mixed marriage’ is used in this sense by Pope Paul VI in his *Motu Proprio* determining the norms for such marriages, which was issued on 31st March 1970.

² In his Apostolic Exhortation, *Familiaris Consortio* (1981), Pope John Paul II uses the generic term “mixed marriages” to refer to these two types of marriages. Cfr., No:78.

PART 1 - INTER-FAITH MARRIAGES IN THE CATHOLIC TRADITION

1.1. Inter-faith marriages in the Old Testament

In spite of the common experience that a marriage with a “stranger” brought all kinds of trouble, there were many inter-faith marriages in Israel (Gen.38:2, 41:45, 26:34; Ex.2:21). Edward Schillebeeckx writes:

Originally, a “stranger” was somebody from outside one’s own tribe or clan, and this was in itself an indication that no marriage should take place, especially if it is borne in mind that even within Israel a man preferred to find a bride from among his own blood-relatives.(Gen.xx.12; xxiv.15; xxviii.9; xxix.12; Num.xxvi.59). Such a wife would always be subject to the protection of the entire clan. If she were given in marriage to a stranger, she would place herself in an unprotected position (Gen. xxix.19; Num.xxxvi.1-12). Social factors, then, undoubtedly played an important part.

But an even more important part in the matter of mixed marriages was played by Israel’s religion. Israel was above all a “holy people”. She was “set apart” from other nations, and consequently also remarkable among them in her way of life. She was “different” from all other peoples, and for this reason mixed marriages were an abomination for Israel. A stranger did not simply come “from a different nation”. He or she came also “from a different god”. One’s own tribe or nation and one’s “own god” (henotheism) were intimately connected. (Ruth i.15; 1 Sam.xxvi.19; 1 Kings xviii.24; 2 Kings xvii.26; Judg. xi. 23-4).³

As Schillebeeckx points out, even the Deuteronomic writers began to oppose mixed marriages for religious reasons: “For they [mixed marriages] would turn away your sons from following me, to serve other gods” (Deut.7:4). In Exodus 34:12-16, such marriages are fully ruled out. The only exception against this commandment not to marry from among pagans is found in Deut.21:10-14. The basic reason for opposing inter-faith marriages was the danger, which they constituted for the education in faith in Yahweh of Israel’s children (Mal.2:15), who belonged to Yahweh and had to live according to the commandments of the covenant (Deut.7:6-11).

During the exile and just after it, as Israelites began to get married to “strangers”, the religious view against such marriages was propounded

³ Edward Schillebeeckx, *Marriage: Human Reality and Saving Mystery*, Fifth Impression, London: Sheed and Ward, 1988, pp.94-95.

with increasing emphasis. Both Ezra and Nehemiah worked resolutely to put an end to such marriages (Ezra 2:59-62; 9:1-10, 44; Neh. 7:61-64; 8:23-29). The “holy people” of Israel was on no account to “mix itself with the peoples of the lands”, the strangers (Ezra 9:2). Accordingly, inter-faith marriages were infidelity to Yahweh and to the covenant of Israel’s election. They broke the covenant, and this was why Nehemiah, in his zeal, “cleansed them from everything foreign” (Neh.8:30).

Schillebeeckx’s conclusion is poignant:

All this may well sound rather like what we would call apartheid, but for Israel, and especially for post-exilic Jewish Israel, the “set apart” secular reality of the people could not be separated from the reality of salvation – her election as the one, chosen people of God...The basic and essential dogmatic meaning of this Old Testament vision is undoubtedly that faithfulness to God takes precedence, even in marriage, should this ever lead to infidelity in religion; and moreover that in a mixed marriage it is a grave matter of conscience for the parents to bring up the children in this religion. How this duty was to be reconciled with the conscience of the other party in a mixed marriage is a problem, which was not posed in Israel; it is a problem, which has arisen out of modern man’s sensitivity towards the validity of his fellow men’s convictions.⁴

1.2. Inter-faith marriages in the Early Church

According to Lahidalga, Christians in the first centuries were married like everybody else (in “civil marriages” according to our contemporary terminology). Initially, most of the pagans who were converted to Christianity were already married at the time of their conversion. As time passed by, those who were already Christians too, married as everybody else in the form of “civil marriages”. Obviously, the marriage ceremonies of those who belonged to the Church and those who did not were identical. The marriages of Christians were terrestrial, secular realities, but “lived in the Lord”.⁵

Christians in the first centuries (at least till the fourth century) surely conformed to the cultural practices of the respective country they were in, even with regard to marriage. There was not any official Church legislation concerning marriage.⁶ The Letter to Diognetus, which was written in the second century, says:

⁴ Ibid., pp.95-96.

⁵ J.M. de Lahidalga, “La Constitución del 78 como pretexto: reconsideración crítica del matrimonio civil de los católicos”, *Lumen* 28 (1979), p.70.

Christians do not differ from other men and women in country or language or customs....They marry like everyone else.⁷

“Early Christianity was a movement of converts”.⁸ Among them, surely there were some who had non-converted spouses or those who got married after their conversion, to non-converts. In other words, there were in those communities what we may call today, ‘inter-faith marriages’, i.e., marriages that had taken place between a convert to Christianity and a non-convert. Paul’s letter to the Corinthians is a good example of the existence of such a situation [1Cor. 7:12-15]. In no known document that has come down to us, nor in any historical element extant in the tradition do we find that it was ever required of such converts who were in a marital union with a non-convert to get rid of the marital union merely because the convert [now full of grace thanks to baptism] was in bodily union with the non-convert [who did not have the baptismal grace]. On the contrary, in the above-mentioned text of Paul, we find it said that the convert sanctifies the non-convert!

Ladislas Örsy, one of the most competent contemporary canon lawyers, commenting on canon 1086/1 says:

This impediment is known traditionally as “disparity of cult”. If dispensation is granted, canon law handles the resulting marriage as a natural, that is, non-sacramental union, with all the consequences that such a status entails. Since it does not have the “particular firmness” that the sacrament brings, it can be dissolved through the grant of the privilege of faith.⁹

Having commented thus, Örsy goes on to pose “a question for investigation”:

This attitude of the law is a pragmatic one; it should not be taken as settling a more subtle theological issue, whether or not the marriage covenant can play the role of sacramental sign for the Christian party. The traditional approach of the law has been and remains the denial of any such possibility. The justification of this negative response is usually summed up in the principle sacramenta non possunt claudicare, “sacraments cannot limp”, meaning that there must be an evenness in the reception of the sacrament; if one party cannot receive it, the other cannot have it either. The correctness of this principle,

⁶ Cfr., Brendan Daly, “Form for Marriage: Technicality or Protecting a Sacrament?”, *The Australasian Catholic Record*, 85: 2 (April 2005), pp.164-165.

⁷ As cited by Daly, *ibid*.

⁸ Wayne A. Meeks, *The Origins of Christian Morality: The First Two Centuries*, New York: Yale University Press, 1983, p.18.

⁹ Ladislav Örsy, *Marriage in Canon Law: Texts and Comments, Reflections and Questions*, Delaware: Michael Glazier, 1988, pp.112-113.

however, is far from having been critically established; the issue requires more study. The point of departure of such inquiry may well be the doctrine of Paul in 1 Cor. 7:14:

For the unbelieving husband is consecrated through his wife, and the unbelieving wife is consecrated through her husband. Otherwise, your children would be unclean, but as it is, they are holy.

Clearly for Paul a marriage between a believer and an unbeliever is radically different from a marriage between two unbelievers. Canon law has not taken any notice of this forceful passage; nor have systematic theologians paid much attention to it. Paul leaves no doubt that there is a new sanctifying power in a union where one of the spouses is "holy". This sanctifying power is very close to what we call today the "effect" of a sacrament.¹⁰

Örsy, however, is quick to caution that even if the exchange of promises could be interpreted a sign that signifies and confers grace to the Christian party, such marriage itself could never be as fully sacramental as marriages between Christians are.¹¹

Schillebeekx believes that the strongest biblical evidence for the sacramental marriage is to be found in 1Cor. 7: 15:

This is why I believe that the strongest biblical evidence for the sacramental aspect of marriage is to be found in I Cor vii 15 – the self-dissolution of a marriage with an unbaptized person when this person refuses to live with the believing partner.

The marriage of the unbaptized person is in no way reduced in status by this view – on the contrary, Paul forbade separation if the unbaptized partner wished to continue the marriage with the Christian partner. This view simply indicates that marriage has a special character for a baptized person. It is quite different from the situation in which a marriage "dissolves itself" on moral and religious grounds because of persistence in adultery; for in that case not only is violence done to the moral obligation, but the objective bond of marriage remains, in this biblical vision, unimpaired. This can only mean that baptism is the real and concrete bond in Christian marriage – baptism continuing to have an effect in the establishment of the marriage, and, resulting from this, the moral obligation to be "one flesh". The real bond, exempt from human intervention, is present in marriage by virtue of Christian baptism. This real

¹⁰ Ibid., 113.

¹¹ Ibid.

bond is still present in the marriage of an unbaptized person, or in marriage with an unbaptized person, insofar as the mystery of Christ is not denied. Such a marriage can therefore be called an implicitly Christian marriage – an implicit reality that automatically disappears if there is an explicit denial of the mystery of Christ. And so if the unbaptized partner wishes to continue to live with the Christian husband or wife, this marriage remains – according to Paul – undissolved.

If, on the other hand, the unbaptized partner is explicitly confronted with the historical reality of Christianity – in this case the wife (or husband) who has been converted to Christianity – and yet refuses to continue in this living communion with her, it is evident that he is denying the implicit relationship to Christ of the marriage, and consequently also denying the real and indissoluble bond which this relationship confers upon the marriage.¹²

A few pages later, Schillebeekx goes on to explain further his views when he says:

Jesus' statement concerning the indissolubility of marriage, made on a basis of the Old Testament view of creation that marriage was "one flesh"- a single, living communion – is shown by I Cor vii.12-16 in its full saving significance. There is an intimate connection between this indissolubility and baptism; as a result of this close interconnection the marriage of unbaptized persons has – in a sense – a lesser value (though it is in no way inferior), and lacks the special distinct significance which characterizes the marriage of baptized partners. In its orientation towards salvation, what is usually known as "natural" marriage undoubtedly has a similar significance, but in this case an implicit one. However, if this orientation towards salvation is denied by the unbaptized partner, the marriage may be dissolved in favour of the "peace" into which salvation has incorporated the baptized partner. From this it is once again apparent that salvation in Christ, the communion with Christ, transcends married life.¹³

When one examines Paul's response in 1 Cor.7:12-15, it is apparent that he attributed a certain stability to these inter-faith ['Christian-pagan'] marriages because of that blessing which afforded such unions through the Christian spouse.¹⁴ In fact, Paul envisioned the Christian party as one confronted with a definite Christian apostolate: "to

¹² Schillebeekx, *ibid.*, pp.159-160.

¹³ *Ibid.*, pp.167-168.

consecrate in holiness the infidel spouse and their children through the presence and power of faith".¹⁵

As Smith points out, in resolving this particular problem in Corinth, Paul "exhibited a genuine concern for the well-being of the Christian partner and the stability of the correlative virtues of faith and peace. Concern for the person was concern for the faith and 'if one is faithful to God's call, one should not be forced to suffer the loss of the very peace that God's call promises.' Paul was caught in a certain dichotomy: the words of Christ forbid divorce but the call of Christ begets peace. In the resolution of alternatives, the Apostle opted for the value of Christian peace, the choice of concrete situation over commandment."¹⁶

It is interesting to note here that when advising those in inter-faith marriages, Paul does not speak about any 'validity' or 'sacramentality' of their marriages. Of course, we need to keep in mind that in the early Church there was no 'canonical form' as such [as we would understand it today!] to decide whether a marriage was 'valid' or 'invalid' or whether it was sacramental or not! This canonical form, especially for a marriage to be sacramental has to be between two baptized persons, was promulgated effectively, much later [after the Council of Trent] to check the rampant clandestine marriages.¹⁷

While the early Church recognized some sacredness of marriage, it did not give adequate expression to this basic posture. The earliest Christians, accustomed to marriage as a secular reality, attributed the sacredness of marriage to its very essence. St. Paul for instance, as we have seen above, rather than offering a clear definition of marriage as a sacrament, indicates its openness to the realm of salvation. In the early centuries Christian marriage was never withdrawn from its basic context as a secular event. Nevertheless certain questions peculiar to Christians accompanied a "marriage in the Lord". The works of the great Fathers of the Church, especially those of St. Augustine, as well as those of other early Christian writers, indicate that the primary direction of scholarship was toward meaning of the sacredness, the sacramentality of marriage. In time (11th century) the great Christian thinkers began to speculate on when exactly a marriage came into being, relating this to when and in what the sacramentality consisted.¹⁸

¹⁴ Robert J. Smith, "The Status of Mixed Marriages in the Corinthian Community" in Thomas P. Doyle (Ed.), *Marriage Studies: Reflections in Canon Law and Theology*, Vol.3, Washington: Canon Law Society of America, 1985, p.47.

¹⁵ Schillbeeckx, *ibid.*, p.161.

¹⁶ Smith, *ibid.*, p.48.

¹⁷ Cfr., George Hayward Joyce, *Christian Marriage: An Historical and Doctrinal Study*, London: Sheed and Ward, 1933, pp.107-115.

1.3. Inter-Faith Marriages in the Medieval Era

Although according to the prevailing opinion of this period, the inter-faith marriages were not regarded as 'sacramental' in the proper sense of the word, yet every marriage of its very nature was presumed to prefigure in a remote manner the union of the Son of God with human nature. Hence, we find in two-well known papal decretals the term sacramentum applied even to unions between the so-called 'pagans'.¹⁹ Thus, Joyce cites Pope Innocent III (1198-1216) as having written in 1201: "the sacred sign (sacramentum) of marriage exists both among the faithful and infidels".²⁰ Joyce also cites his successor, Pope Honorius (1216-1227) as having employed precisely similar words when he wrote: "the sacramentum of marriage exists not only among the Latins and the Greeks, but also both among the faithful and infidels".²¹

Along with many theologians of his time, Aquinas held that the bond of Christian marriage is, in virtue of its sacramental character, far stronger than that of a marriage contracted between unbaptized persons. The terminology he used was "believers" and "unbelievers". Commenting on 1 Cor.7:12-15, Thomas could write:

The marriage of unbelievers is imperfect, but the marriage of believers is perfect, and hence stronger. Always the stronger bond dissolves the weaker one if there is a clash between them. Therefore, marriage that is contracted afterward in the faith of Christ dissolves the marriage that was contracted earlier in unbelief. Therefore, marriage of unbelievers is not strong and it is not a fully confirmed/ratified bond. But it becomes such through the faith in Christ.²²

With Aquinas, the long and problematic development of the sacramentality of marriage reached its final resolution. There were dissenting voices concerning the efficient cause of marriage, the nature

¹⁸ Raymond C. Finn, "Faith and the Sacrament of Marriage: General Conclusions from an Historical Study", in Thomas P. Doyle (Ed.), *Marriage Studies: Reflections in Canon Law and Theology*, Vol.3, Washington DC: Canon Law Society of America, 1985, pp.95,96.

¹⁹ Cfr., Joyce, *ibid.*, pp.209-210.

²⁰ *Ibid.*, p.210.

²¹ *Ibid.*

²² S.Thomas Aquinas., *IV Sent.*, d. xxxix, q.I, art.5, ad I. *Matrimonium infidelium est imperfectum, ut dictum est. Sed matrimonium fidelium est perfectum, et ita est firmitus. Semper autem firmitus vinculum solvit minus firmum, si sit ei contrarium: et ideo matrimonium quod post in fide Christi contrahitur solvit matrimonium quod prius in infidelitate contractum est. Unde matrimonium infidelium non est omnino firmum et ratum: sed ratificatur post-modum per fidem Christi.*

of its sacramentality, whether or not it conferred grace...etc. Yet from the second half of the thirteenth century, the position that marriage was truly a sacrament and that it conferred grace was generally considered to be certain in the theological arena.

The Church accepted marriage as one of the seven sacraments only after the 12th century. That marriage is truly and properly one of the seven sacraments of the New Law instituted by Christ the Lord, as Catholic doctrine was officially defined in the Council of Trent.²³ However, the sacramentality of marriage had already been solemnly affirmed in the Council of Florence in 1439 in the bull of union of the Armenians, which fixed the number of the sacraments as seven.

The ecclesial position that has come down to us is based on the argument that since the ministers of the sacrament of marriage are the spouses themselves, in the case of a "disparity of cult", there is no sacrament, because no unbaptized person can be its minister.²⁴ One of the important theological debates in the 15th and 16th centuries, pertaining to our subject, is the dispute regarding whether an inter-faith marriage could be considered a sacrament that conferred grace on the spouses. The greater number of theologians followed Thomas Sanchez in maintaining that there was no sacrament for either of the spouses.²⁵ But there were others like Domenico Soto who contended that the sacramental grace is received by the baptized partner, though the other is incapable of receiving it.²⁶ Since the sacrament of Baptism can be conferred by a pagan, there does not, they urged, seem to be any reason why the same should not be true of the sacrament of matrimony.²⁷

That marriages between baptized persons have to be sacramental for their validity, and that their validity is determined by the canonical form, are of relatively recent origin. Their roots do not go back to beyond the 17th century, i.e., the controversies between the Church and the State to have jurisdiction over marriage. Under the influence of Gallicanism in France and Josephinism and Febronianism in Austria (beginning in the late 17th century) the Church's competency in matters of marriage was slowly eroding. Due to the excessive nationalism in society, the process of secularization was in progress. There emerged controversies between the Church's legislation and that of the State over marriage. It was as a response to these controversies, that the Church (especially the

²³ Council of Trent, session XXIV, c.1.

²⁴ See Dominic Charles Augustine, *A Commentary on the New Code of Canon Law*, Book iii, Vol. v, 1929, p.14.

²⁵ Joyce, *ibid.*, p.212.

²⁶ *Ibid.*

²⁷ *Ibid.*

Popes) came up with the doctrine that the sacrament of marriage and the marital contract between two baptized persons are inseparable.²⁸

An instruction of the Holy Office, given on December 12th 1888, contains the following historical information with regard to what we may call today, 'inter-faith marriages':

The early Councils forbade Catholics to marry both heretics and infidels, unless they embraced the orthodox faith. For instance, the Council of Laodicea (A.D. 343-381) decreed: 'It behooveth not to marry heretics, or to give sons and daughters to them; let them be accepted only if they promise to become Christians. In like manner the Council of Agatho (A.D. 506) declared: 'It is not befitting to join marriage with heretics, or to give sons and daughters to them; let them be accepted, if they promise to become Christians and Catholics'. And the Council of Chalcedon (A.D.451) says in the above mentioned canon: 'Let no marriage be contracted with a heretic, a pagan or a Jew unless the person who is joined to an orthodox believer promises that he will be converted to the orthodox faith.'"

The Instruction continues:

From all this...it is quite evident that mixed marriages are absolutely forbidden, and therefore our Holy Mother the Church has always rightly detested them and has tried to prevent the faithful from contracting them.²⁹

According to Haar this has been a constant teaching of the official Catholic magisterium:

These same laws continued in force during the middle ages, although it was not necessary to draw attention to them frequently, one reason being that heretics were comparatively few, and another reason being that both the canon and the civil laws prevented too intimate a friendship with such persons. When however, in the sixteenth century, Protestantism had spread over Europe, and intercourse between Catholics and Protestants became frequent, the synods and particular councils of those countries, and much more the Roman Pontiffs, deemed it their duty repeatedly to forbid and to condemn mixed marriages in the most emphatic and weighty terms.³⁰

Thus, up until the 20th century, we find a long line of Popes – Urban VIII, Clement XI, Benedict XIV, Clement XIII, Pius VI, Pius VII,

²⁸ For a detailed account of these controversies and how the reigning Popes responded to them, see Finn, *ibid.*, pp.96-97; 139-144.

²⁹ Gaspari, *Fontes Codicis Juris Canonici*, IV, p.442.

³⁰ Francis Ter Haar, "Mixed Marriages and their Remedies", New York: Fredrick Pustet Co. (Inc.), 1933, p.4.

Gregory XVI, Pius IX, Leo XIII and Pius XI – in their apostolic letters and exhortations given on various occasions, appealing to their flocks and their pastors, to avoid the danger of a “mixed marriage”.³¹

Finally, we may quote the words of Leo XIII in his encyclical *Arcanum* (1880):

Care must be taken that they do not easily contract marriage with those who are not Catholics, for when minds disagree about religious observances; it is scarcely possible to hope for agreement in other things. And the reason why persons should turn with dread from such unions is chiefly because they give occasion to a forbidden association and communion in religious matters, endanger faith of the Catholic party, are a hindrance to the proper education of the children, and very often lead to the erroneous belief that one religion is as good as another, by confounding truth with falsehood.³²

However, in the same encyclical, Leo XIII also re-affirms with his two early predecessors, Innocent III and Honorius III that a *sacramentum* exists in marriages of both the faithful and the infidels:

Marriage has God for its Author, and was from the very beginning a kind of foreshadowing of the Incarnation of His Son: and therefore there abides in it something holy and religious: not extraneous but innate: not derived from men but implanted by nature. Innocent III, therefore, and Honorius III, our predecessors, affirmed not falsely or rashly that the *sacramentum* of marriage exists both among the faithful and infidels.³³

1.4. What are the main reasons for the prohibition of inter-faith marriages?

In any social, ethnic or religious group, there is the inherent human tendency to close in especially when one confronts another of another group; this is most obvious in that most intimate of all human institutions, marriage. As such, we can well understand how a religious group of any given time in history, normally prefers that their members marry a person of the same group, rather than someone from outside the group. We already saw this with regard to Judaism in the Old Testament. But are there any special reasons for the Catholic Church

³¹ Cfr., Haar, *ibid.*, pp.4-12. This work of Haar, though very useful to understand the pre-Vatican-II Catholic mentality towards the inter-faith marriages, is mainly written from the point of Catholic-Protestant marriages [i.e., “mixed communion marriages”].

³² Gasparri, *Fontes*, III, p.166.

³³ Joyce, *Christian Marriage: An Historical and Doctrinal Study*, Op.cit., p.210.

to be weary about 'inter-faith marriages'?

In canon 1060 of the 1917 Code we read:

The Church most severely forbids everywhere marriages between two baptized persons, one of whom is a Catholic, and the other a member of a heretical or schismatical sect; and if there is danger of perversion of the Catholic party and of the offspring, such a union is also forbidden by the divine law itself.

In the same Code, Canon 1061 reads:

1. The Church does not dispense from the impediment of mixed religion unless:

- 1) There are just and grave reasons thereof;**
- 2) The non-Catholic party shall have given a guarantee to remove all danger of perversion from the Catholic party, and both parties shall have given guarantees to baptize and educate all the children in the Catholic faith alone;**
- 3) There exists moral certainty that the guarantees will be fulfilled.**

2. The guarantees are as a rule to be required in writing.

Thus, the obvious danger to the Catholic faith of the Catholic spouse as well as that of the children to be born, was the main reason for forbidding inter-faith marriages. Added to this reason were also two other reasons: the danger of loss to the Church of her members and the danger of syncretism of the religions of the spouses, which would end up in religious indifferentism. Almost all the Popes who condemned the inter-faith marriages during this period gave more or less the same reasons, as illustrated in the quotation above from Pope Leo XIII's *Arcanum* showed. That this was precisely the reasoning during the period prior to the Vatican -II can be seen by reading the following quotation from Pope Pius XI in his encyclical letter *Casti Connubii* (1930):

This religious character of marriage, its sublime signification of grace and the union between Christ and the Church, evidently requires that those about to marry should show a holy reverence towards it and zealously endeavour to make their marriage approach as nearly as possible to the archetype of Christ and the Church. They, therefore, who rashly and heedlessly contract mixed marriages, from which the maternal love and providence of the Church dissuades her children for very sound reasons, fail conspicuously in this respect, sometimes with danger to their eternal salvation.... If the Church occasionally on account of circumstances does not refuse to grant a dispensation from these strict laws...it is unlikely that the Catholic party will not suffer some detriment

from such a marriage. Whence it comes about not infrequently, as experience shows that deplorable defections from religion occur among the offspring, or at least, a headlong descent into that religious indifference, which is closely allied to impiety. Then this is also to be considered, that in these mixed marriages it becomes much more difficult to imitate by a lively conformity of spirit the mystery of which we have spoken, namely, that close union between Christ and His Church.

At this stage, we have to mention at least in passing, how the post-Vatican-II tradition looks at the reasons for not encouraging 'inter-faith marriages'.³⁴ In his *Motu Proprio* of 1970 regarding the "mixed marriages", Pope Paul VI expresses more or less the same fears of the Church regarding the threats to the faith of the Catholic party and to the faith of the offspring, as expressed in the pre-Vatican-II era.³⁵

Even on the verge of the new millennium, the Catholic Church still had a lot of misgivings about both mixed communion and disparity of cult marriages mainly for the same reasons as above, as is expressed in the *Catechism of the Catholic Church* (1992):

In many countries the situation of *mixed marriage* (marriage between a Catholic and a baptized non-Catholic) often arises. It requires particular attention on the part of couples and their pastors. A case of marriage with *disparity of cult* (between a Catholic and a non-baptized person) requires even greater circumspection. (No:1633)

Difference of confession between the spouses does not constitute an insurmountable obstacle for marriage, when they succeed in placing in common what they have received from their respective communities, and learn from each other the way in which each lives in fidelity to Christ. But the difficulties of mixed marriages must not be underestimated. They arise from the fact that the separation of Christians has not yet been overcome. The spouses risk experiencing the tragedy of Christian disunity even in the heart of their own home. Disparity of cult can further aggravate these difficulties. Differences about faith and the very notion of marriage, but also different religious mentalities, can become sources of

³⁴ One ought to take notice that almost nothing was said specifically about what we call here "inter-faith marriages" at the Second Vatican Council, especially, in the special section devoted to marriage in *Gaudium et Spes*, Nos:47-51.

³⁵ Cfr., Pope Paul VI, *Letterae Apostolicae Motu Proprio Datae: Norme de matrimonies mixtis statutuur*, AAS LXII:5 (30 Maii 1970), pp.257-263.

tension in marriage, especially as regards the education of children. The temptation to religious indifference can then arise. (No: 1634)

According to No:1635 of the same *Catechism*, the express permission in the case of 'mixed marriages' and the express dispensation in the case of 'disparity of cult', for the validity of such marriages, "presuppose that both parties know and do not exclude the essential ends and properties of marriage and the obligations assumed by the Catholic party concerning the baptism and education of the children in the Catholic Church".³⁶ Among other points one needs to notice here that there is a clear presumption that the Catholic party [by virtue of his/her baptism] is a 'practising believer', which is not the case in many a baptized person, especially in the western part of our world today. Most of them are 'nominal' Catholics.

PART 2 - SACRAMENTALITY OF INTER-FAITH MARRIAGES

2.1. The Role of faith in the Sacrament of Marriage

Since the crucial theological difference between the sacramental marriages and the so called "inter-faith marriages" is mainly to do with the faith of the recipient/s, I will now discuss very briefly the role of 'faith' of the recipient/s of the sacrament of marriage, especially in our contemporary world where we find many baptized nominal Catholics who freely receive the 'sacrament' of marriage under the prevailing juridical norms. If such people could receive validly the 'sacrament' as such, then, one cannot avoid the crucial question: what about the 'sacramentality' of the marriages of those baptized Catholics who get married to non-baptized Catholics? Even though such a marriage is not strictly speaking 'sacramental', yet can one rule out such a marriage as a channel of God's grace? Do not such marriages have some "sacredness" though they are not equal to sacraments?

In Catholic theology, a sacrament grants grace; it is an efficacious channel for grace. One of the essential elements for a sacrament to be what it is, is the faith of the recipients (at least a 'germ' of faith is presumed to be present!). The *Catechism of the Catholic Church* says that sacraments "presuppose faith" (No:1123), and that when they are "celebrated worthily in faith, the sacraments confer the grace that they signify" (No:1127). While re-affirming the cherished Catholic belief

³⁶ For a precise description of these obligations of the Catholic party, Cfr., *The Code of Canon Law* (1983), Nos.1125,1126.

of *ex opere operato*, the *Catechism* also emphasizes the necessity of a proper disposition of the recipient of any sacrament when it says:

From the moment that a sacrament is celebrated in accordance with the intention of the Church, the power of Christ and his Spirit acts in and through it, independently of the personal holiness of the minister. Nevertheless, the fruits of the sacraments also depend on the disposition of the one who receives them. (No:1128)

Thomas Aquinas held that a sacramental marriage contracted with a heretic is valid, although a marriage contracted with a catechumen having the true faith would not be of the same validity.³⁷ According to this distinction made by Aquinas with regard to the different types of marriages, i.e., marriages between two baptized persons (but both not necessarily Catholic, i.e., the mixed marriages) and the marriages between a Catholic and a non-baptized person (disparity of cult), it is precisely the element of faith that is decisive in making the very distinction! So, the sacrament of marriage, precisely, because it is a sacrament, requires the element of faith for that marriage to be what it is, i.e., an efficacious channel of grace.

So also, obviously it is faith of the recipients, which makes a crucial difference in the difference between a valid sacramental marriage of two baptized Catholics and the two types of inter-faith marriages, i.e., 'mixed communion' and 'disparity of cult'. [of course, here I presume 'baptized' to be a 'believer' just as the Church's tradition (esp. Canon Law) has done in her interpretation of the Pauline Privilege of 1 Cor.7:12-15].

This is most obvious if we seriously consider how the Church legislation looked at what we call today "inter-faith marriages" until fairly recently: the crux of the problem was the question of faith. Thus, ever since Pope Paul III instituted the Holy Office in 1542, those who contracted such "inter-faith marriages" were suspect in the faith or considered as favouring heresy. While it is true that the 1917 Code of Canon Law did not brand all those who contracted such a marriage as "suspected of heresy", still the old regulation regarding the Holy Office was ratified when Canon 247/3 stated that the Holy Office alone dealt with all that pertained to the impediments of both disparity of cult and of mixed religion marriages, and that Office alone was empowered to dispense in these impediments.³⁸ This point is further confirmed when one considers the canonical conditions attached to both 'permission'

³⁷ *Ad quintum decendum quod matrimonium sacramentum est, et ideo, quantum pertinet ad necessitatem sacramenti, requirit paritatem quantum ad sacramentum fidei, scilicet baptismum, magis quam quantum ad interiorum fidei.*

³⁸ Cfr., Haar, *ibid.*, p.28.

and 'dispensation' from the impediments of 'mixed communion' and 'disparity of cult', respectively. According to the 1983 Code, the Catholic spouse is expected not only to see to it that his/her Catholic faith is kept intact, but also to do everything possible to baptize the would-be-offspring [cfr. Canons 1125,1126 in the 1983 Code]. That it is the crucial element of faith [that of the Catholic spouse and that of the would-be offspring] which is at stake in inter-faith marriages is further confirmed by Pope John Paul II's extensive discussion on "mixed marriages" in his Apostolic Exhortation, *Familiaris Consortio*.³⁹ One of the well-known moral theologians of our times, Karl Peschke, too, believes that inter-faith marriages "often cause detriment first of all to the faith", especially when the two spouses have strong religious convictions of their own.⁴⁰

So, it was the recipients' faith that played the crucial role in determining the lawfulness/validity of such marriages. As such, now I would go on to examine very briefly, the role which the faith of the recipients, play in the sacrament of marriage. If an inter-faith marriage is distinguished [as first distinguished by Thomas Aquinas and other medieval theologians, as mentioned above] by the crucial fact of the recipients' faith or lack of faith, well, we are into some serious theological and pastoral problems today, given the fact that most of the Catholics, mostly in the developed part of the world, are not practicing their faith; they are 'nominal' Catholics! Most of them go through the ritual of a 'Church-marriage', mainly to follow a prevailing custom or/and to please relatives, especially parents. If they can receive the sacrament of marriage by the mere fact of having been baptized at some point of their lives, though they now have no faith in the Church as such or in what the Church intends in the sacrament of marriage, then, one wonders whether the sacrament of marriage is really conferred/received as envisaged [and presumed!] by the Church tradition! However, the practice in the Church [especially in a juridical sense] up until now seems to be to take it for granted that the mere fact of having been baptized at some point in their lives makes them confer on each other a valid sacrament of marriage which efficaciously confers grace on each other. If so, what about the non-baptized person (who has no faith) marrying someone who is baptized [let's say, a baptized who has full faith in the Church and in what she does]? Is there a difference between such a marriage as in the latter case [which is an 'inter-faith marriage'] and in a marriage between people who are 'nominally' Christian but do

³⁹ See Pope John Paul II, *Familiaris Consortio*, 1981, No:78.

⁴⁰ Karl H.Peschke, *Christian Ethics: Moral Theology in the Light of Vatican II*, Vol.II (Revised Edition), Bangalore: Theological Publications in India, 1992, p.495.

not believe in what the Church teaches, especially when it comes to the question of efficacious conferring of grace to each other?

The important question of the role of faith of those recipients of the sacrament of marriage, who are only 'nominally' Christian, was also the subject of discussion at the Synod of Bishops on Family in 1980. That Synod gave almost unanimous support (201 *placet* and 3 *non placet*) to the following proposition:

We have to take into account the engaged couple's degree of faith maturity and their awareness of doing what the church does. *This intention is required for the sacramental validity.* It is absent if there is not at least the minimal intention of believing with the church.⁴¹

As the International Theological Commission study entitled "Propositions on the Doctrine of Christian Marriage"⁴² said, today, the faith-situation of baptized persons is anything but clear, and the Church and its theologians acknowledge two kinds of baptized: believers and non-believers. The two are distinguished theologically on the basis of the presence or absence of active personal faith. They must, never, therefore be equated in law as easily as the Code of Canon Law equates them.⁴³ Lawler is forthright in saying:

In any given case, of course, the active faith or nonfaith of a baptized person will not be easy to ascertain. No amount of legal presumption, however, will supply for the lack of active faith and consequent lack of sacramentality...Marriage becomes a sacrament not because of some juridical effect of baptism, but because of active faith of the couple. Those who marry without active Christian faith, be they ever so baptized, marry also without Christian sacrament. Elaboration and demonstration of that assertion follows from a brief consideration of the adjective "Christian".⁴⁴

⁴¹ It is important to note here that in his post-Synodal Exhortation, Pope John Paul II instructs pastors that they cannot admit to the sacrament of marriage those baptized persons who "in spite of all efforts,...show that they reject explicitly and formally what the Church intends to do when the marriage of the baptized persons is celebrated...". Cfr., *Familiaris Consortio*, No:68. In our Asian contexts, sometimes, the vice-versa is true, i.e., the non-baptized person may have the intention to do what the Church does in the sacrament of marriage! So, once again, the crucial question arises: in what way does a marriage between two baptized differ from that of a baptized and a non-baptized?

⁴² Cfr., International Theological Commission, "Propositions on the Doctrine of Christian Marriage" in Richard Malone and John R. Connery (Eds.), *Contemporary Perspectives on Christian Marriage*, Chicago: Loyola University Press, 1984, pp. 15, 19-21; also *Origins* 8:15 (Sept.28, 1978), 235-239.

⁴³ Michael Lawler, *Marriage and the Catholic Tradition: Disputed Questions*, Collegeville (Minnesota): The Liturgical Press, 2002, p.51.

⁴⁴ *Ibid.*

Lawler goes on to make his point more elaborate when he writes:

Theologians do not doubt, even today, that sacrament and marriage inter Christifideles are identical. Their doubt focuses on marriage inter infidels, including infidels baptizatos. They judge that Christifideles implies “an attitude of vital, no matter how minimal, congress with the community of believers”, and that baptism, therefore, “without any faith-commitment, is inadequate as the basis for the sacramentality of marriage.”⁴⁵

According to Canon 1055/2, a baptized person ought to get married only and only according to the canonical form prescribed by the Church; or else, such a marriage is invalid in the eyes of the Church. This is a juridical development that arose in the post-Tridentine period, especially from the 18th century onwards in the Papal efforts to control their authority over marriage, against the secular states in Europe. But it is precisely this Canon, which logically leads to the conclusion that a mixed-marriage is invalid, unless of course, a dispensation is obtained for the lack of canonical form! So, here is another crucial point: the investigation of whether the assertion of canon 1055/2 holds theological depth.⁴⁶ Pastorally, it badly lacks credibility; theologically too, it is badly wanting; only juridically [that too, the juridical development since 18th century!] it could hold ground. If so, cannot the Church re-consider this canon 1055/2?

The Councils of Florence and Trent, and the repeated affirmations of theology, insist that the minister of a sacrament must enhance at least the generic disposition to do what the Church intends. Since the sacrament of marriage is by its very nature reserved to adults (unlike the sacrament of baptism), it necessarily follows that the intentionality must respect marriage as a sacred as well as a social reality. Moreover, since marriage is a unique sacrament – it is both an *officium naturae* and a sacramentum – sacramental marriage must be possessed of a distinctive significance and effectiveness.

Thus at least a minimum germ of saving faith should be active for the sacrament to be realized. St. Bonaventure insisted that it is only in faith that the sacramental dimension of marriage could be discerned

⁴⁵ *Ibid.*, 58.

⁴⁶ According to the internationally eminent Canon Law specialist, Ladislav Örsy, the ordinances of Canon Law must follow the confirmed insights of moral theology, and not vice versa. For a detailed discussion of this thesis, see Ladislav Örsy, *Theology and Canon Law: New Horizons for Legislation and Interpretation*, Collegeville (Minnesota): The Liturgical Press, 1992, pp.119-138.

⁴⁷ *St. Bonaventure, Commentarium in quatuor libros sentiarum*, (ed. Quaracchi, 1889), IV, d.29, a.2, q.1. *Sunt et alia, quae quodam modo ab instinctu naturae sunt – est matrimonium, in quo est maris et feminae coniunctio....partem a fide, scilicet quod illa coniunctio significant coniunctionem Dei et anima.*

and distinguished.⁴⁷ For the Seraphic Doctor, the sacramentality of marriage was realized in this context of living faith, and he required a proper intentionality, viz., being united in charity for the procreation of children, for the purpose of divine worship, in sacramental marriage.⁴⁸ St. Albert the Great also saw the need for a defined expression of faith in order to realize the sacrament of marriage. The peculiar note of marriage as being *officium naturae* and sacramentum required a more active involvement on the part of the parties to marriage. The activity of the recipients is essential for its perfection, and hence its efficacy is not merely *ex opere operato* but also *ex opere operantis*.⁴⁹ Marriage demands a personal and moral decision. Because of its peculiar complexion –existing independently from the Christian dispensation as an *officium naturae* and within the New Law as a sacramental reality – the personal affirmation and recognition of its sacramental dimension is required.

So, even the great scholastics such as Sts. Albert, Bonaventure and Thomas Aquinas who were not directly involved in the precise problem of separability of the contract and the sacrament [which became a serious issue only from the 18th century], demanded a proper intentionality on the part of the spouses to sacramentalize marriage. The Councils of Florence and Trent insisted on a proper intentionality of the minister of a sacrament as an absolute requisite to effect a sacrament. Since the spouses themselves minister the sacrament of matrimony, and thus are acting on the level of instrumental causality, a virtual intentionality to sacramentalize must be operative. Such an intention is inconceivable outside some association with the community of faith, no matter how impoverished and vague that association might be.⁵⁰

The Constitution on Sacred Liturgy, of Vatican-II says in no: 59 that the sacraments “not only presuppose faith, but by words and objects they nourish, strengthen and express it. That is why they are called sacraments of faith”. This same view is expressed later by the document *Ordo celebrandi matrimonium* which was promulgated by the Apostolic See on 19th March 1969: “Pastors should first of all strengthen and nourish the faith of those about to be married. The sacrament of matrimony presupposes and demands faith.” [No:7]

⁴⁸ Ibid., d.26, a.2, q.2. *Sed nunc tempore legis novae non tantum praestat illud remedium, sed etiam aliquod gratiae donum digne suscipientibus, utpote his qui ex caritatis consensus uniuntur ad procreandum prolem ad divinum cultum.*

⁴⁹ St. Albert, *Commentarium in IV Sententiarum* (Paris, 1894), d.26, a.14, q.1.*de eo quod est sacramentum et officium qui in illo est actus personalis et moralis et civilis, qui etiam fuit ante novam legem, et non trahit vim ab opera operato tantum, sed etiam ab opera operantis.*

⁵⁰ Finn, *ibid.*, p.108.

Our investigation prompts us to propose that section two of canon 1055 of the 1983 Code remains open to further discussion and investigation. In the Code of 1917 as well as that of 1983, there is an identification of the sacrament and the contract. But, as noted above, this identification is of recent origin; its appearance in the Tradition is not more than 300 years old! It is the direct result of the political conflict between the State and the Church to have jurisdiction over marriage. Pius IX and Leo XIII were the Popes who got directly involved in the polemics with the State in finally arriving at this identification. But, in reality, has every marriage between a baptized and a non-baptized got to be a sacrament for its validity, as is mentioned by Canon 1055, art.2 of the present Code of Canon Law? Not only pastoral reasons, but also a theological and canonical investigation of the sources of this Canon 1055/2, converge to counsel a broader perspective in which the question of identity of contract and sacrament may be addressed.⁵¹

On this same point, Thomas Rincón raised the question at stake in a very poignant way:

It is true that if the ecclesiastical legislator decided to eliminate the requisite of the form, returning to the situation prior to Trent, marriages between the nonbelieving or nonpracticing baptized would in principle, and saving the other essential requirements, be valid and sacramental. Neither objectively nor subjectively would such unions be qualified as irregular or as concubinage.

Would the possible good of some people – though these may by many – justify a change in the Tridentine discipline? Would the ecclesial good identifiable with the salvation of souls be protected by these means? Would a simple form for liceity consequently suffice?⁵²

In this regard, Raymond Finn's conclusion is of help for us:

Our present legislation as manifest in canon 1055/2 continues to favour an absolute identity between contract and sacrament, validity and sacramentality. We would suggest that such identification, while it may be normative, need not be absolute. In a marriage between the faithful the sacrament of marriage incorporates the natural contract into itself and the total reality becomes sacramentalized. This is normative in the marriage of Christians. However, per accidens or by way of

⁵¹ Ibid., pp.109-111.

⁵² Tomás Rincón, "Doctrinal Implications of Civil Marriage between Catholics", in Thomas P. Doyle (Ed.), *Marriage Studies: Reflections in Canon Law and Theology*, Vol.3, Washington DC: Canon Law Society of America, 1985, p.122.

exception it can so happen that baptized persons may contract marriage without any reference to its sacramental being.

The present disposition of the law enunciated in canon 1055/2 imposes sacramentality upon all baptized persons. It equates baptism and faith and fails to provide adequately for the intentionality required of the minister of the sacrament. For the Christian believer such an imposition is not necessary; one would naturally embrace the sacrament.⁵³

In view of the pastoral problems raised in recent decades about the baptized Christians who do not have faith, receiving the sacrament of marriage, the statement of theses issued by the International Theological Commission [ITC] in 1978 is useful.⁵⁴ On the one hand, the ITC reaffirms the traditional Catholic doctrine that marriage, as all other sacraments “ultimately confers grace in virtue of the action of Jesus Christ performing it and not only through the faith of one receiving it”. However, it continues: “faith is presupposed as a dispositive cause of the fruitful effect of marriage but validity does not necessarily imply the fruitfulness of marriage”. On the other hand, the ITC perceived the difficulties posed by the lack of intention to do what the Church does, on those Christians who do not have any vestige of faith:

Ultimately the true intention is born from and nurtured by a living faith. Therefore where there is no vestige of faith as such...and no desire for grace and salvation is found, then a real doubt of fact arises, whether the above-mentioned general and truly sacramental intention is present, and whether the marriage contracted is valid or not. As it was noted, the personal faith of the contractants does not constitute the sacramentality of matrimony, but without such personal faith the validity of the sacrament is weakened.

As already mentioned, because of its peculiar history, the Catholic understanding of the relationship between the sacrament of marriage and the contract, unfolded within a peculiarly and predominantly juridical and polemical context, even at the expense of some rich theological and personal values on marriage which we find in the Bible and the Tradition. Even though the Second Vatican Council in its rich theology of marriage made an unprecedented daunting effort to recover those theological values [Cfr., GS 47-51], the overwhelming juridical-canonical influence of ecclesiastical history has not allowed

⁵³ Ibid., p.110.

⁵⁴ For the Latin version of the theses of the International Theological Commission, see “Propositiones de quibusdam questionibus ad matrimonium Christianum pertinentibus”, *Gregorianum* 78 (1978), pp.453-464. The English version of the same theses were published in *Origins* 8:15 (September 28, 1978), pp.235-239.

those theological values to come to the fore in Catholic theology even after some four decades of the Council. The 'new' Code of Canon Law of 1983 speaks of marriage by repeating the same canonical-juridical formulae as if the Council never made any conscious effort to highlight the theological, personal values of marriage. The radical changes envisaged and realized in the theology of marriage in the conciliar document of *Gaudium et Spes* hardly appear in the 1983 code.

2.2. A few crucial factors which compel a re-thinking about Church's teachings on inter-faith marriages, in the light of her rich Tradition

I will wind up by enumerating a few relevant factors that compel us to re-think not only our pastoral practice on inter-faith marriages, but also the very theology, which is at the base of such practice:

1. A re-thinking on the sacrament of marriage in general, and on inter-faith marriages, in particular, has not been done even after the Second Vatican Council, though the very basics of Catholic theology of marriage were radically changed at the Council.
2. The Church needs to liberate herself from the excessive clutches of Canon Law [juridical sense] that have ignored the rich biblical and theological Tradition of the Church, especially with regard to marriage, and move towards a sound theology of marriage based more on the teachings of the Bible, the Catholic Tradition and the Second Vatican Council. At the moment, we in the Catholic Church have put ourselves into a sort of a Canonical straightjacket which does not give us the sufficient freedom to search for an adequate theological or pastoral response to the phenomena of inter-faith marriages.
3. The signs of the times have changed, i.e., pluralism of religions in our contemporary world, salvific values of other religions, the need to co-exist, respect and work harmoniously with other religions, etc. [all these are officially accepted by the Church]
4. The Catholic Tradition on marriage as a whole has gone through a lot of changes with changing times, according to the pastoral needs. This should be an encouragement for us, especially for the magisterium together with their theologians, to re-think our theology of marriage and work towards a vibrant theology that includes inter-faith marriages and those who enter them, into a dignified, respectable recognition of

what they really are.

5. Given our overwhelming multi-religious context in Asia, a re-thinking of the Church's theology and pastoral practice of marriage, especially with regard to inter-faith marriages, is a crying need for us in the Asian Churches. Our own first-hand Asian experiences with regard to couples that are already in inter-faith marriages [which are not always detrimental to faith] need to be taken as a theological resource in this regard.
6. The blind, automatic identification of a 'baptized person' with a 'believer' and a 'non-baptized person' with a 'non-believer' is **not valid always**, especially in our contemporary world. As such, a prominent place ought to be given to the role played by the crucial element of faith in the sacrament of marriage, not in an abstract general way, but on a case-to-case basis in the pastoral field.
7. Moreover, one may argue that Paul's distinction in 1 Cor.7 involved a difference between marriage among the baptized and the non-baptized; thus, by implication at least, creating a basis for the Church's different treatment of sacramental and non-sacramental marriages. But as MacRae explains: "It is not the nature of marriage which determines its permanence, but the commitment of the partners".⁵⁵ Himes and Coriden explain this point further:

If the non-Christian partner is willing to work at the marriage the Christian must do so as well. For Paul the marriage before conversion is as lasting as the marriage after conversion as long as the partners have the right disposition. It is not the marriage that changed but the partners. The so-called Pauline Privilege whereby a distinction is made regarding nonsacramental marriages is a decision by the later Church not the Apostle to the Gentiles.⁵⁶

B. Conclusion

It is extremely important here to point out that we have no intention whatsoever of proposing the so-called "inter-faith marriages" as the

⁵⁵ As cited by Kenneth R. Himes and James A. Coriden, "The Indissolubility of Marriage: Reasons to Reconsider", *Theological Studies*, 65 (2004), p.469.

⁵⁶ Himes and Coriden, *ibid.*

ideal marriages to be entered into. We are aware that as the Catholic Tradition has very correctly held all throughout that there are obvious dangers to the faith of the Catholic spouse and that of the would-be offspring, in some inter-faith marriages. This is very true of those marriages in which a Catholic marries a fundamentalist of any religion [including Christian fundamentalists]. However, there are also inter-faith marriages in which the Catholic spouse has not only preserved his/her faith but also has been successful in raising a good, practicing Catholic family. Our main aim in this paper had been to point out that whether we like it or not, inter-faith marriages have come to stay in good numbers, in our contemporary world, not only in non-Christian continents like Asia, but also elsewhere, thanks to the contemporary phenomena of immigration and globalization. Consequently, our aim in this paper has been to point out that today we in the Church need to find an adequate theological and pastoral response not 'outside of' nor 'in spite of' this lived reality of inter-faith marriages, but 'within' this very lived reality of inter-faith marriages. Of course, this would call for a paradigm shift [within the contours of the Catholic Tradition] in perceiving the phenomena of inter-faith marriages.

As such, the above reflections on the Catholic Tradition of inter-faith marriages were meant to shed some light on the crying need to re-think and work towards constructing a contemporary theology of inter-faith marriages, especially in view of the 'signs of the times' of our diverse contemporary realities. We need a paradigm-shift in our very theological, canonical and pastoral perceptions of inter-faith marriages. It is in this sense that we propose that both the theological reflections, Canonical stipulations and the pastoral practice of marriage as a sacrament in general, need to be re-thought in the light of the rich Catholic Tradition; Canon Law ought to follow theological reflection, and not vice versa. This becomes all the more urgent, in view of a few connected problems in the Tradition and the ever-changing 'signs of the times'.

In the second part of our above reflection, we also tried to raise the troubling but closely linked crucial question: "if the marriages of those baptized 'nominal' Catholics are recognized as valid sacramental marriages [as is done at present by Canon Law], then, what about the status [especially with regard to its grace-giving "sacramental" nature] of the so-called "inter-faith marriages"? In our complex, multi-religious contemporary societies, can we make a neat and clear-cut identification of all the 'baptized' as 'believers' and all the 'non-baptized' as 'non-believers'? In our diverse contemporary religious contexts matters become even more complicated. One needs to carefully note that what we are aiming at here is not to convince the reader that all "inter-

faith marriages” too, ought to be regarded as ‘sacraments’! Rather, our main preoccupation is to seriously consider whether such inter-faith marriages, too, do not confer some sort of ‘sacramental grace’ [as acknowledged by the magisterial hierarchy at different epochs of the Tradition], albeit in a different degree to that conferred by a valid sacramental marriage as understood by the Tradition. It seems that it was precisely such a presumption in favour of “inter-faith marriages” that prompted the Final Statement of the last Plenary Assembly of the *Federation of Asian Bishops’ Conferences* (FABC) in Daejeon, South Korea, in August 2004 to say:

When we abstract from the uniquely Christian particularities of our reflection and view marriage, the family and human relationships within the family from the perspective of the Reign of God, a new and significant dimension is added. We discover that ecumenical and inter-religious marriages and families analogously and truly share the values of covenant life, communion, solidarity, complementariness and mutuality of self-giving. For this reason, the Christian partner brings in to the covenant of marriage and family the distinctive riches of his/her beliefs while growing together and journeying together with the other partner and their children towards the reign of God. [No:74]

If this understanding of ours is correct, then, it needs to be officially recognized with all the ensuing theological, pastoral and Canonical implications. For this, we need a careful, thorough study of the issues at stake, in the light of our rich Catholic Tradition on marriage, and also an encouraging openness to such studies on the part of the hierarchical magisterium [both universal and local]. On his part, the present Pope has shown such openness. Addressing a group of priests in northern Italy just a couple of months after his election as Pope, Benedict XVI referred to what he called “the painful situation” ‘of those who were married in the Church, but were not really believers and did so just for tradition’.⁵⁷ The Report went on to say:

When he was Prefect of the Congregation for the Doctrine of the Faith, the Pope said, he had asked several bishops’ conferences and experts to study the problem, which in effect was “a sacrament celebrated without faith”. He had thought that the church marriage could be considered invalid because the faith of the couple celebrating the sacrament was lacking. “But from the discussions we had, I understood that the problem was very difficult”, and that further study was necessary, the Pope said.⁵⁸

It is in the same spirit of openness to further study and theological

⁵⁷ As reported in *The Tablet*, 5 November 2005, p.28.

⁵⁸ *Ibid.*

investigation as evinced by the Holy Father on this issue that the writer penned down the above thoughts with regard to the role played by the faith of the recipient in the sacrament of marriage. Such openness is crucial for understanding the true nature of 'inter-faith marriages'.

II. THE PASTORAL RESPONSE OF THE CHURCH TO THE CHALLENGES OF INTER-FAITH MARRIAGES - *Rev. Clarence Devadass, STD*

The challenge of inter-faith marriages is one that we are encountering more and more these days in a region where in most places the Catholics are a minority. In a pluralistic society like Asia, men and women of different racial, religious, and ethnic backgrounds encounter one another on a daily basis. From these encounters, it is common for people of these different backgrounds to fall in love, enter into marriage, and establish families. There are no official statistics to show the percentage of inter-faith marriages in Asia. For example, in Malaysia alone, where Catholics are only about 2% of the total population, between 60 and 70% of the marriages celebrated in the Catholic churches in Peninsular Malaysia, are "inter-faith" marriages, by this I mean either mixed marriages or of disparity of cult. I am sure that in other Asian countries as well, the percentage of inter-faith marriages is on the increase.

The rise in inter-faith marriage brings with it new challenges to the Church, and more specifically, to pastors who have to deal with these situations directly. The uniqueness of every inter-faith marriage makes it difficult for the universal Church and also the Episcopal conferences to draw up standard guidelines that all can follow. Therefore, pastors are compelled to rely on their wisdom and experience when handling delicate issues related to couples of inter-faith marriages and their families.

We acknowledge that inter-faith marriages are on the increase, not because people are less committed to their religious traditions, but because the social realities have changed in recent decades, making such marriages unavoidable. Therefore, we need to re-look at our pastoral approaches and attitudes towards inter-faith marriages.

This paper aims to look at some possible responses the Church can make in meeting the challenge of inter-faith marriages. It is impossible to look at all possible avenues because it would be unfair on my part since each of your dioceses has its own uniqueness but I shall attempt to highlight some salient issues that may be common to all for our reflection and hope to stimulate some fruitful discussion.

This paper makes much reference to the Code of Canon Law since the Code has much to say on this topic. Thus, the pastoral responses that we wish to attempt have to be within the ambit of the law that we have in the present form. Therefore, I do not claim to have all the answers to the challenges that inter-faith marriages bring, but my hope is that we will begin to think about and reflect on some of the difficulties couples are faced with when they approach their pastors before entering into marriage, especially inter-faith marriage.

In the light of Canon 1063, I have divided this paper into three (3) parts.

Can. 1063 Pastors of souls are obliged to take care that their ecclesiastical community offers the Christian faithful the assistance by which the matrimonial state is preserved in a Christian spirit and advances in perfection. This assistance must be offered especially by:

1/ preaching, catechesis adapted to minors, youth, and adults, and even the use of instruments of social communication, by which the Christian faithful are instructed about the meaning of Christian marriage and about the function of Christian spouses and parents;

2/ personal preparation to enter marriage, which disposes the spouses to the holiness and duties of their new state;

3/ a fruitful liturgical celebration of marriage which is to show that the spouses signify and share in the mystery of the unity and fruitful love between Christ and the Church;

4/ help offered to those who are married, so that faithfully preserving and protecting the conjugal covenant, they daily come to lead holier and fuller lives in their family.

Canon 1063 emphasises the importance of pre-marriage preparations, the actual celebration and the post-marriage care. The document "Preparation for the Sacrament of Marriage" (1996) by the Pontifical Council for the Family states that "Christian marriage preparations can be described as a journey of faith which does not end with the celebration of marriage but continues throughout family life" (#16).

It is in this light that I have taken the liberty to offer my reflections in three parts based on the three distinct stages in the Sacrament of Matrimony. Firstly, I shall look at the **Pre-Marriage Stage**; secondly, the **Marriage** itself; and finally, the **Post-Marriage Stage**.

A. Pre-Marriage Stage

At the pre-marriage stage, we can identify the remote, proximate, and immediate preparations. Remote preparations can take place as early as infancy since children can form concepts of marriage from within their own families. Formation can be at different levels. My focus here is the proximate and immediate preparations for marriage, which I believe are more relevant to our discussion.

Canon 1063 § 2 emphasizes the importance of the proximate preparation for those intending to enter into marriage. In most of our dioceses, we have some form of marriage preparation programme. This preparation may vary in terms of its content and duration but there is some form of proximate preparation.

The document "Preparation for the Sacrament of Marriage" (1996) states that preparation for marriage should include: "instruction regarding the natural requirements of the interpersonal relationship between man and woman in God's plan for marriage and family: awareness regarding freedom of consent as the foundation of their union, the unity and indissolubility of marriage, the correct concept of responsible parenthood, the human aspects of conjugal sexuality, the conjugal act with its requirements and ends, and the proper education of children (#35).

For instance, the *Evenings for the Engaged* programme, one among the many programmes we find being used, is structured in the following manner, and sometimes it is adapted to local needs:

- | | |
|--------------|---|
| ◀ Week One | - Looking at Marriage Today |
| ◀ Week Two | - Ways to Communicate Love |
| ◀ Week Three | - Marriage as a Covenant |
| ◀ Week Four | - Sexual Expression of Married Love |
| ◀ Week Five | - The Sacrament of Matrimony |
| ◀ Week Six | - The Journey Ahead; Directions and Detours |

Making it compulsory for couples intending to enter into marriage to participate at programmes similar to the one mentioned above is easy when both couples are receptive to the idea of having some form of preparation. In cases of inter-faith marriages, there may be situations where the non-Catholic party may refuse to take part in any form of marriage preparation initiated by the Church. There have also been instances where the non-Catholic partner is keener than the Catholic partner.

This leads us to the question: Is the preparation of marriage that is conducted in the form of a formal course/programme indispensable?

Commentators are of the opinion that *Canon 1077 § 1* could be used to delay a marriage until the couple is considered ready.⁵⁹ However, what is clear is that some form of preparation, either personal or group, is required but not necessarily a particular programme.

In cases of inter-faith marriages where the requirement of participation in some programme may cause tension within the non-Catholic, pastors or any other assigned person can take the initiative to prepare the couple for marriage.

What is clear is that the preparation for marriage as required by *Canons 1063 § 3* must dispose the spouses towards holiness and the duties of their new state (cf. *Preparation for the Sacrament of Marriage*, #35).

The above statement would certainly imply that any form of preparation must include the Catholic understanding of marriage. A purely secular form of preparation, or a preparation initiated by another religious tradition is excluded. It cannot be an either or situation in terms of the choice of preparation. For the Catholic who chooses to be married in the Catholic way has to participate in some form of preparation initiated by the Catholic Church to bring to consciousness Catholic understanding of the ends of marriage. However, in the pastoral setting of a pluralistic society, Catholics entering into inter-faith marriages could be encouraged, if they exist, to participate in other forms of marriage preparation organised by the religious tradition of the future spouse.

In this light then, the local Church has to re-look at the marriage preparation programmes. Most of these programmes are geared towards preparing Catholic couples for marriage and many of these programmes seem to imply a certain level of understanding of the Catholic faith. In my experience, I have found that the language used in some of these programmes is difficult even for “cradle Catholics” to understand. It would be a mammoth task for the pastor or for the animating couple to help those who are of a different religious tradition to understand and digest the presented material. For example, how do we explain marriage as a covenant, or even as a sacrament, to those of a different religious background?

We need to develop/tailor programmes that would be sensitive to the religious traditions of other believers. As much as we insist that the non-Catholic know the Catholic understanding of the duties and ends of marriage, it would also be proper, in the spirit of inter-faith

⁵⁹ J. Huels, “Preparation for the Sacraments: Faith, Rights, Law,” *Studia Canonica* 28 (1994), 56-57. See also John P. Beals, James A. Coriden, Thomas J. Green (Eds), *New Commentary on the Code of Canon Law*, The Canon Law Society of America (2000), 1263.

marriages, that the Catholic partner takes the initiative or be given the opportunity to know the rights, duties, and ends of marriage as stipulated in his/her partner's religion. Perhaps our programmes could offer such a possibility of incorporating these aspects into the programme. It is the local ordinary who should ensure that fitting preparation be given for couples preparing for inter-faith marriages (cf. *Can 1064 - It is for the local ordinary to take care that such assistance is organised fittingly, after he has also heard men and women proven by experience and expertise if it seems opportune*). The experience and expertise of "inter-faith couples" can be of valuable assistance in providing preparation for those preparing for such marriages.

Can 1063 § 3 states: *personal preparation to enter marriage, which disposes the spouses to the holiness and duties of their new state*. This poses a challenge to the Church in terms of the programme itself because more often than not, Catholic couples and inter-faith/inter-church couples attend the programme together. How do we deal with the uniqueness of every situation encountered by inter-faith couples?

In the immediate preparation, i.e., the final stage before the wedding takes place, couples preparing for marriage should "review all they have learned and receive spiritual and liturgical preparation".⁶⁰ This provides an opportunity to the pastor to dialogue and also instruct the couples in a more personal way. The *Pre-nuptial Inquiry* and in cases of inter-faith marriages, the application for dispensation for marriages of *disparitas cultus* (disparity of cult) or permission for mixed marriage from the local ordinary is made and in some instances, the application for dispensation from canonical form, can be a moment of grace to inform the couples on the properties and ends of a marriage as understood by the Catholic church.

In the period leading up to inter-faith marriages, there is also a great opportunity for pastors to prepare families of the inter-faith couple to accept a person of another faith into the family. Many inter-faith couples experience a strain in relationship with their immediate family especially when someone from a staunch Catholic tradition or from a prominent Catholic family decides to enter into marriage with a person of another faith. These families are at times disappointed with the choices made by their sons/daughters in desiring to start a family with someone of another faith. Families have difficulties in accepting this new situation.

Pastors can play an important role in helping families accept these new situations. In this sense, preparation need not only be focused on

⁶⁰ John P. Beals, James A. Coriden, Thomas J. Green (Eds), *New Commentary on the Code of Canon Law*, The Canon Law Society of America (2000), 1263.

the couples preparing for marriage, but also directed to the families, especially of the Catholic and even the non-Catholic, if they are receptive to the idea.

B. The Marriage

The Catholic marriage rite as we have it today dates as far back as 1969 (ICEL text). With the dawn of the 1983 Code of Canon Law, it is clear that the Catholic marriage rite has neither been changed nor modified in accordance with the spirit of the present Code.

The 1983 Code states that the local ordinary can give permission for inter-faith/inter-church marriages if there is a just and reasonable cause. *Can. 1125* states the conditions in which the local ordinary can grant dispensation for such marriages.

Can. 1124 Without express permission of the competent authority, a marriage is prohibited between two baptized persons of whom one is baptized in the Catholic Church or received into it after baptism and has not defected from it by a formal act and the other of whom is enrolled in a Church or ecclesial community not in full communion with the Catholic Church.

Can. 1125 The local ordinary can grant a permission of this kind if there is a just and reasonable cause. He is not to grant it unless the following conditions have been fulfilled:

1/ the Catholic party is to declare that he or she is prepared to remove dangers of defecting from the faith and is to make a sincere promise to do all in his or her power so that all offspring are baptized and brought up in the Catholic Church;

2/ the other party is to be informed at an appropriate time about the promises, which the Catholic party is to make, in such a way that it is certain that he or she is truly aware of the promise and obligation of the Catholic party;

3/ both parties are to be instructed about the purposes and essential properties of marriage, which neither of the contracting parties, are to exclude.

In short, the conditions that need to be fulfilled are (1) the Catholic party will remain steadfast to his/her Catholic faith and do all within his/her power to baptize and brought up in the Catholic tradition;

(2) the non-Catholic party is aware of the obligation of the Catholic party; and (3) the purposes and ends of marriage are made known and accepted by the couple.

The third question in the rite as we have it, “Will you accept children lovingly from God and bring them up according to the law of Christ and his Church?” does not seem to be in the spirit of the 1983 Code. The Code only states that the non-Catholic partner is made aware of the obligation placed on the Catholic partner. The manner in which he/she is informed to the obligation is not clearly stated. The Code (*Can 1125§2*) only states that the non-Catholic partner *be informed in good time*. Therefore, in some dioceses, the non-Catholic party may be informed verbally, while in other instances, he/she may be required to sign a document indicating that he/she is aware of the obligation by the Catholic partner. “In keeping with the conciliar teaching and evolution of legislation after the Council, no promises or undertakings are required of the non-Catholic party... This is a further acknowledgment of the non-Catholic party’s equal rights within the marriage.”⁶¹

In this instance, the question posed within the Catholic marriage rite seems to twist the arms of the non-Catholic party to have the children they may have be baptized and brought up in the Catholic faith, even though this is not a requirement. One may argue that the laws of Christ and the Church are universal values, and that these values are based on natural law. But the question does not seem to give such an understanding. However, the rubric in the marriage rite states that this question may be omitted if the couple is advanced in years. This goes to show that this question does not form an absolute part of the rite of marriage. Therefore, is there a possibility that pastors may also omit this question in cases of inter-faith marriages? Since *Can. 1125* states that the non-Catholic partner *only be informed* of the Catholic party’s obligation, then in respecting the rights of the non Catholic, this question could either be omitted or shortened to “Will you accept children lovingly from God?”

In the rite of the exchange of rings, the couple is to say to each other “... take this ring as a sign of my love and fidelity. In the name of the Father, and of the Son, and of the Holy Spirit”. To the non-Catholic party, saying “in the name of the Father, and the Son and the Holy Spirit” does not make any sense.

The point that I would like to make here is that in the spirit of inter-faith dialogue, we have made many changes and adaptations. However,

⁶¹ Gerard Sheehy, Ralph Brown, Donal Kelly, Aidan McGrath (Eds), *The Canon Law: Letter and Spirit*, The Canon Law Society of Great Britain and Ireland (1995), 634.

we have been slow in bringing such changes into the wedding rite. Episcopal conferences must make the required recommendations for changes in the rite of marriage, especially when it concerns inter-faith marriages.

Another challenge that inter-faith marriages pose, especially in our pastoral ministry, is the question of a “double religious marriage ceremony”, meaning that the couple not only goes through the Catholic marriage rite but also the religious rite of the non-Catholic partner.

Prior to the 1980 Synod on the Family, the Catholic Bishops Conference of India had expressed their concern: “In India, we are faced with the problem of a *double religious marriage ceremony*, prohibited by the present Church’s legislation and yet practiced in many cases just to please the non-Christian partner or his/her family. This gives us great pastoral concern.”⁶² The concerns of the Indian bishops are today echoed in many parts of Asia.

It is clear in the Code of Canon Law (1983) that when an inter-faith marriage is celebrated according to canonical form, another religious ceremony in which consent is exchanged or renewed is strictly forbidden either before or after the Catholic ceremony.⁶³ Nevertheless, the Code does not forbid a blessing by a minister/official of another religious tradition.

Can 1127§3. It is forbidden to have another religious celebration of the same marriage to give or renew matrimonial consent before or after the canonical celebration according to the norm of §1. Likewise, there is not to be a religious celebration in which the Catholic who is assisting and a non-Catholic minister together, using their own rites, ask for the consent of the parties.

There are advantages and disadvantages⁶⁴ that Canon 1127 § 3 bring to inter-faith marriages, especially when there is a request for a double religious ceremony. The advantages are:

- There is no confusion to the public and the couple themselves since the expression of consent takes place only once;
- The presence of a non-Catholic official/minister promotes the spirit of ecumenism;
- Churches can work together towards a commonly accepted ritual (probably only applicable in the context of inter-church marriages).

⁶² CBCI, Report of the General Meeting, Ranchi 1979, p. 67 (No. 44).

⁶³ John P. Beals, James A. Coriden, Thomas J. Green (Eds), *New Commentary on the Code of Canon Law*, The Canon Law Society of America (2000), 1351.

⁶⁴ Cf. Jestsus Pereira, *On the Prohibition of a Double Marriage Ceremony Where Consent is Expressed or Renewed (A Study on the first half of Canon 1127/3)*, Pontificia Universitas Urbaniana, Rome (1996), 36-37.

However, there are also disadvantages:

- The Catholic marriage rite makes a clear distinction between consent and blessing. This may not be possible with other religious traditions. The distinction may not be clear since the blessing and consent are intertwined.
- It deprives the non-Catholic party the opportunity to seek a blessing within the tradition that he/she has grown up in;

The possibility of a double religious marriage ceremony certainly brings about a challenge to pastors who have to explain to couples Canon 1127 §3. Even before the present Canon, Pope Paul VI had anticipated this “problem”. In *Matrimonium Mixta* (1970), he expressed his concern that “ecclesiastical discipline on mixed marriages be more perfectly formulated and that, without violating divine law, canonical law should have concern for the differing circumstances of married couples, in accordance with the mind of the Second Vatican Council...”⁶⁵

Prior to the 1983 Code, there were cases where permission for double religious marriage ceremony had been granted.⁶⁶ The Holy Office seems to specified the following:⁶⁷

1. All canonical conditions have to be fulfilled:
 - a. the marriage must be celebrated in the Catholic Church;
 - b. the Ordinary has the faculty to grant permission;
 - c. even if other ceremonies follow, the marriage in the Catholic Church is the only true marriage.
2. If there is a non Catholic rite that follows,
 - a. a non Catholic minister may be invited to the home for a blessing;
 - b. there should be no renewal of consent.
3. In extraordinary cases (to avoid marriage only before a non- Catholic minister), the Ordinary should take care that this be conducted

⁶⁵ AAS 62 (1970), 260.

⁶⁶ “The Holy See has been willing to permit two religious ceremonies for the marriage of a Catholic and an Orthodox communicant as long as consent was exchanged before a Catholic minister and an Orthodox priest confers the nuptial blessing with no new exchange of consent.” John P. Beals, James A. Coriden, Thomas J. Green (Eds), *New Commentary on the Code of Canon Law*, The Canon Law Society of America (2000), 1351.

⁶⁷ Supreme Sacred Congregation of the Holy Office, Re-script, 25 July 1965, in Canon Law Digest 6, p. 609; See also Jestus Pereira, *On the Prohibition of a Double Marriage Ceremony Where Consent is Expressed or Renewed (A Study on the first half of Canon 1127/3)*, Pontificia Universitas Urbaniana, Rome (1996), 18-19.

- a. without external pomp;
- b. without the possibility of a scandal;
- c. with a declaration (the form in which this is done has to be established) made that the only true marriage is the one celebrated at the Catholic Church.

For some regions, the question of a double religious marriage ceremony is certainly a concrete problem. The Catholic Bishops' Conference of India appointed a committee to study this problem and make recommendations towards finding a solution. This Committee in 1981 stated that one way of finding a solution to the above problem is to allow a *double religious marriage ceremony*.⁶⁸ This would certainly remove the anguish/anxiety of the Catholic partner. It would also make inter-faith marriages more acceptable in pluralistic communities. This would certainly show that the Church respects the sentiments and religious convictions of the non-Catholic party.

The Code clearly states that there cannot be a second exchange of matrimonial consent. In the Catholic marriage rite, we see a clear distinction between consent and blessing. However, it would be unfair to apply this distinction to the celebration of a non-Catholic (Christian) marriage ceremony. In many cases, the separation is not as distinct as in the Catholic Church. Sometimes this distinction is non-existent. Therefore it is impossible to conclude that with other religious traditions, a second religious marriage ceremony would amount to a second matrimonial consent.

In cases where the celebration of a double marriage ceremony would be considered a scandal to the community and if there is a strong insistence of the non-Catholic party for a second marriage religious service, the local ordinary may be approached to grant dispensation from canonical form and the conditions of Can 1125 be respected. If the marriage is celebrated in another rite, it is possible to have a celebration of the Word of God and blessing in the Church some days after the wedding. This is to make clear that the marriage had already been celebrated. This may give occasion for the community to be catechised.

In the Catholic understanding, we see consent as that which makes the marriage. For the layperson, especially the non-Catholic, it is difficult to make him/her understand. For him/her, the marriage ceremony in the Church is seen as a blessing from God and this blessing is important. Therefore, a double ceremony would mean a double blessing, which is a noble thought especially when two people are coming together to begin

⁶⁸ CBCI Special Committee, *Double Marriage Ceremony: A Study and Note*, New Delhi 1981, 1-2.

a new life.

Some conferences have taken the decision of not allowing the celebration of the Eucharist in cases of inter-faith marriages; instead there is only the celebration of the Word of God and the rite of marriage. In some cases, Holy Communion is also excluded. This makes it difficult for pastors to respond and communicate the compassion of the Church in what is already a difficult situation. This sometimes alienates couples from future participation in the life of the Church.

The introduction of cultural elements into the Catholic marriage rite may satiate, to a certain extent, the desire of some couples in inter-faith marriages for a double marriage ceremony. The Congregation for Divine Worship and the Discipline of the Sacraments (1994) states that "as particular churches, especially the young churches, deepen their understanding of the liturgical heritage they have received from the Roman church which gave them birth, they will be able in turn to find in their own cultural heritage appropriate forms which can be integrated into the Roman rite where this is judged useful and necessary."⁶⁹

Therefore, "Conferences may determine, according to the procedure given below (cf. Nos. 62), whether the introduction into the liturgy of elements borrowed from the social and religious rites of a people, and which form a living part of their culture, will enrich their understanding of liturgical actions without producing negative effects on their faith and piety. They will always be careful to avoid the danger of introducing elements that might appear to the faithful as the return to a period before evangelization."⁷⁰

C. Post Marriage Stage.

One area that is most often neglected is the post-marriage stage. We have many programmes preparing couples for marriage but the post marriage programmes that are available are few in number as compared to pre-marriage programmes. This can partly be attributed to the fact that couples themselves do not see the need to belong to some group; there is no necessity/compulsion to attend a particular programme for marriage enrichment; or the demands of daily family life does not afford them the time.

Can. 1128 states that local ordinaries and other pastors of souls are to take care that the Catholic spouse and the children born of a mixed marriage do not lack the spiritual help to fulfill their obligations and are to help spouses foster the unity of conjugal and family life.

⁶⁹ Congregation for Divine Worship and the Discipline of the Sacraments, *Fourth Instruction on the orderly carrying out of the Constitution on the Liturgy* (Prot. 0), 24 March 1994, no. 33.

⁷⁰ *Ibid.*, no. 32.

“Despite the Church’s willingness to allow the faithful to enter into mixed marriages, it also recognises the particular problems that couples in such marriages often encounter. Thus the law reminds local ordinaries and pastors of their pastoral responsibility to assist these couples to transcend the tensions occasioned by their religious differences and to come to experience the mystery of unity...”⁷¹ However, such an effort will be more fruitful if there already is some form of ecumenical and inter-faith cooperation.

The difficulties that inter-faith couples faced as they were preparing for their marriage sometimes make it difficult to have them return to benefit from an organised post-marriage pastoral care programme. Among the difficulties that we have identified are: (1) not being able to have a Catholic ceremony because of the insistence of the non-Catholic partner to have a double marriage ceremony, thus creating the need to apply for the dispensation from canonical form; (2) not being able to have the celebration of the Eucharist and not having Holy Communion; (3) overzealous pastors sometimes insist that the non-Catholic partner convert to the Catholic faith before marriage; (4) the insistence that children be baptized and brought up in the Catholic faith. The purely legalistic approach of some pastors when dealing with inter-faith couples during the earlier stages leaves a very negative impression of the church that may take some time for healing and reconciliation to take place, especially in Catholics who at times feel let down by the Church at such a crucial moment of their life.

D. Conclusion

The challenge of inter-faith marriages most certainly requires a more positive response from pastors who come directly in contact with such situations. The response that such a situation calls for is one of compassion. The couples intending to enter into marriage have probably had lengthy discussions already, and maybe even disagreements about their impending inter-faith marriage. The strain is not only from tensions between them but often increased by the pressure from their respective families. A legalistic approach by the pastor in no way helps the couple find a solution to an already “complicated” situation. A compassionate pastor can certainly help lighten the burden on the couple and at times, on their families too. In this light then, “When people come to meet the priest to arrange for a marriage they have decided to enter into despite an impediment of mixed religion or disparity of worship, it is too late

⁷¹ John P. Beals, James A. Coriden, Thomas J. Green (Eds), *New Commentary on the Code of Canon Law*, The Canon Law Society of America (2000), 1351.

to dissuade them. It is then more important for the priest to remember that this is possibly the non-Catholic's first contact with a priest and that he as a priest can contribute considerably to the present and future happiness of the couple, especially the happiness of the Catholic... The priest who meets people, especially the young, with friendship and understanding would know how to avoid giving the impression that the Church's concern is legalistic. He should never declare the law of the Church without explaining its pastoral purpose."⁷²

In conclusion, any positive pastoral response towards situations of inter-faith marriages needs a *paradigm shift*. It maybe totally unfair to "impose" our categorical understanding of marriage on someone who does not profess the Catholic faith. If as Church we are to understand the issue of inter-faith marriage and make fruitful responses this challenge brings to pastoral ministry, we must seek ways that would help us would build bridges. Our starting point must be the realization that we are encountering 2 persons who are seeking to experience the compassion and love of Jesus Christ, through the Church, at this very crucial and exciting moment of their lives.

⁷² Episcopal Conference of England and Wales, *Directory on Mixed Marriages based on the Motu Proprio Matrimoni Mixta*, London (1977), 7.

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