



CELEBRATING MARRIAGE IN THE DIOCESE OF WOLLONGONG

Promulgated by Bishop William Murray,
Bishop of Wollongong
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DIocese of WOLLONGONG

CATHOLIC MARRIAGE

All Catholics are asked to do everything possible to promote the, dignity and stability of Christian marriage, to help young people in their preparation for this sacrament, and to support married people in their vocation as Christian spouses and parents.

Preparation for Marriage

1. Catholics are asked to give to the officiating priest or deacon at least six months notice of their wedding.
2. One month's notice is obligatory by law, but only the longer notice requested here allows for a calm and serious preparation for marriage before the couple become distracted by the pressures surrounding their wedding day.
3. Couples preparing for marriage are earnestly encouraged to make use of the courses and programmes that are available. Experience has shown that they are very valuable
4. A Catholic cannot reasonably request a Catholic marriage if he or she has no commitment at all to the Catholic faith. On the other hand, marriage ought to be an occasion for rediscovering one's faith, and making a new start.
5. The Church teaches that living together before marriage is contrary to the law of God. Furthermore experience itself has demonstrated that it is not a good preparation for marriage.

Mixed Marriage

6. It is the conviction of the Catholic Church that Catholics should marry Catholics. The unity in faith can greatly assist unity in the marriage.
7. Permission can be given for a Catholic to marry one who is not a Catholic, provided that the Catholic promises to safeguard his/her own Catholic faith and to do all in his/her power to have the children of the marriage baptised and brought up as Catholics.
8. The party who is not a Catholic will not be asked to make any promises. Therefore his/her rights remain intact. However, he/she will be asked to talk with the celebrant on a number of occasions, in order to acquire some understanding of the Catholic partner's belief, especially in relation to marriage. It is desirable that the Catholic also be present on these occasions.

Place of Marriage

9. A Catholic, even when marrying someone who is not a Catholic, should be married before a Catholic priest or deacon, otherwise the Church will not recognise the marriage.
10. The Bishop can dispense the Catholic from this requirement, so that the wedding can take place before a person other than a Catholic priest, but a good reason is required. The Bishop looks for some serious and positive spiritual advantage for the couple before giving the dispensation.
11. Because of the sacred and solemn nature of marriage, it is celebrated in a church or chapel.
12. The usual place for a wedding is the church of the parish to which a person belongs, and the usual celebrant is a priest or deacon attached to that church. The couple are free, however, to choose the parish church of either one of them. Even when one partner is not a Catholic, the couple may choose the Catholic parish church in the area where that partner lives.
13. If the couple wish to marry in some other church, or with some other celebrant, the priests approached may accommodate them, but are not bound to do so.

Permanence of Marriage

14. Because of the clear teaching of Jesus Christ, the Catholic Church does not recognise the re-marriage of a divorced person while the first partner is still living. In the same way, it cannot recognise the marriage of a single person to someone who has been divorced. The assumption in both cases is that the first marriage was valid.
15. It sometimes happens, however, that there are grounds for supposing that the first marriage was not in fact valid. In this case the parties to the divorce could be free to enter into second marriages. To clarify the matter, an approach should be made to the Church's Marriage Tribunal.



CELEBRATING MARRIAGE

1 SECTION ONE: LEGAL REQUIREMENTS IN PREPARING FOR MARRIAGE

(A) REQUIREMENTS FOR ALL MARRIAGES

1. FACULTIES

1.1 Any priest or deacon, whether diocesan or a member of an institute of consecrated life, who has been given the *faculties* of the Diocese of Wollongong, may *validly* assist at a marriage anywhere within the Diocese, with the exceptions concerning members of the Maronite and Ukrainian Rites which are noted under 15.8.

1.2 A priest or deacon who does not have the faculties of the Diocese may be *delegated* for a particular marriage by the parish priest of the parish in which the marriage is to be celebrated.

1.3 In the absence of the parish priest, an assistant priest attached to the parish may give this delegation.

1.4 The parish priest or administrator, but not the assistant priest, may also give a *general delegation* to a particular priest or deacon for all marriages within the parish for a certain period of time, but in this case the delegation must be given in writing.

1.5 A note concerning delegation to a priest or deacon who does not have the faculties of the Diocese must always be entered in the marriage register.

2. GOVERNMENT AUTHORISATION

2.1 Before assisting at any marriage a priest or deacon must first be approved as an Authorised Celebrant for Marriages in Australia.

2.2 Whenever a priest or deacon changes his address, it is his own responsibility to inform the Registrar of Births, Deaths and Marriages (GPO Box 30, Sydney NSW 2001) of his new address.

2.3 Celebrants are authorised to celebrate weddings only according to the rites of the Church which proposed them. A Catholic priest or deacon is, therefore, never authorised to perform a wedding other than according to the rites of the Catholic Church.¹

3. MARRIAGE WITHIN THE PARISH COMMUNITY

3.1 Couples are to be encouraged to marry in the parish church of either the man or the woman, preferably with one of the clergy of that parish acting as celebrant. Church teaching emphasises the importance of preparation for marriage within a *faith community* and with the assistance of the entire community (eg. can. 1063 of the Code). This is fully possible only when the wedding is celebrated within the parish of either one of the couple.

3.2 The preference for the parish of the bride rather than the groom has been now omitted from the Code of Canon Law (can. 1115). The choice between the two parishes belongs to the couple; whichever of the two they choose is bound to accommodate them.

3.3 Within the Diocese of Wollongong this provision is extended in such a way that a couple may also choose the Catholic parish where the non-Catholic party to a marriage resides and this parish is bound to accommodate them

3.4 A parish priest is asked to accept a *reasonable* request for the use of the church or an oratory within his parish by a couple from outside the parish and/or a *reasonable* request that another priest chosen by the

¹ For example, a Catholic priest cannot marry two Protestants, or witness a wedding at a Protestant church.

couple celebrate the wedding. Before any priest determines as a matter of policy that no such requests will be granted in his parish, he must have the permission of the Episcopal Vicar of the Region, who will give such permission only for very serious reasons.

3.5 When a couple request a priest not attached to either of their parishes to be the celebrant of their marriage and give adequate reasons for their request, this priest is asked to accommodate them, provided his responsibilities to those directly entrusted to his care will allow this, and provided he is able to undertake an adequate preparation of the couple, both personally and through a faith community.

3.6 Because of the close link between preparation for and celebration of the wedding, a priest is not to accept an invitation to be celebrant when he will not be able to undertake the preparation personally. To do otherwise would be to undermine the importance of preparation. It is understood that some exceptions will occur, for example, in the case of a close blood relationship between the celebrant and either bride or groom, when it may be appropriate that another priest be invited to assist in the preparation.

4. RESPONSIBILITY FOR PREPARATION

4.1 It is the responsibility of the celebrant to fill out the Pre-Nuptial Inquiry Forms for both parties and ensure that they are free to marry, that the required certificates are presented, that all documentation, both church and civil, is completed, that any necessary dispensations are given and that the couple are given every possible assistance in their spiritual and psychological preparation for marriage.

4.2 If a celebrant is unable to carry out all or part of the work of helping a couple prepare, and there are serious reasons why he should celebrate the wedding, he may request the assistance of local clergy, but the responsibility to see that it is done still remains with him. The request must always be made personally from priest to priest, never by simply sending the couple to a local parish. Local clergy are asked to give their assistance willingly whenever a reasonable request is made. The welfare of the couple will always be the first consideration.

4.3 If the celebrant comes from outside the Diocese, the parish priest of the place of marriage is to inform him of these regulations.

5. PERMISSIONS AND CONSULTATION

5.1 Apart from an assistant priest attached to the parish, any priest or deacon requires the permission of the parish priest of the place where it is proposed that the marriage be celebrated before he may consent to be the celebrant of the wedding. In the absence of the parish priest, the assistant priest can give this permission.

5.2 By virtue of the last sentence of can. 1115, general permission is given for marriages to be celebrated outside the parish of both parties. The permission of the two parish priests concerned is not required, provided a Catholic party to the marriage lives within the Diocese of Wollongong.

5.3 Nevertheless, before the two Pre-Nuptial Inquiry Forms are signed, the celebrant is obliged to contact the parish priest of each party and to listen to what he has to say about his parishioner and the proposed wedding. If either parish priest expresses the wish to see the person from his own parish, the celebrant is to assist in arranging this.²

5.4 If a person has in any way been associated with a migrant chaplain, then that chaplain is also to be consulted.

5.5 If for any reason a priest refers a couple or an individual to another priest, the referring priest must always contact the other priest personally and explain the reason for the referral.

6. REFUSAL TO CELEBRATE A WEDDING

6.1 A priest may refuse to celebrate a wedding in the circumstances mentioned in 3.5. He must refuse whenever there is an impediment present which cannot be dispensed. In the cases mentioned under 15.8 concerning members of the Maronite or Ukrainian Rites he must either obtain delegation from the competent authority or else inform the couple that he cannot celebrate their wedding and refer them to a priest who can.

² A suggested simple way of observing the correct procedure would be for the celebrant to fill in the *Pre-Nuptial Inquiry*, have the party sign it, but, before signing it himself, forward a photocopy to the proper pastor, both to inform him of the proposed marriage and to seek any comments he may have.

6.2 In all other circumstances the right to refuse to celebrate a wedding within the Diocese of Wollongong is henceforth reserved to the Bishop alone. No priest may refuse on his own authority. Whenever a priest believes that he ought not celebrate a wedding, he must refer the matter to the Bishop.

6.3 Couples are always to be informed of a referral to the Bishop and of the reasons for it.

6.4 Once a referral has been made, no priest or deacon can lawfully celebrate the marriage of the couple within the Diocese of Wollongong until the Bishop has given his decision.

6.5 If any priest other than the proposed celebrant and the parish priest of the place of celebration believes that the marriage should not take place, he should first inform either or both of these priests of the grounds for his belief. If both of these decline to act on his advice, he may himself refer the matter to the Bishop, but in this case the right to celebrate the wedding is not suspended unless the Bishop so declares.

6.6 A priest referring a case is to do so in the form suggested in Appendix I. He is to set out at length the information the Bishop will need in order to make his decision.

6.7 The Bishop will not necessarily see each couple personally nor study the details of each referral. He will nominate others (eg. a priest, a counsellor from Centacare) in a system that is at his discretion. It is called a referral to the Bishop because any eventual refusal to allow a wedding will be referred to him and will be done on his authority. The major aim of the system will be to help couples to see for themselves whether they should be marrying at this time. Only as a last resort would there be a refusal from the Bishop.

6.8 It is obvious that the system will not work if too many cases are referred. The major responsibility to resolve the doubt must, therefore, rest with the celebrant. Cases are to be referred only when, after full discussions with the couple, the celebrant arrives at the conclusion that in conscience he should not assist at the marriage, either because he is convinced that it would be wrong or because a serious doubt remains which he is unable to resolve. A referral will, therefore, be more than a simple query on the celebrant's part; it will be a firm decision that in the circumstances he should not assist.

6.9 If the Bishop decides that the wedding may take place, the priest who had a conscientious objection in referring it may decline to act as celebrant but is to assist the couple to find a suitable celebrant.

6.10 By this system it is hoped to avoid two extremes. On the one hand, any priest who is overly strict will not have the right to refuse to celebrate a wedding. It is thus a protection for the couple by always giving them a right of appeal. On the other hand, once the Bishop has said that a particular wedding may not take place, no priest will be free to perform it anywhere within the Diocese. In this way it is hoped to avoid the unedifying practice of couples "shopping around" to find an accommodating priest. It is hoped that the system will lead towards a uniform practice that is compassionate yet principled.

7. NOTIFICATION TO NEW PARISH PRIEST

7.1 In the course of assisting a couple to prepare for marriage, the celebrant is asked to enquire where the couple will be living after the wedding and to suggest to them that he inform the clergy of that parish of their coming.

7.2 The host parish could then consider having a group of people, preferably in the same age bracket, who would take on the responsibility of welcoming such new members and introducing them to people and activities in the parish.

8. THE CHANCERY

8.1 Priests who request marriage dispensations as a matter of urgency by telephone should forward the application form to the chancery as soon as possible and write on the form:

- "granted by phone"
- the name of the person who granted it
- the date on which it was granted.

8.2 Priests are asked not to direct lay people to ring the chancery regarding any matters concerned with the celebration of a marriage. All enquiries should be made by the priest himself.

9. NOTICE OF MARRIAGE

9.1 While the only law on the subject is the civil law requirement that couples must give 30 days' notice to the celebrant, it is highly desirable that couples give much longer notice.

9.2 Three months would seem to be a minimum if any serious preparation is to take place, and six months and more are desirable.

9.3 Priests are asked to make constant mention of the need for this preparation. They have no authority however, to make laws for their own parish requiring a set minimum time.

10. IMPEDIMENTS

10.1 There are no longer any impedient impediments, ie. those which make a marriage valid but unlawful. The only impediments in the Code are the diriment impediments, ie. those which make a marriage invalid.

10.2 The impediments are those set out in can. 1083-1094 of the Code of Canon Law. Some call for particular comment.

10.3 **Impotence** (*can.1084*). This impediment applies only when a couple are incapable of sexual intercourse; it does not apply to a couple who are capable of sexual intercourse but are unable to have children. It must exist at the time of the wedding and be permanent, ie. incurable by any ordinary means. It prohibits marriage only when its existence is quite certain. No priest is to refuse to perform a wedding on the basis of the couple's impotence on his own authority; he is to refer the matter to the Bishop in accordance with n.6 above.

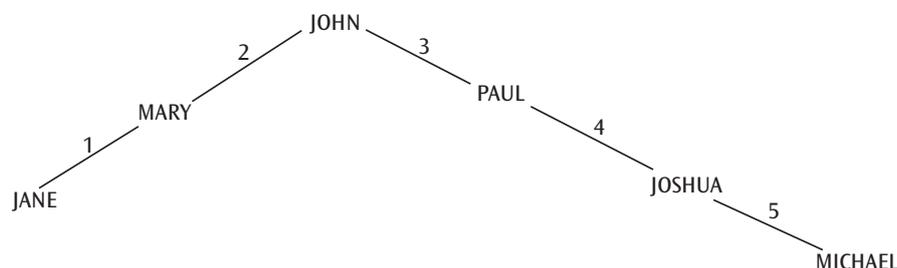
10.4 **Prior Bond** (*can.1085*). If either of the parties has been married before in any form of ceremony whatsoever and no death certificate of a former spouse is produced to the celebrant, either because the former partner is still alive or because no death certificate can be provided, then the celebrant must refer the person to the tribunal and must not accept a firm date for the wedding unless and until freedom to marry has been declared by the tribunal.

NB Only Catholics are bound to the canonical form. Thus, if an Anglican marries a Presbyterian in a civil ceremony, there is NO defect of form.

In the New Code a Catholic who *notoriously* rejected the faith and marries has contracted a valid marriage and there is no defect of form.

10.5 **Crime** (*can.1090*). The only form of this impediment that was commonly encountered (adultery with promise of marriage) has now been abolished. The only forms of the impediment remaining are those where a spouse *is* murdered to pave the way for a new marriage.

10.6 **Consanguinity** (*can. 1091*). The method of computing consanguinity has been changed:



Under the old system Jane and Michael were related in the third degree (one counted the longest line to the common ancestor). In the new system one counts both lines and adds them together. Thus Jane and Michael are related in the fifth degree of the collateral line. In the new Code the impediment extends only to the fourth degree, so Jane needs no dispensation to marry Michael. (Jane would need a dispensation to marry Joshua, Mary would need one to marry Michael).

In all applications for dispensation, priests must include a family tree in the form given above, ie. tracing the two parties back to a common ancestor.

A letter from a doctor is to accompany an application for a dispensation from consanguinity in the case of first cousins (Jane and Joshua in the above example). Genetic advice from a doctor will be to the advantage of such couples and alert them to the increased risks to their progeny, which is the basis of the Church's caution about marrying those too closely related by blood.

10.7 **Affinity** (*Can 1092*). The only impediment of affinity *is* in the direct line (a parent-in-law may not marry a child-in-law). Thus there *is* no longer any impediment to a man marrying the sister of his deceased wife.

10.8 **Public propriety** (*can.1093*). This impediment arises from an invalid marriage or from openly living together. A person in such an arrangement may not later marry the mother or daughter, father or son of the other person.

10.9 **Adoption** (*can. 1094*). One may not marry one's adopted child nor a brother or sister by adoption.

(B) REQUIREMENTS IN SPECIAL CIRCUMSTANCES

11. MIXED MARRIAGES

11.1 Even though prohibiting impediments have been omitted from the new Code, a Catholic wishing to marry a baptised non-Catholic still requires permission.

11.2 On the 24th August 1977 the Australian Episcopal Conference issued a “Pastoral Statement on Mixed Marriages” (ACTS Publications ISBN 85826-155-3) and an accompanying leaflet entitled “Mixed Marriage—Pastoral Guidelines for Priests.” All priests and deacons should be familiar with these two documents. *They apply as the law of the Diocese of Wollongong.*

The Guidelines have this to say:

11.3 Pope Paul VI states quite clearly that the Church discourages (*dissuadet*) mixed marriages because of the many inherent, if not insuperable difficulties (cf. *Matrimonia mixta*).

Nevertheless, because of a greater awareness of the many elements which affect such a marriage, the new legislation does not re-affirm the very severe and universal prohibition of the older law (*Severissime Ecclesia ubique prohibet* - can 1060).

11.4 In the past, before a mixed marriage could take place in the Church, there had to be a guarantee that all the children of the marriage would be baptised and brought up as Catholics. This guarantee had to be secured by formal promises made by both parties.

11.5 Pope Paul VI (*Matrimonia mixta*) has introduced two important changes in this law. These changes mean in fact that a new law has replaced the old.

11.6 Under the new law the Catholic partner must:

- i. declare his (her) readiness to remove all dangers to his (her) own faith;
- ii. make a *serious and sincere promise* to do all in his power to have all the children of the marriage baptised and brought up in the Catholic Church.

11.7 The new law does not require any formal promise by the partner who is not a Catholic, but before the marriage he must be clearly informed of the promise and obligation of the Catholic. The rights and obligations of the partner who is not a Catholic towards his own conscience in the matter of the baptism and upbringing of the children must be fully respected. They remain intact, subject of course to God’s law.

Earlier proposals for a new law, including that made by the Synod of Bishops in 1967, required the party who is not a Catholic to make some form of promise, but significantly Pope Paul omitted this requirement in *Matrimonia mixta*.

11.8 The Catholic’s obligation to preserve and practise his own faith is of divine law and is absolute. No human authority can dispense from it, “nor is it ever permitted to expose oneself to the proximate danger of losing it” (*Matrimonia mixta*).

11.9 The obligation to ensure the Catholic baptism and upbringing of the children is also of divine law, but it is not absolute. It must be considered in conjunction with two other rights, namely, the Catholic’s natural right to marry, and the shared rights of both parents concerning the baptism and upbringing of the children.

11.10 Because of the several rights involved the Catholic cannot do more than promise that he will “do all in his power to have all the children baptised and brought up in the Catholic Church.” This promise imposes a serious obligation; it must be made sincerely and will continue to bind throughout the marriage.

11.11 A couple who cannot reach an agreement about the baptism and upbringing of the children which is acceptable to their respective consciences must seriously consider the advisability of marrying. Such a basic conflict seems to present a very serious obstacle to the future peace and harmony of the marriage.

11.12 However, because of a person’s natural right to marry and because of the limits to the opportunity to marry, pastors must not assume too readily that a marriage is automatically excluded even in a case where there seems little possibility of the Catholic baptism and upbringing of the children. Each case must be carefully examined and the local Ordinary consulted.

11.13 Neither divine nor ecclesiastical law demands moral certainty that the promise “to do all in one’s power” to have the children baptised and brought up as Catholics will be successfully implemented.

11.14 NON-PRACTISING CATHOLICS. The mixed marriage of a Catholic who has abandoned the practice of the faith, or who appears to have become completely indifferent in matters of religion, is a complex problem which does not admit of an easy solution. On the one hand it is not possible to measure adequately the level of faith of an individual, on the other hand a baptised Catholic is bound to observe the Church’s law about canonical form in order to enter a valid marriage. A simple “Yes” or “No” does justice neither to the dignity of the sacrament nor to the rights of the individual.

The priest’s first aim will be to rekindle the faith of the Catholic. Welcoming the parties with kindness, he must try to help them appreciate the importance of religion in their lives. This will normally take some time and discussion. The readiness of the parties to continue the discussion after the first meeting will be a hopeful sign. However, if they refuse to co-operate in any way, the priest should point out to them the lack of logic in their request for a marriage in the Church, and the unreasonable demand they are making on him to assist at a celebration which he regards as very sacred but which they see in an entirely different light. Before explicitly refusing to assist at such a marriage the priest should present the details of the case and his own recommendations to the Ordinary for a decision.

11.15 Thus in a difficult case, the primary goal of a celebrant’s discussions with a couple will not be so much to help the celebrant to decide whether he will agree or refuse to celebrate the wedding, but rather to lead the couple to decide whether they should be asking him to perform the wedding. He would refuse only when they persist in a contradiction, that is, they declare that neither of them shares his Catholic faith but they still want him to celebrate the wedding (cf. *Pastoral Statement on Mixed Marriages*, Australian Episcopal Conference, p. 14).

Since some mixed marriages present no problems at all and so should be handled simply, while others present very great difficulties, the following norms are established for the Diocese of Wollongong.

11.16 For a wedding celebrated within the Diocese of Wollongong, application for Permission for a Mixed Marriage (can. 1124) and Dispensation from the Impediment of Disparity of Worship (can. 1086) are to be forwarded to the Chancery, PO Box 1239, Wollongong NSW 2500. Applications should be received at the minimum two weeks before the celebration of the marriage.

11.17 The appropriate number of Permission or Dispensation must be entered in the marriage register.

11.18 The celebrant of the marriage should make reasonable enquiries as to whether the non-Catholic party is baptised or not, and so distinguish between the celebration of a sacramental and a non-sacramental marriage.

11.19 When a Catholic is quite willing to make the promise but raises objections to signing a document, and the celebrant is certain that the verbal promise given by the Catholic fulfils the conditions laid down and is made sincerely, the celebrant must send a letter stating these facts with the application for Permission for a Mixed Marriage and Dispensation from the Impediment of Disparity of Worship.

11.20 If the mixed marriage of a Catholic resident in the Diocese is to be celebrated outside of the Diocese, the application for Permission for a Mixed Marriage and Dispensation from the Impediment of Disparity of Worship should state the name of the celebrant and the place of the celebration of the marriage.

11.21 Celebrants may not dispense from any impediments or from the canonical form or from the obligation to celebrate the wedding inside a church or chapel. All dispensations are reserved to the Bishop.

11.22 In difficult cases, all matters should be referred to the Chancery. The celebrant should act according to the same conditions and observe the same procedure as in n.6.1 to 6.10 above.

11.23 A celebrant may not refuse to celebrate such a wedding on his own authority; it must be referred. He does not have to refer the matter when, after discussions with the couple, they themselves decide that they should not be asking him to celebrate the wedding.

11.24 For a mixed marriage the question on the Pre-Nuptial Inquiry Forms concerning the acceptance and upbringing of children has been changed to read: “Will you lovingly accept children from God and bring them up according to his law?” (*Aust. Episcopal Conference*, September, 1974).

12. MIXED MARRIAGES WITH MEMBERS OF THE GREEK ORTHODOX CHURCH

12.1 In former years Greek civil law recognised the marriage of a Greek national who was a member of the Greek Orthodox Church only when his or her marriage took place before a priest of that Church. Thus there were reasons for advising a Catholic in such circumstances to seek a dispensation from canonical form and marry in the Greek Orthodox Church. A number of priests gave this advice.

12.2 The Greek civil law has now changed. Under that law a marriage is now valid whether it is contracted before a civil official or before a minister of religion recognised by the State Greece now conforms to the general law that it will recognise a marriage that is accepted as valid in the country where it is celebrated. Though this difficulty has been removed, the religious situation still remains somewhat confused.

12.3 While Greek civil law will recognise the marriage of a Greek national that takes place in a Catholic Church, the Greek Orthodox Church will not recognise the marriage.

12.4 On the other hand, since 1967 a marriage of a Latin Catholic in an Orthodox Church is recognised as valid by the Catholic Church. For lawfulness, the Catholic should obtain a dispensation from canonical form.

12.5 Thus, while the Catholic Church certainly prefers that the wedding take place in the Catholic Church, it will recognise a marriage celebrated in the Greek Orthodox Church. The Greek Orthodox Church will not recognise a marriage celebrated in the Catholic Church.

12.6 The Catholic Church does not allow two wedding ceremonies, one in each Church, because it recognises whichever is celebrated first as valid. The Greek Orthodox Church will allow a second wedding ceremony in their Church because they would not recognise the first ceremony as valid.

12.7 Furthermore, there has been a schism in the Greek Orthodox Church in Australia. The splinter group is not recognised by the Patriarch in Greece, so a marriage that took place in one of their Churches is not recognised by the main Church. Equally, the splinter group does not recognise marriages celebrated in the main Church.

12.8 Greek Orthodox Churches require a promise in the form abandoned in our own Church with *Matrimonia mixta* in 1970: "We, the undersigned parties, A and B, do hereby PROMISE and AGREE before the Rev. X that ANY child or children that will be born during our married life shall be BAPTISED, RAISED and EDUCATED according to the laws and canons of the GREEK ORTHODOX FAITH."

12.9 In Australian society two-thirds of all children are brought up in the religion of the mother (Hans Moll, "Religion in Australia"). In Greek society, on the contrary, children follow their father in all important matters. Most marriages of the kind considered in this section will involve a Greek male because Greek females are not easily allowed to enter an inter-cultural and inter-faith marriage. The pressures on the Greek male will be both religious and social. He would have to fight his own sense of his position as a male if he were to allow his children to be brought up in the faith of his wife.

12.10 It is obvious that there is a need for ecumenical dialogue on several of the points raised, but the above represents the present situation.

12.11 There are also other Orthodox Churches besides the Greek Orthodox Church present in Australia, though in smaller numbers. There do not appear to be any particular difficulties with these Churches. The Catholic Church recognises as valid a mixed marriage celebrated in one of these Churches, though for lawfulness the Catholic should obtain a dispensation from canonical form if the wedding is to be celebrated there.

13. DISPENSATION FROM CANONICAL FORM

From the "Guidelines for Priests" of the Episcopal Conference:

13.1 A Catholic, even when entering a mixed marriage, must be married before a Catholic priest. This general law has not been changed. (30)

The obligation of canonical form is an ecclesiastical law. Originally introduced as a measure against clandestine marriages, the requirements of canonical form serve nowadays to safeguard some of the essential qualities of Christian marriage, eg. its ecclesiastical, sacramental and indissoluble character.

13.2 Pope Paul VI has allowed the Bishops to dispense from canonical form in individual cases and for serious reasons. (31)

13.3 The Australian Episcopal Conference adopted two general criteria for the granting of dispensations from canonical form: (32)

- i. when the person who is not a Catholic is a close relative by blood or marriage with a minister of another Church; or
- ii. when, in the informed judgment of the Bishop, the refusal of the dispensation could cause a grave danger to the faith of the Catholic person or to the peace and harmony of the couple.

13.4 The Pastoral Statement adds:

“This situation could be verified in the following examples:

- a) avoidance of strained relations between the two families, so that both may offer better support to the couple;
- b) active participation of the person and/or his family in the life of his own Church, eg. Sunday School Teacher, Elder, Warden;
- c) to keep the person who is not a Catholic from breaking with his own Church;
- d) a close personal relationship with a minister of another Church who, because of this relationship, will be in a good position to assist them in any difficulties that could arise in their marriage.

“However, even if it were possible, we would not wish to attempt a full list of circumstances which might fulfil either of these criteria. It is much better to deal with each case pastorally and personally. In general terms, the Bishop will be looking for some positive spiritual advantage to the couple as the ground for granting the request.”

13.5 The Guidelines then continue:

The availability of such a dispensation does not mean that pastors should promote its use. At the same time, they must show the same pastoral understanding which the Church itself manifests. In particular cases, real spiritual advantage can derive to the couple and their families from the judicious use of this faculty. Priests should refer all requests for dispensation from canonical form to the local Ordinary.(33)

13.6 Thus no priest is to refuse such an application without referring the matter to the Bishop

13.7 When forwarding the application, the priest is to attach a letter outlining fully the reasons given by the couple for the dispensation. He should state clearly whether he is for or against the application and the reasons for his view. In the past insufficient information has quite often accompanied the request.

13.8 No application for dispensation from canonical form may be made without the knowledge of the parish priest of the Catholic party; his opinion and the reasons for it are to be included in the application.

13.9 The record of the marriage is to be entered in the marriage register of the parish of the Catholic party and in the register of the diocesan curia (can. 1121, §3). The dispensation from form and its number are also to be entered.

Notification of the marriage is to be sent to the parish of the place of baptism of the Catholic party. All papers of the marriage should be filed in the archives of the parish of the Catholic party.

13.10 The responsibility to see that this is done belongs to the priest who applies for the dispensation. To enable him to do this, he must inform the Catholic party in advance of his/her obligation to present to him a copy of the marriage certificate soon after the wedding has taken place.

14. CEREMONY OUTSIDE OF A SACRED PLACE

14.1 The Pastoral Statement of the Australian Bishops on Mixed Marriages says: “If the request to have a marriage in a place other than a church springs from a desire to water down the religious content of the ceremony, obviously it cannot be granted. As we have said, a couple ought not to ask a priest to take part in what to them is no more than a civil ceremony with a few religious trappings” (p.21).

14.2 In the Diocese of Wollongong, the policy of the Diocese is that permission for a ceremony outside a Sacred Place will not be given.

15. EASTERN RITE CATHOLICS

15.1 Catholics who are members of the Eastern Rites that do not have Bishops or dioceses of their own rite in Australia are subject to the Latin Rite Bishop and parish priest of the area in which they live.

15.2 Two groups do have Bishops of their own rite—the Ukrainian Rite and the Maronite Rite. In these cases the jurisdiction is Australia-wide and exclusive. Members of these rites are in no way subjects of the Latin Bishop of Wollongong or any Latin Rite parish priest.

15.3 Lebanese are not automatically Maronite. Many are Melkite, some are Latin Rite, some belong to other rites. For baptism and marriage priests should always carefully check all those of Lebanese descent so that their rite in law may be determined.

15.4 Catholics of Eastern Rites should, whenever possible, receive the sacraments in their own rite.

15.5 Being baptised in a rite other than that of one's parents does not affect the validity of the baptism, but a child always belongs to the rite of the parents. Thus, eg. if a child of two Maronite parents is baptised in a Latin Rite ceremony by a Latin Rite priest, the child becomes a validly baptised member of the Maronite Rite. A child of a Maronite and a non-Catholic becomes a Maronite. A child of one Latin and one Maronite parent, under the old Code became a member of the father's rite, under the new Code becomes a member of the rite chosen by the parents at the time of baptism.

15.6 When a Latin Rite priest baptises a child of another rite, a notation of the rite is to be entered in the baptismal register. If one parent belongs to the Latin Rite and the other to another Catholic Rite, he is to ask which rite they choose for their child and note this in the register.

15.7 The marriage of two Catholics of different rites should take place in the rite of the man. However, if there are pastoral difficulties in following this law, the competent Bishop of either party may grant a dispensation so that the marriage may take place in a rite other than that of the man.

15.8 Even without the boundaries of his own parish a Latin Rite priest cannot, without special delegation from the competent authorities of the Eastern Rite, validly assist at the marriage of:

- two Catholics of either the Ukrainian or Maronite Rite;
- a Catholic of either of these rites and a member of a non-Catholic Church or an unbaptised person.

15.9 The reason why he cannot validly assist is that none of these people are his subjects. The Maronites and Ukrainians do not belong to his parish or his diocese, but to their own parish and diocese. A priest assisting would be in the same position as a Sydney priest celebrating a wedding outside the Diocese without delegation.

15.10 It is highly unlikely that this law will change. Over the centuries there has been some conflict between rites and often enough Latins were the aggressors; it is a question of the legal protection of minority groups. The Eastern Rites feel strongly about these matters. Furthermore, in the matter of a possible reunion between Rome and the Separated Eastern Churches, eg. the Greek Orthodox Church, these Churches are observing with great interest the treatment given to Eastern Rites within the Catholic Church.

15.11 "If they (members of Eastern Rites) have improperly fallen away from them (their rites and established way of life) because of circumstances of time or personage, let them take pains to return to their ancestral ways." (Second Vatican Council, Decree on Eastern Catholic Churches, Art.6, par.1).

15.12 The proper attitude is to accept graciously the existence of Eastern Rites as communities in their own right. Thus a priest should direct a Catholic of an Eastern Rite to his own ministers whenever possible. Failure to do so in the past has contributed to the difficulties currently experienced by clergy and laity alike.

15.13 If a Latin Rite priest is asked to officiate at a marriage in either of the categories above, he is to advise the parties of their position and encourage them to go to their own priest to arrange the marriage in their own rite.

15.14 It is the pastoral responsibility of the priest to contact the Ukrainian or Maronite chancery in order to assist the couple to make the proper arrangements in their own rite.

15.15 If, and only if, there are serious pastoral difficulties, should steps be taken to obtain authority for the marriage to take place in the Latin Rite. Applications for any Ukrainian or Maronite person to be married in the Latin Rite should be directed to the Ukrainian or Maronite chancery.

15.16 There is no likelihood whatsoever of obtaining *general* delegation for the Latin clergy to celebrate the marriages mentioned under 15.8 above, since this would render the very existence of the eparchies ineffective.

16. THE MILITARY VICARIATE

16.1 The jurisdiction of the Military Vicariate extends to:

- all persons who belong to the Australian Armed Forces;
- their families who accompany them outside Australia and live with them;

- all personnel (even civilian) who regularly live on military bases or in areas specially reserved for military purposes;
- military personnel and their families living in military-owned housing outside a camp;
- military personnel but not their families living outside a camp in civilian accommodation not owned by the military.

16.2 It can be seen that the jurisdiction of the Military Vicar is partly personal, partly territorial.

16.3 The Vicar's jurisdiction extends to the marriage of a non-Catholic military person and a Catholic civilian, even when the military person is not baptised (Letter from the Prefect of the Congregation for the Evangelisation of Peoples to the Military Vicar of Australia, 15th July, 1970).

16.4 Because of the territorial element to the jurisdiction, all full-time military chaplains in Australia can validly celebrate any marriage which takes place within a service establishment. They can also delegate another priest to celebrate a wedding within a service establishment. If neither party is a subject of the Military Vicar, the celebrant should first obtain the necessary permission from the Ordinary or parish priest of either party.

16.5 For the granting of any dispensations the Military Vicar is competent if a Catholic party to the marriage is his subject. However, the jurisdiction *is cumulative*, not exclusive, in relation to the local Ordinary. By this is meant that both the Military Vicar and the local Ordinary of a Catholic party are competent to give a dispensation

16.6 A military chaplain should always be consulted whenever a marriage involves a subject of the Military Vicar, even though jurisdiction is cumulative. The transient lifestyle and the particular nature of military life can give rise to problems on which the advice of a military chaplain is desirable.

16.7 With the exception of H.M.A.S. Cerberus, Westernport, Vic., St Christopher's, Holsworthy, N.S.W. and R.M.C. Duntroon, A.C.T., the records of all marriages at Service establishments are kept in the Military Vicariate in Canberra.

The address of the Military Vicariate is:-
 PO Box 63, CAMPBELL ACT 2601.
 Tel. (02) 6248-0511 Fax. (02) 6247 0898

17. INTER-DIOCESAN MARRIAGES

17.1 For purposes of marriage, a diocesan subject is one who has a domicile or quasi-domicile, or a month's residence in the diocese, or a "vagus" who is actually resident in the diocese.

17.2 In the case of a mixed marriage, the dispensation or permission is always sought from the Ordinary of the Catholic party.

17.3 If there are any special circumstances, eg. a request for dispensation from canonical form, or for marriage outside of a sacred place, it is necessary for the Bishop of Sydney to obtain prior approval from the Bishop of the appropriate diocese before issuing a dispensation.

18. VALIDATION

18.1 When a Catholic approaches a priest for the validation of an invalid marriage, the priest should of course welcome the person, but should also take the time necessary to discover why the person wants the validation. It can happen that a Catholic seeks a validation because the marriage is in serious trouble and he/she mistakenly believes that, if only the union were blessed by God, the problems would disappear. It can also happen that the request is made solely to satisfy parents.

18.2 Priests should note that it is often difficult to perform a valid ceremony of validation. The law says that the consent given in a validation ceremony must be a new act of the will consenting to a marriage which the person knows to have been invalid from the beginning (can. 1157). This means that a person must accept that he is "not married" and is now getting married. This is good philosophy: How can a person now get married if he believes that he is married already? It is not so good as pastoral practice because almost all non-Catholics and indeed very many Catholics hold that they are already married. For them it is a marriage but not a "blessed" one, so they now seek that blessing. They therefore see the ceremony as basically a blessing, though it contains a renewal of vows similar to that which a married couple might perform at a weekend retreat. Many priests have found it pastorally inadvisable to try to convince a non-Catholic that he is really not married at all. Yet the law requires that both parties accept that they are not married and are now getting married for the first time.

18.3 The solution to this type of situation is for the priest to apply for a retroactive validation (*sanatio in radice*) of the marriage (cann.1161-1165). This dispenses from the requirement of canonical form and so the consent given earlier by both parties now becomes effective.

18.4 Because of the frequency with which this situation can arise, it is understood in this Diocese that in the future the retroactive validation will no longer be the rare and exceptional solution it has been in the past. A validation ceremony is to be used whenever both parties accept that they are "not married", but a retroactive validation should be requested whenever either party believes that he/she is married.

18.5 On the other hand, a Catholic can feel that a retroactive validation is unsatisfying. Since the Catholic is required to do nothing more than sign a form, he/ she can be left feeling that nothing has changed. To meet this spiritual and psychological need, the priest is strongly advised, whenever it is possible, to perform a ceremony of renewal of marriage vows after the retroactive validation has been granted. If this is not possible, then the pastoral presentation to the Catholic must be left to the priest. If it would help, the priest could receive his/her renewal of consent and give a blessing, even in the absence of the other party.

18.6 In all cases of validation (including retroactive validation) the priest must ask to see a copy of the marriage certificate, but otherwise has nothing to do with any civil papers or registers. On the other hand, all normal Church requirements for a marriage are to be carried out.

18.7 It should be noted that in the circumstances of a validation it can more frequently happen that a Catholic sincerely promises to do all in his/her power to have the children raised as Catholics while knowing full well that there is no realistic possibility of this happening. It can also happen that the Catholic is afraid to raise this question with the non-Catholic in any way, even to informing him/her of the promise the Catholic has made. Such a case should be referred to the chancery office.

18.8 A simple validation is to be recorded in the register of the parish where the ceremony took place, a retroactive validation in the register of the priest who made the application. Marriage papers are to be kept in the same place.

18.9 If the application is made by any priest other than a priest of the parish where the couple live, then he must first consult the clergy of that parish.

18.10 Notification of marriage is to be sent to the place of baptism of the Catholic party or parties.

19. MARRIAGES BETWEEN PERSONS FROM AUSTRALIA AND THE PHILIPPINES

19.1 "The Episcopal Conferences of Australia and The Philippines are together anxious to ensure that, with regard to each and every marriage performed in the Catholic Church in the Philippines, all canonical requirements are fulfilled. Should a pastor have any doubts regarding a specific case, he should write, attaching copies of documents, either to his Bishop or to the Secretary of the Australian Episcopal Conference." (Australian Episcopal Conference, Newsletter, n.10, January 1981).

19.2 It would be wise to follow the same procedure also in the case where the priest's doubts are of a pastoral rather than a canonical nature.

(C) LEGAL REQUIREMENTS IN CELEBRATING THE MARRIAGE

20. FIDELITY TO THE RITE

20.1 Within the rite of marriage many options are allowed. Celebrants are encouraged to make full use of these options. The Episcopal Conference alone, however, has the authority to change anything which is set down in the rite.

20.2 In particular, while a couple may well find language of their own to express very profoundly the consent they give, this is a central, ritual and ecclesial act. The couple therefore have a responsibility to the Church community before whom they manifest their consent to use language clearly and certainly conformable to the Church's faith and understanding of the sacrament. It follows that, unless and until other formulas of consent are approved, the couple must use one of the two formulas that have been approved.

21. MIXED MARRIAGES

21.1 The Pastoral Guidelines for Priests of the Australian Episcopal Conference (24th August, 1977) have this to say:

21.2 "23. A marriage between a Catholic and a baptised person who is not a Catholic is celebrated according to the Rite for celebrating Marriage outside Mass (Rite of Marriage, 1971 nn. 8, 39-54).

21.3 "24. If suitable, and if the Ordinary of the place gives permission, the rite for celebrating marriage within Mass (nn. 19-38) may be used except that, according to the general law. Communion is not given to the non-Catholic (Rite of Marriage, n.8).

21.4 "Before seeking permission for a Nuptial Mass the couple and the celebrant should carefully consider such matters as the meaning of the Mass for those guests who are not Catholics, and the significance of one or both partners not receiving Communion. Generally speaking a Nuptial Mass is not recommended for a mixed marriage. Social or religious pressure on the Catholic party, from whatever source, should be resisted.

21.5 "25. A marriage between a Catholic and a person who is not baptised is celebrated according to the special rite given in the Ritual (Rite of Marriage, nn.55-66).

21.6 "26. In the rite for a mixed marriage the celebrant's question at the beginning of the rite about 'tine acceptance and upbringing of children', has been changed to read: 'Will you lovingly accept children from God, and bring them up according to his law?' (Australian Episcopal Conference, September 1974. The original text preceded Pope Paul's *Matrimonia mixta*).

21.7 "27. At a mixed marriage the minister of the party who is not a Catholic may be invited to take part in the celebration. With the permission of the local Ordinary he may read a lesson, preach a homily, or give a blessing (cf. Ecumenical Directory, 1967, n.56). If a marriage takes place with a dispensation from canonical form, the Catholic priest may accept an invitation to perform the same functions, unless the Ordinary specifically forbids this in a particular case. The priest or minister in whose Church the marriage is celebrated, should preside at the celebration.

21.8 "28. A person who is not a Catholic may act as "official" witness (bridesmaid or best man) either at a Catholic or a mixed marriage (cf. *ibid.* n.58)."

21.9 Provided the celebrant follows faithfully the criteria just set out, within the Diocese of Wollongong he does not require special permission from the Ordinary to celebrate a Nuptial Mass at a marriage between a Catholic and a baptised person.

21.10 For the Diocese of Wollongong general permission is given for the minister of the party who is not a Catholic to read a lesson, preach a homily or give a blessing in accordance with the Ecumenical Directory and sound ecumenical practice.

22. SIGNING THE REGISTER

From the same guidelines:

22.1 "29. The civil Marriage Register may be signed after the marriage, either before the congregation or in the sacristy. In accordance with a reply from the Holy See, the Australian Episcopal Conference has ruled that the register is not to be signed on the altar itself" (September, 1975)

23. FEES AND OFFERINGS

23.1 No fee may be charged in the Diocese of Wollongong for a marriage in a parish church, neither by way of a stipend nor by way of a fee for the use of the church. This rule applies even when the couple come from outside the parish. This is in accordance with the general rule that no-one will be asked to pay a fee on the occasion of the reception of any sacrament in a parish church.

23.2 An exception may occasionally be allowed when a particular church has become a popular place for a great number of weddings. In this case the exception must be approved by the Episcopal Vicar of the Region and applies only to cases where both parties come from outside the parish.

23.3 A moderate fee may be charged for weddings in sacred places which are not used as parish churches eg. the chapel of a school or institution.

23.4 If an inquiry is made about the amount usually given as an offering, the priest may suggest a moderate sum, but is to do so in such a way that it is clear that it is a question of an offering freely made, not a fee that is demanded.



2

SECTION TWO: PASTORAL GUIDELINES FOR PREPARING COUPLES FOR MARRIAGE

(A) ASSISTANCE TO ALL COUPLES

THIS SECTION IS BASED ON FIVE BASIC PRINCIPLES.

- In today's society a full and serious preparation for marriage is of the greatest importance. The work must be done by the couple themselves but the celebrant has a particular responsibility to assist them.
- The celebrant assists by establishing a friendly relationship with the couple. Without this the whole preparation would be handicapped.
- While others will assist him, the celebrant has certain specific tasks.
- The many differences between couples indicate that a celebrant cannot have one fixed form of preparation which he applies without variation.
- More is being asked of a celebrant but there are limits to his time and abilities. He will wish therefore to use the time and expertise of other people to assist him.

1) THE NEED FOR PREPARATION

TASK AND GOAL

Preparation for marriage is a practical reflection by a couple on their chosen state in life. Many people enter marriage without being ready for the complex commitment that a mutually satisfying relationship demands.

"Marriage Preparation" has not always been an attractive option for couples, because it has often been based on the assumption that ignorance is the prime cause of marital trouble and that information is a couple's greatest need. Though there may well be a need for information on various points, this is emphatically not the sole task of marriage preparation. If this is all that is offered, its impact is likely to be superficial.

The approach advocated here is intended to help and encourage the couple to make a careful evaluation of themselves, of each other and of their relationship. This may include the imparting of knowledge, but is primarily an assistance to the couple in looking at the reality of themselves and their relationship. It begins at their present level of understanding and seeks to lead them to a deeper level of relationship.

Helping couples prepare for marriage is a very challenging ministry and a most important one for the Church. At the heart of Christian marriage is the sacramentality of the mature and truly human love of a husband and wife who, in good times and bad, reveal Christ's love for each other and for all His people.

PREPARING FOR MARRIAGE

Preparation for marriage begins at birth. A person's attitudes are primarily formed by the way parents and other significant adults in the child's experience live their marriage. Positive attitudes and values towards Christian marriage may be reinforced by school programmes in personal development and religious education. These can lead to an appreciation of the value of preparing well to enter a life-long commitment in marriage.

Immediate preparation during the engagement period builds on these foundations. It leads the couple to healthy attitudes and values and challenges them to reject harmful ones that may have been formed in childhood. It provides an opportunity for the engaged couple to examine their own attitudes and expectations, the seriousness of their choice, their responsibility as individuals and the richness of the faith dimension of their marriage.

This opportunity for serious reflection is as much a part of the preparation as are the ordering of the ceremony, arrangements for the reception, etc. Thus, it should be begun as early as possible to avoid the pressures that these outward arrangements cause close to the wedding day.

Serious preparation should be an interactive process. It is essential that the couple be active participants and not just passive listeners. It is for this reason the word "instructions" has not been used here.

NOTICE OF INTENTION TO MARRY

Couples should be encouraged to give at least six months' formal notice of their intention to marry. If it is possible, even longer notice is desirable.

So that those intending to marry will be aware of what is expected of them, pastors should give publicity to this recommendation through parish notice boards and news sheets and by making occasional references to it from the pulpit.

The six months' notice period is not a law; it is a recommendation.

It will create bad feeling in couples if they give adequate notice of their intention and then the time is not well used. However long the period of notice given, it is important that serious preparation begins as early as possible.

Appointments for weddings should not be accepted by telephone or outside the church after Mass. This can lead to complications if any problems should arise about celebrating the wedding. Instead, the priest should invite the couple to come and see him at a mutually convenient time.

2) RELATIONSHIP WITH THE CELEBRANT

THE FIRST MEETING

The first meeting is important in establishing a relationship in which the couple will see the celebrant as friendly and approachable, one on whom they can rely and to whom they could return in later years should problems arise. The success of the whole preparation will be greatly influenced by the atmosphere created at this first meeting.

During this meeting the celebrant will be making his initial assessment of the spiritual and psychological state of the couple.

Before the meeting ends certain other matters need to be discussed. If there are problems about celebrating the marriage, then it is much better if both celebrant and couple are aware of this from the beginning. Many priests fill out the two Pre-Nuptial Inquiry Forms at this first meeting in order to ascertain this.

The celebrant should also try to communicate the importance of making a serious preparation for the life-long commitment the couple are soon to make. It could be helpful at this stage to map out a programme of preparation that would include the timing of further meetings with the priest, and discussion of the most suitable form of marriage preparation.

NUMBER OF MEETINGS

Though the requirement of "five instructions" no longer applies, as five is an arbitrary number, the number of meetings should be sufficient to ensure adequate preparation. In many cases five meetings of celebrant and couple would be quite sufficient. It is hard to imagine circumstances in which five meetings would be too many, even where both parties are practising Catholics and have completed some form of pre-marriage course.

The celebrant will normally see each party separately at least once, to ensure that each is free from unwarranted pressure and to discuss any difficulties or danger signs that have arisen in the course of the meetings.

Meeting the couple in their homes with their families, is another suggestion that some priests see as valuable. It helps the priest to form a picture of the family backgrounds that are influencing this couple. Informal contact helps affirm a couple's positive attitudes to the Church and its ministers.

As they share with him their own personal story, their hopes and their love for each other, the celebrant's relationship with the two people will deepen. Not only will this enhance a more personal wedding liturgy, but it will also encourage and support a spirit of growth in the couple's own relationship.

3) THE SPECIAL ROLE OF THE CELEBRANT

The meetings between the engaged couple and the celebrant have a two-fold purpose:

- To assess whether or not the couple are free to marry, are capable of marriage and truly willing to enter it;
- To assist the couple in their spiritual preparation for marriage and help them deepen their relationship.

ASSESSMENT

The celebrant will need to form a judgment concerning the psychological capacity of the couple for the close and life-long relationship of marriage. While a celebrant in the Sydney Diocese will no longer have the right to refuse to celebrate a marriage on his own authority, it is required that he be satisfied that the couple have the necessary capacity to marry lawfully and validly. This means that he should use ordinary prudence and reasonable enquiry concerning their freedom to marry, their understanding of what marriage entails, their ability to sustain a close relationship and their intentions concerning marriage.

The celebrant will not always be able to discover defects, even serious ones. He does, however, have a responsibility towards the couple and the whole community in this regard; prudence and reasonable enquiry are a duty.

RELIGIOUS AND SPIRITUAL PREPARATION

The celebrant will also want to make some assessment of the religious preparedness of the couple and of what is needed and possible to increase this preparedness in the months before the marriage. This can be done during the process of completing the documents and in response to direct, but gentle, questioning. Most couples will respond readily enough to questions about their faith experience provided they are not made to feel that truthful replies in the negative may jeopardise their Church wedding.

The celebrant will attempt to encourage the couple to deepen their commitment in faith, to grow closer to Christ through prayer and the reception of the sacraments, and to respond to the call to holiness that the vocation to Christian marriage proclaims.

Couples should be encouraged to receive the sacrament of reconciliation prior to their wedding and to receive Communion at their Nuptial Mass. In cases of a mixed marriage the celebrant could encourage the Catholic party to receive Communion before the wedding; he may wish to celebrate a special Mass for the couple in the week before the marriage ceremony.

PREPARING THE WEDDING LITURGY

Helping couples prepare the wedding liturgy is one function of the celebrant that is sometimes left to the last meeting and the rehearsal. There is good reason, however, to introduce this liturgical preparation earlier.

By discussing all facets of the ceremony over three or four meetings, the celebrant can draw out of the rite the essential teaching on marriage.

For example:

- The introductory address of the rite provides an opportunity to examine the meaning of the sacraments and particularly of the sacrament of marriage.
- The threefold statement of intentions is an apt time to discuss freedom, self-giving love and the realities of married life and children.
- The reception of consent is the time to discuss a married couple's new relationship with the Church and the mutual duties and responsibilities that the Church and the couple have towards one another.

The approach of calling upon the couple, as ministers of the sacrament, to prepare the ceremony themselves, with the assistance of the celebrant, has many advantages. The couple choose the various formulae and discuss the alternative readings. They are given the responsibility for designing a ceremony that is expressive of their unique relationship. The celebrant assists by using his expertise to explain the context of the scripture readings and the nature of liturgy and sacrament.

4) DIFFERENT FORMS OF PREPARATION

STYLES OF MEETINGS

There are many differences between couples, so a celebrant cannot have one fixed form of preparation which he applies without variation to all couples. For example, a later section will discuss approaches for couples in special circumstances such as mixed marriages, young marriages, second marriages and inter-cultural marriages.

Generally, the approach adopted by the celebrant will be based on the level of rapport that he can establish with the particular couple. With some couples who are comfortable in the Church and not awed by the priest, a free flowing discussion, where a range of topics can be discussed either at the instigation of the priest or the couple, may be the best. For some couples it may be useful to use a set programme (see Resources p 32) such as the "Preparation for Marriage Discussion Sheets". As mentioned earlier, using the wedding rite itself as a basis for discussion is appropriate. The couple will need a copy of the rite (such as "Together for Life") for this.

Some priests simply have a list of subjects they always talk about, eg. faith, prayer, Christ, the Church, sacraments, specific teachings of the Church, morality, the wedding rite. There is need for caution here so that such an approach does not become a monologue by the priest, but remains at a discussion level. Adults learn best where they can freely share their own values and attitudes and not remain passive listeners.

ACTIVITIES

Apart from choosing the various alternatives for the wedding ceremony, there are other activities which may be helpful for particular couples and which make the meetings both interesting and enjoyable. An excellent source for these is the priest's book which is part of the "Before You Say I Do" programme. These activities include reflection sheets on attitudes and values, slide presentations and points for discussion.

Other activities need not be undertaken in the presbytery but by the couple on their own. For example, the "Intimacy" series of tapes are designed for a couple to listen to together in private. Some books such as "The Secret of Staying in Love" by John Powell and "Between Husband and Wife" by Victor Salz, contain exercises which the couple can work through privately. If the celebrant recommends these to the couple, he may well enquire as to how they fared in doing the exercises, but should not expect to see the personal or written sharings.

The PMI, or Pre-Marital Inventory, is another activity which may prove useful in the early stages of preparation. The PMI is a questionnaire that presents a profile of a couple's agreements and disagreements in such categories as Readiness for Marriage, Personal Adjustment, Religious Attitudes, Communication, In-Laws, Sexuality, Children, Finances, Interests and Activities, and Role Adjustment. The value of the PMI is that it raises questions that a couple may not have considered or discussed together, and it highlights those areas of their relationship that need development. It is in no way a test of their compatibility or capacity to marry. As a lot of time is needed to complete the questionnaire, evaluate it and then inform the couple of the result, it may well be presented by sponsor couples or parishioners on the parish's Family Ministry Committee.

5) ASSISTANCE OF OTHER PEOPLE

There are limits to the time the celebrant can spend with each couple and limits to his own abilities and skills. However, there are many ways in which others can assist.

SPONSORSHIP

The celebrant has the primary responsibility to assist couples on their journey to marriage. Yet, in order to involve the whole Church community in the different phases of preparation, the concept of 'journey to marriage' could be developed along similar lines to those used in the catechumenate for adult initiation.

This approach calls upon a married couple approved by the celebrant to sponsor the engaged couple by supporting, guiding and encouraging them throughout the preparation period.

The role of the married sponsors is primarily to undertake a ministry of support and friendship. This support is a practical sharing with the engaged couple of their own hopes and expectations at the time of their engagement and something of the reality of their experience in the time since their marriage, in areas such as relations with in-laws, money, arguments, sexuality and faith. Honest and open discussion with a

faith-filled husband and wife couple can be the source of a deeply spiritual renewal and enlightened mutual commitment for the engaged couple.

Sponsors could well administer the PMI and give the results to the engaged couple. The PMI, because it does provide a lot of information about the couple, would help form the basis of the supportive relationship between the married and the engaged couples.

Sponsor couples should be active Christians, with children, who are seeking to grow in their own relationship and love of God. Care should be taken in matching the engaged couple with the married couple so that backgrounds and standard of living are reasonably compatible. Sponsors should be familiar with the wedding rite and the requirements of both the Diocese and the parish in relation to marriage, so that they may answer questions that arise about preparing the ceremony, flowers, music etc.

Married people acting as sponsors could be members of the parish's Family Ministry Committee. They should meet from time to time at both parish and regional level to share areas of concern and develop expertise.

If married couples sponsor a couple who are preparing for marriage, there naturally arises a ready made support for them in the early months of the marriage. This ongoing support is greatly needed and is a valuable ministry.

PROFESSIONAL ASSISTANCE

a) Sexuality

It is not considered the domain of the priest to be advising on the sexual aspects of marriage in any detail. If he, or the couple, considers there is a problem in this area, the priest should refer them for counselling to the offices of Centacare, or a similar counselling agency. The medical profession is specially qualified to deal only with the purely physical aspects of sexuality and reproduction. Broader questions of relationship, even involving physical questions, are better dealt with in a counselling setting first; medical referral will be made from there when necessary.

b) Family Planning

Centacare conducts clinics at various centres around the Diocese where couples can receive skilled advice in Natural Family Planning methods. Brochures, outlining the methods and listing the clinics, are available to parishes.

CENTACARE

Centacare, is the organisation under the auspices of the Diocese designed to assist individuals and couples in relation to marriage. It also assists with family problems, including difficulties with children and adolescents, and offers a counselling service for those preparing for marriage.

Centacare will assist priests in their helping role. Members of staff are available for consultation with the clergy. They are prepared either to assume the responsibility for assisting a couple, or to work in collaboration with the priest who is already involved. The decision can be made after discussion with the couple and the priest.

This service is appropriate for those with special difficulties which are not likely to be resolved at a pre-marriage course. The emphasis in counselling is more intense and the focus more sharply defined. This is possible because of the smaller number seeking such help and the opportunity for individual meetings.

Centacare also provides consultation for celebrants who are concerned about special problems facing a couple who are about to be married. This is especially helpful when the couple themselves are not prepared to seek advice or even admit that they have any problems. Such consultation is suitable when the difficulty is not of a kind which would require referral to the office of the Bishop.

When a celebrant wishes to use the services of Centacare he may make contact with an appropriate counsellor by telephoning any office of the agency during office hours. A letter of referral is welcomed. This should set out the reasons for seeking aid. Centacare will report back to the referring priest on the outcome of the counselling. However, if a priest is simply referring a couple to Centacare for pre-marriage counselling, it is often more convenient for the couple to make their own appointment.

MARRIAGE PREPARATION COURSES

There are grounds for cautious optimism about what can be achieved at a special course in the time immediately before a marriage. Priests should be familiar with the courses accredited in the Diocese. They

should see such courses only as ancillary to the celebrant's role of helping the couple examine their own motivation and readiness for marriage. The effectiveness of courses often depends on the participants reason for attending. Attempts to compel attendance may result in physical presence but severely restrict positive benefits that might otherwise accrue.

In encouraging couples to attend a course, it may be helpful to emphasise the reaction of other couples who enjoyed the course and found it valuable, as well as refer to some of the topics of the course that would be of special interest to this particular couple. Couples are generally appreciative of the sections of the course that deal with conflict management, skills in communicating, sources of finance and growing in intimacy. The topics are listed more fully below.

The timing of the course is crucial, the rule being "the sooner the better". Experience shows that couples attending a course within a few weeks of their wedding are unable to take part in the discussion freely or share with one another at an honest level. A course can be a valuable experience two to twelve months before the wedding

Brochures are distributed annually giving details of the course locations and timetables.

TYPES OF ACCREDITED COURSES

In order to ensure that pre-marriage education courses in the Diocese of Wollongong are of a high standard, the Archdiocesan Advisory Committee on Pre-Marriage Education has established a system of accreditation for the teaching content, methods and personnel of such courses. This committee may be contacted at the Centacare Offices in Polding House.

Three types of accredited courses are outlined here:

A) CENTACARE PRE-MARRIAGE EDUCATION COURSES.

Promoted by Centacare in collaboration with parishes throughout the Diocese, they are held at various times and on an average of three per month. They are conducted by a team of trained married educators with a priest.

The aim of the pre-marriage education course is to provide an environment where couples may acquire information, share and test their expectations with married people, and gain interpersonal skills in areas such as communicating, handling conflict, family planning, sharing faith and prayer, and budgeting. The course is positive in its approach, emphasising the joy and fulfilment that comes from living a truly Christian marriage, but without minimising the inevitable difficulties which occur in the pursuit of the ideal. In this way the participants are presented with a truly human view of Christian marriage.

Couples should apply for this course using the appropriate application forms which are distributed to all parishes at the beginning of each calendar year.

Topics covered in a Pre-Marriage Education Course.

- Sharing expectations of marriage: eg. marriage roles and tasks, decision making, dependence v. independence, traditional and modern styles of marriage, values and attitudes.
- Growth in intimacy: the ability to give oneself and receive the other as the basis of the marriage relationship, trust, self-esteem, knowing oneself and one's partner.
- Effective communication: verbal and non-verbal communication, listening skills, barriers to communication, sending double or confused messages, communicating feelings.
- Conflict: fighting patterns, destructive arguments, resolving conflict, developing constructive rules.
- Faith: Christian marriage as a vocation; being a follower of Jesus; sacraments, especially the sacrament of marriage; spiritual life as growth in love and journey to the Father; prayer; forgiveness and reconciliation.
- Sexuality as the expression of the total person, giving and receiving love: dignity of the body, need for affection, affection without intercourse, sexual responses of males and females, myths of sexual experience, fears, talking together about sexual fulfilment, growing towards sexual intimacy.
- Fertility awareness: methods of family planning and natural family planning, responsible parenthood, children, the Church's teaching on contraception.
- Financial planning: learning how to develop mutual decision making skills when confronting the financial and legal implications of major life decisions, such as housing and other family goals.

These topics are not necessarily treated as individual units in a course, but are developed progressively throughout each programme. The longer weekend courses devote more time to the first four subjects of the above outline than do the shorter week-night courses.

B) CATHOLIC ENGAGED ENCOUNTER.

Promoted by the Marriage Encounter Resource Community and held once a month, this is a live-in programme beginning on Friday evening and ending on Sunday afternoon. It is conducted by a team of two married couples with a priest.

The Engaged Encounter is founded on open, honest and loving communication whereby couples explore their strengths, weaknesses, goals, attitudes about money, sex, children, family and their roles in the Church and society. Team presentations involve a personal sharing on marriage and family experiences. There is no 'lecturing', nor is the weekend a 'leaching' experience. The couple are asked to involve themselves in a period of discovery. The weekend is not designed to take the place of interviews normally held with the celebrant. However, the weekend does emphasise sacramentality and marriage theology.

The Catholic Engaged Encounter offers a faith experience for couples. It is a programme that calls for intense emotional involvement.

Couples should apply for a weekend on the appropriate application form.

Topics covered in a Catholic Engaged Encounter Course.

- Encounter with me, Encounter with we: how we see ourselves; stages of romance; love is a decision.
- Communication: openness, realistic expectations.
- Vocation to marriage: the call to love one another totally is a response to God's call.
- Marriage morality: making life-giving decisions.
- Sexuality: God's plan for men and women to become more human and more expressive of God's goodness.
- Unity: the true goal of marriage is unity; loving each other as Christ loved us.
- Betrothal: steps to marriage as steps to the priesthood. Sacrament of matrimony as gift of the Church.
- Two by two: being open and apostolic.
- Plan of life: goals and priorities.
- Healing in marriage: admitting the need for reconciliation and the grace of healing is acknowledging belief in God and love for one another.
- Prayer Service: The team pray with the engaged couples for their future lives together (additional to Mass on Sunday).

C) EVENINGS FOR THE ENGAGED.

The six week programme is sponsored by the Marriage Encounter Resource Community. It is conducted by a married couple in their own home with the support of the local priest. The number of engaged couples is best limited to six or less. The married couple follow a handbook that provides a suggested format and sample presentation. Each week the engaged couples receive a "Couple Pak" which is a printed set of exercises, summaries and discussion points, together with a letter from Father Chuck, Jim and Paula, the authors of the programme.

As this programme is organised at the parish level and caters to only a few couples at a time, the frequency of the programme depends upon the number of engaged couples, the availability of married couples to lead it, and the co-operation among surrounding parishes to organise it.

(B) ASSISTANCE TO COUPLES IN SPECIAL CIRCUMSTANCES

1. MIXED MARRIAGES

In dealing with the law, mention has already been made about questions on the degree of faith of the Catholic, the religion of the children and the place where the marriage will be celebrated. These questions are important, but they are by no means the only questions to be faced in entering a mixed marriage.

Religious values form a large part of our answers to some of the most fundamental questions: Who am I? Where do I come from? Where am I going? What is the purpose and meaning of my life? If a couple are giving radically different answers to these questions, there can be a great deal of conflict and lack of communication in their marriage. Where a couple are capable of it, it can be a good idea to get them to think over such questions for a week, then write out individually their own personal "Creed", a statement of their own religious beliefs. These can then be compared in discussion with the priest.

Behind the more open conflicts over religion that may arise in a mixed marriage:

"there may also lie hidden conflicts; often they are undetected, although they harm the unity of the marriage. Distinctive patterns of thought and living arise from distinctive religious traditions and become part of us. They can block communication and disturb the harmony of the home because they shape our approach to daily life. Thus, despite goodwill on both sides, the couple may misunderstand each other's values, attitudes and behaviour and become bewildered.

"A further complication is that differences of religion can be blamed for disagreements and quarrels that really come from other causes. On the other hand, unrecognised resentments and prejudices rooted in the religious difference can fuel a disagreement over other matters into a bitter quarrel."
(*Pastoral Statement on Mixed Marriages*, Australian Episcopal Conference, 1977, pp.8-9)

It is commonplace that people can bear a deep resentment on some subject, be unable to articulate it and end up arguing over something quite different. Thus, even if religious questions seem to be resolved satisfactorily, any underlying resentments that exist need to be brought out into the open.

It not infrequently happens that differences in religion loom large in the courtship of a good Catholic and so much time and emotional energy is put into resolving this question that other vital aspects of the relationship are overlooked.

A complicating factor in mixed marriages can sometimes be the attitudes of the parents. Parents have a natural concern for the good of their children, but often the couple resolve their problems quite satisfactorily, while parents take a much stronger stand. Sometimes it will be advisable for the celebrant to visit parents and discuss the matter with them.

2. THE VERY YOUNG

Two matters need to be looked at in a special way when a celebrant is asked to celebrate the wedding of a very young person: motives and expectations.

Many *motives* can lead to problems. Experience suggests the following common motives:

- marrying because of a pregnancy;
- a desire to escape from an unhappy home situation;
- a sense of failure and need for acceptance;
- low self-esteem;
- loneliness and depression;
- marrying out of pity rather than love;
- marrying solely out of physical attraction;
- "everyone else is getting married";
- a feeling of being left on the shelf;
- parents wanting to get rid of a child through marriage;
- "in love with love";
- rebound from a broken romance;
- marriage as a status symbol;
- money or social standing;
- a means of escaping pressure from a partner for a sexual relationship;
- guilt over a sexual relationship;
- a long acquaintance that leads everyone to expect marriage;
- a man fed up with cooking and washing for himself;
- "a place is now available to live in";
- marrying to "beat a girlfriend to the altar";
- the feeling that marriage is "the next thing to do", the next "experience to try out".

All these “motives” are negative reasons for marriage. They do not include the positive choice of another person as the person with whom to spend one’s life. All of them involve ‘using’ another person, since they are really directed towards solving some personal problem through marriage.

The *expectations* of the very young will usually be romantic and idealistic—“love will solve all problems”, “he will change after marriage”. The celebrant should consider whether a reasonably young married couple in the parish might be better able than he in communicating to the engaged couple a down-to-earth idea of the reality of marriage, the seriousness of the commitment and perhaps even the advisability of postponing a wedding.

3. INTERCULTURAL MARRIAGES

Care should be taken to see that the couple are aware of the many potentially difficult problems a culturally mixed marriage can create. Many couples can be totally unaware of each other’s culturally determined attitudes, values and expectations regarding marriage and family life.

Celebrants preparing couples from culturally mixed backgrounds can explore with the couple their attitudes to matters such as:

- their roles as husband and wife;
- their status in relation to each other;
- how decisions are to be made in the family;
- the place of in-laws in the relationship;
- care of children;
- working wives;
- control of finances;
- choice of friends;
- individual freedom

The couple should at least be aware of differing attitudes or expectations and able to discuss these openly.

Young people who have been raised in Australia but in a family of a different cultural origin can often be torn between the two cultures. The celebrant may need to assist them in resolving these conflicts and in coming to terms with the cultural choice they have made in deciding to marry a particular person.

4. RE-MARRIAGE AFTER DEATH OR NULLITY

Few people see their marriage come to an end, whether through death or separation, without some form of trauma. Such people are particularly vulnerable to self-doubt, guilt feelings, depression and a sense of emptiness.

They will inevitably go through a process of bereavement. The stages of this process have been identified in various ways, eg. shock, rejection, guilt, anger, grief, painful memories and, finally, learning to live again.

The process takes its own time and there is little that can be done to hurry it. Many would say that two years are a minimum for most people, and that longer periods are not at all uncommon.

A person can be making a very bad mistake in attempting to marry again before working through this bereavement process. Some of the wrong motives mentioned for the very young can be present here, eg. escape from the present situation, a sense of failure and need for acceptance, loneliness and depression etc.

If the partner is still alive, the person also needs to come to terms in a realistic way with why the marriage broke down. Otherwise problems that destroyed that marriage will be carried into the new union.

If the former partner is dead, the danger is that the person thinks that he/she knows all about marriage and has nothing further to learn. Yet it is a very different relationship now being entered and almost every aspect will have to be re-learned. The new partner cannot be expected to be a carbon copy of the first.

5. COUPLES LIVING TOGETHER

There is now sufficient evidence to be able to state that a period, even a lengthy period, of living together before marriage is not a guarantee that the marriage will be successful. Marriage changes the nature of the relationship

The two major questions for the celebrant are: Firstly, why do the couple now wish to marry? In particular, is it because problems have arisen in the relationship and they believe that marriage will resolve them? Secondly, was there some particular reason why they did not wish marriage earlier? It could, for instance, have been because they feared a permanent commitment or doubted their own ability to sustain a relationship.

The couple must, of course, be received kindly. If they are met at the outset with a demand that they separate until the wedding, they may well not return. They must be led towards this consideration.

If they are unwilling to move in this direction, this does not necessarily preclude a wedding and must not be allowed so to disturb the relationship between the priest and the couple that he will be unable fruitfully to discuss faith and marriage with them. Celebrants are again reminded that no priest in the Diocese is free to refuse to celebrate a wedding on his own authority; the Bishop alone has this power. If the priest feels that in all the circumstances he should refuse, then he must refer the matter to the Bishop.

6. THE HANDICAPPED

When a priest is approached by a handicapped person, it is always desirable to seek expert advice. There can be many pitfalls of which most priests would not be aware.

It is not just a matter of the physical handicap itself, but of the values and attitudes, the needs and frustration that can go with it. Special knowledge and experience are required.

(C) PASTORAL GUIDELINES:

MAKING THE MOST OF THE MARRIAGE LITURGY

THE CEREMONY

Couples remember their wedding day. If there has been a sense of warmth and personal involvement in the ceremony, this will remain with them always. If they later run into difficulties they will be greatly assisted by the memory of their total and unreserved giving on that day and of the joy with which they made the gift.

It is, therefore, important that the ceremony be a true celebration, carefully planned in all details. The tone and atmosphere of the ceremony should be warm and friendly.

BASIC PRINCIPLES

All sacraments express the life, death and resurrection of Christ. Marriage is no exception. Like all sacraments, it should be a death to self and a rebirth to love. In particular, it is a death to the freedom of single life, but a birth to a new and deeper life together and to the life of fatherhood and motherhood.

The elements of fidelity, permanence and fruitfulness within marriage are not simply observations to be made about marriage at one point in the ceremony. They are underlying ideas that should inform the whole ceremony.

It is a celebration of both human and divine love. While romantic love is by no means excluded, it is more directly a celebration of the commitment to life-long love. This commitment is one of faith.

A wedding is not just a family and private event. It is a celebration of the entire community. Many people still come to weddings to watch something happen, to be spectators. Every effort must be made to involve all present in the celebration of the marriage.

From the couple one seeks a spiritual and intelligent sense of what they are doing. This presupposes that they have been deeply involved in the preparation of the wedding ceremony. Assuming that the preparation has been designed to make them aware of the seriousness of the responsibilities they are undertaking, it is preferable that the ceremony emphasise the positive and joyful rather than the negative elements of marriage.

Weddings provide opportunities for celebrants to communicate spiritual ideas to wedding guests who might otherwise never or seldom be seen in a church. (Introduction to the Rite of Marriage, n.9).

STRUCTURE OF THE CEREMONY

In all that follows it is presumed that the celebrant has carefully studied both the Rite of Marriage and the Introduction to it. That Rite is not repeated here, but some suggestions are offered on how to make the best use of it.

Each culture group has its own cherished traditions which make a marriage a joyous human event. In the increasingly multi-cultural character of Australian society, the Church encourages the incorporation of these cultural traditions into the liturgical celebration of the Christian marriage whenever they are in conformity with Christian belief.

All liturgical ceremonies consist of substantial sections and transitions.

The wedding ceremony is structured as follows:

1. The Entrance Rite
2. Liturgy of the Word
3. Rite of Marriage
4. Liturgy of the Eucharist (*omitted if there is no Nuptial Mass*)
5. Conclusion

Many couples are now printing copies of their wedding ceremony for their guests. Such a booklet enables the community to participate more fully. It serves to avoid any marking of liturgical books or searching for the chosen prayer by celebrant and rectors. All are able to concentrate serenely on the meaning of the liturgy. It is something for couples to read again and again as the years pass.

THE ENTRANCE RITE

The first part of the Entrance Rite involves the bride, the groom and the other ministers coming together for the celebration; this is followed by the Rite of Introduction.

Within the Rite there are several options suggested for the procession. The liturgy does not order any particular method of entrance.

One of the options recommends that the celebrant go in procession to the main door of the church. There he greets the couple in a warm and friendly way; he shows them that the Church is rejoicing with them on their day. Then all go to the altar in one procession; ministers, or servers, lead the priest and the spouses follow him with their attendants, and also with their parents. The entrance hymn/music is played during this procession.

The Rite also states that the customary bridal procession may be retained. While most couples choose this approach, to encourage this custom may place undue emphasis on the entrance and on the bride. Moreover, it emphasises the outdated practice of one man giving a woman to another man, with its overtones of inequality.

An important part of the Introductory Rite is the words of welcome of the celebrant to the community gathered for the wedding. These words should be designed to reduce any tension within the bridal party or the congregation, set an appropriate tone for the celebration and ready the community for participation in the marriage ceremony. These words of welcome should be warm, friendly and spontaneous, not read from a book.

The positioning of the bride and groom is significant. This will depend on the space and design of the sanctuary. However, the place of the bride and groom could be on the side of the sanctuary—visible but not dominating. This frees the space in front of the altar for the wedding liturgy which will happen later.

LITURGY OF THE WORD

The couple may need to be reminded that selection of readers for the liturgy of the word should depend upon the skills to read clearly and well rather than merely some relationship of friendship or family membership.

Celebrants should be aware of their responsibility to guide the couple in their choice of texts according to liturgical principles. They should be prepared to educate them, if necessary, in their role as ministers of the sacrament of marriage to each other, in the sight not only of the local assembly, but the Church as a whole. This role is exercised, among other ways, through the choice of texts for the celebration.

The use of other readings or poems drawn from religious or secular sources cannot be considered as part of the proclamation of the word of God.

RITE OF MARRIAGE

Address: A brief address is provided in the Rite. The priest may use his own words for this. It may even be included at the end of the homily, to allow a flow-on to the Marriage Rite. The address in the Rite is a good model of length and content. This address must not become another homily.

Questions: The priest asks three questions of the couple to determine that they are free and that their consent is according to the Church's understanding of marriage. No answer is specified in the ritual; a simple "Yes" is adequate. These answers should be heard by the community and it may be helpful to have a standing microphone. A more lengthy answer, such as "Yes, I have", or "Yes, I will", would be suitable. The couple should be prepared in advance for these questions.

Consent: The free giving and receiving of each other's consent marks the establishment of the covenant of marriage. The expression of this consent is therefore the centre of the Rite, and is to be seen as the most solemn moment of the celebration.

To make it more apparent that the couple are making their vows to one another, it may be appropriate for them to face each other. This may also require the re-positioning of the best man and the bridesmaid to involve them in this part of the ceremony.

The exchange of consent could be memorised by the couple with the celebrant available to prompt them for any memory lapse. Should this be difficult, the consent could be read.

After the priest receives the consent there is an opportunity for the congregation to acknowledge and support what they have witnessed with the reply: "Amen". Although this is a brief reply, its significance should be emphasised.

General intercession: Couples should be encouraged to include their own intentions for prayer for their marriage. The intercessions provide a suitable place for their creative efforts. As an option the couple could kneel during these intercessions while the congregation stands.

LITURGY OF THE EUCHARIST

Preparation of gifts: These may be brought to the altar as usual. Perhaps representatives of each of the families could form the procession. As an option, the bride and groom could receive the gifts from the offertory procession and bring them to the celebrant at the altar.

Nuptial blessing: The celebrant may wish to leave the normal position at the altar to come to the bride and groom for this blessing.

Sign of peace: All present are invited to show their love for one another and share the peace of Christ in a suitable way. While this may be a little less formal than a Sunday liturgy, care needs to be taken that it be done with dignity.

CONCLUSION

Signing of the Register: In itself, this is not part of the ritual of marriage. It seems preferable to have the couple and the official witnesses sign the civil register on the sanctuary, rather than retire to the sacristy. If desired, this signing can be completed after the Communion prayer and before the final blessing.

The signing of the civil documents is not a merely secular act but has a religious content. It signifies the couple's request that their union be accepted and protected by the entire community.

Recessional: No mention is made in the Rite of the manner in which the recessional is to take place. The celebrant and ministers may leave after the bride and groom have begun to move away; or follow the wedding party in the recessional; or accompany the wedding party in the recessional.

MUSIC AND SINGING

As for any religious service, the music should be chosen according to sound liturgical principles. A wedding is first a religious celebration. It is worship of God. At weddings this can be all too easily forgotten.

Appropriate wedding music: Music is more appropriate in some parts of the liturgy than in others. For example, within a Nuptial Mass music is appropriate at the Entrance; Responsorial psalm; Gospel acclamation; Holy, holy, holy Lord (Sanctus); Memorial acclamation; Great Amen; the Lord's Prayer; Communion hymn and Recessional. Music, of course, could be used at other times but preference should be given to those just mentioned.

Choosing wedding music: There is often great difficulty in choosing suitable pieces of music for a wedding, and too facile a distinction between "sacred" and "secular" music is made, which leaves no one satisfied. This is because the distinction between the secular and the sacred is not a clear one. There are very deeply religious songs which have a "secular" origin, and many so-called "religious" songs are trashy and sentimental. What is being brought to expression in a wedding liturgy is the mystery of human love as a covenant relationship.

Choosing the music for a wedding is an opportunity for all involved to deepen their appreciation of the mystery being celebrated. The influence of music for good or ill is greater than might appear on the surface. Choosing suitable pieces requires prudence, sensitivity and openness to God's word. The time and effort that celebrants and musicians devote to this task, in conjunction with the spouses and families, is well spent.



3 APPENDIX

1: THE TRIBUNAL

A death certificate of a former spouse must be produced when either partner of a couple seeking to marry has been previously married in any form of ceremony whatsoever.

If no death certificate can be produced either because:

- 1) the former spouse is still alive, or
- 2) a death certificate cannot be obtained,

a priest cannot perform the wedding ceremony until a Church tribunal issues a decree of freedom to marry.

Tribunals hear cases under four different headings: defect of form, ligamen, privilege of the faith and formal nullity cases.

Defect of Form

A marriage is invalid through defect of form whenever a Catholic marries other than before a properly delegated Catholic priest and two witnesses, unless he or she has previously obtained a dispensation from canonical form.

The one exception to this rule is that the marriage of a Catholic and a member of a Separated Eastern Church (eg. the Greek Orthodox Church) celebrated before a sacred minister is valid, though unlawful without dispensation. For Latin Rite Catholics this exception applies for marriages celebrated after 25th March, 1967.

By virtue of ancient laws the Church also accepts that members of Separated Eastern Churches are bound to a form of marriage. Thus their marriages may be invalid if a priest is not present and a blessing given.

Members of Protestant Churches and unbaptised persons are not bound by law to any religious form of marriage. Thus the marriage of two Anglicans in a Registry Office is valid in the eyes of the Catholic Church.

When applying for a decree of nullity on the grounds of defect of form the local priest should obtain from the tribunal a form entitled "Application for Declaration of Nullity of Marriage due to lack of Canonical Form".

The person seeking the decree should complete this form and lodge with the priest:

- a recent copy of a baptismal certificate,
- a full copy (not an extract which omits many details) of the marriage certificate (obtainable from the Registry of Births, Deaths and Marriages, A.M.P. Centre, 50 Bridge Street, Sydney) and,
- a copy of the decree absolute of divorce.

The priest should check with the parish where the Catholic party lived at the time of the marriage to see whether a dispensation from canonical form had been granted. He should also check with the places where the couple lived during their marriage up to the time of their separation to ensure that there was no validation.

All documents are then forwarded to the tribunal. The priest should await the decree before a date is set for a new marriage.

Ligamen

Whenever a party to a marriage had been married before and the first partner was still alive at the time of the second wedding, it is possible that this latter could be declared invalid on the grounds of ligamen, ie. the bond of a prior union.

The priest in the parish should obtain from the tribunal a form entitled "Application for Declaration of Nullity of Marriage due to Ligamen."

When completed, this form should be forwarded to the tribunal together with the documents mentioned in it. Since there can be complications, priests are asked not to tell people that the case is only a formality.

Privilege of the Faith Cases

Pauline Privilege

The Pauline Privilege applies only when a marriage has taken place while both parties were unbaptised and one of the parties has subsequently received valid baptism in a Christian Church. Such cases are dealt with by the diocesan Bishop and do not have to go to Rome.

Papal Dissolution of a Non-Sacramental Marriage (sometimes called a Petrine Privilege Case or a Favour of the Faith Case)

The Papal dissolution of a non-sacramental marriage may be possible when a marriage has taken place either:

- between a baptised person and one who has not been baptised; OR
- between two unbaptised persons where neither intends to receive baptism in any Christian Church.

Such marriages are considered valid but not sacramental and may be dissolved by the Pope in favour of the faith, provided three essential conditions are fulfilled:

- that at least one of the partners has not been baptised in any Christian Church at any time prior to or during the course of the marriage;
- that sexual intercourse has not taken place after the baptism of the previously unbaptised partner, for then the marriage would be a consummated sacramental marriage;
- that a non-Catholic party to the new marriage, whether baptised or not, will allow the Catholic party full liberty and opportunity to practise his or her faith and allow all children of the marriage to be baptised and brought up in the Catholic faith. Notice that this goes further than ordinary mixed marriage; it requires a formal guarantee from the non-Catholic party.

Other conditions are also laid down:

- that there be no possibility of any resumption of conjugal life because of a complete and irremediable breakdown of the marriage;
- that the granting of the dissolution not involve the danger of public scandal;
- that the petitioner should not have been the cause of the break-up of the marriage and that the Catholic party with whom a new marriage is to be contracted not have been the cause of the separation of the partners of the first marriage;
- that, if possible, the other party to the first marriage be interviewed (the interpellations);
- that the party seeking the dissolution make reasonable provision for the religious upbringing of any children of the marriage;
- that adequate provision, according to the laws of justice, be made for the spouse and children of the first marriage;
- that the Catholic party who wishes to enter the new marriage live according to the baptismal promises.

If the petitioner is a non-Catholic, whether baptised or not, and does not intend to become a Catholic, a dissolution of the previous marriage may still be granted in favour of the faith of the intended Catholic partner and of the children that may be born of the marriage.

On the other hand, a dissolution will not be granted when it involves a double dispensation from disparity of cult, ie. a Catholic married an unbaptised person in the Catholic Church with a dispensation from disparity of cult and now wishes the dissolution in order to marry another unbaptised person with another dispensation from disparity of cult. It is considered that this would not be "in favour of the faith", which is the essential condition for the dissolution.

Because of all these requirements, priests are strongly urged not to tell people that they will easily obtain a dissolution. They should also refer the person immediately to the tribunal and not obtain any brief statements from witnesses. Such action often creates difficulties in making further approaches to witnesses for the more detailed interviews that will be necessary.

Priests are reminded not to agree to any date for the proposed new marriage until the dissolution has actually been granted and duly certified.

Formal Nullity Cases

There are few simple cases when the grounds are a defect of consent. The matter is complex and so the legal side is best left to the trained personnel at the tribunal.

Priests are asked not to give people opinions on cases. If the priest says a person has a good case, it can make things very difficult for the tribunal, while saying that a person has no case demands a full knowledge of the particular marriage and a good knowledge of the law. Qualified advocates are available to advise people on these matters.

If a priest does inquire into the story of the broken marriage, he is asked to take full and copious notes of all he is told and forward these to the tribunal. People can object or become distressed at having to tell the same story more than once.

In deciding whether to suggest an approach to the tribunal to a parishioner who has not thought of this or who may not know that there is a tribunal, priests must make their own prudent judgment of all the circumstances.

In referring persons to the tribunal priests are asked not to tell them to contact a particular member of the staff. Tribunal personnel have their own specific roles and it is confusing to a person if he/she asks for one person and then has to be referred to another. It is an advocate that will be seen, and no person can be both judge and advocate on the same case.

There are many clients at the tribunal, so the delays are lengthy. Local priests can assist in two ways.

Firstly, various requests for documents and other responses will be made of the clients. Many people cannot cope with even simple requests. If a local priest has told them that he is willing and available to assist whenever they need advice, it will help them greatly.

Secondly, while priests have been asked to leave the legal side to the trained personnel, the tribunal would be very grateful if it could leave the pastoral and spiritual side to the local clergy. The waiting and uncertainty on such an important matter causes considerable stress, so the people need a great deal of pastoral and spiritual support which the members of the tribunal are not available to give.

At the same time, it must be noted that in Church law every person has a right to direct access to a Church advocate without having to go through any other person. The tribunal must respect this right.

Priests will usually be called as witnesses only when one of the parties to the marriage nominates them as persons who would have useful information. However, if a priest feels that he has relevant information for or against a decree of nullity, the tribunal would always be grateful to receive his written submission.

APPENDIX 2: CIVIL REQUIREMENTS

“Under the law of Australia Marriage is the union of a man and a woman voluntarily entered into for life to the exclusion of all others. A marriage cannot be arranged by parents against the wishes of either party. Both parties must be present together at the same time of the ceremony with the celebrant and at least two witnesses who are, or appear to the celebrant to be, over the age of 18 years. Both parties must be legally free to marry each other. A man can only have one wife and a woman only one husband.

“While it is essential that all legal requirements be observed celebrants should be informed of the need for particular care when arranging the marriage of parties where one or both are 18 years of age or under. Compliance with the legal provisions in respect of marriageable age must be observed if void marriage ceremonies are to be avoided.

Proxy Marriages

“There is no provision in Australian Marriage Law for conducting a proxy marriage. However, Australian law will recognise as valid a proxy marriage solemnised according to the law of another country provided a

party living in Australia did not leave Australia to circumvent Australian law and provided the marriage was monogamous.

Notice

“The Notice of Intended Marriage must be signed personally by both parties before the marriage. Usually the authorised celebrant who intends to conduct the marriage ceremony will witness the signatures but other authorised persons can do so.

“A month’s notice before the date on which the proposed marriage ceremony is to be performed is required but in special circumstances a prescribed authority such as the Marriage Officer in this Registry or a Stipendiary Magistrate or Local Registrar of Births and Deaths can reduce this period. Stipendiary Magistrates and Local Registrars of Births and Deaths are located in most Court Houses throughout the State.

“A ‘Notice’ becomes stale after 6 months. However, preliminary arrangements can be made in advance and acceptance of the written ‘Notice’ can be deferred to permit acceptance within the prescribed time. If a marriage is postponed it may be necessary to take a new notice.

“Birth certificates or passports (which have not been altered) must be produced by both parties. In rare cases it may be possible to accept a declaration if documentary evidence of birth cannot be produced.

Prior Marriage

“If either party has been married previously, evidence of death of the spouse or dissolution of the former marriage must be produced. Australian law recognises the dissolution of a marriage in another country provided the person was domiciled there— this generally means that a person living in Australia cannot obtain a decree of dissolution from the country where the marriage was solemnised through an agent or personally or from a representative of that country in Australia—he must do so through the Family Law Court of Australia.

Minimum Age

“Marriageable Age means generally that a male person must be over the age of 18 years and a female person must be over 16 years. A person under such ages who is living in Australia cannot go outside Australia to marry, return to Australia and expect to have the marriage recognised. There is provision for a person who is within two years of marriageable age to seek a Court Order under section 12 of the Marriage Act 1961 to allow marriage with a person over marriageable age. This means a girl of 14 years can seek permission to marry a man over 18 years of age.

Documents

“The Official marriage documents must be forwarded to the Registering Authority within 14 days immediately following the marriage ceremony. As the Official marriage certificate forwarded for registration of the marriage becomes the record of the Principal Registrar from which copies may be issued to interested persons and copies are prepared by photographic means, it is essential that the details and signatures of parties, witnesses and celebrant be entered with a black ink pen. Blue and other coloured inks are not suitable for photocopy reproduction.

“The Official marriage documents should be carefully checked after the marriage ceremony to ensure the documents have been correctly completed and signed, while the parties are still present, and then forwarded to the Registering Authority in the post free envelopes provided for this purpose. The Notice and any other associated documents must accompany the Official Marriage Certificate. Birth certificates, passports, or evidence of death of a former spouse or dissolution of a former marriage should be returned, after sighting by the celebrant and noting on the back of the ‘Notice’, to the parties.

Queries

“If a celebrant is in doubt concerning the legal requirements in respect of circumstances evident when arranging a marriage, he should seek the guidance of a more experienced celebrant, if available, a Local Registrar or the Marriage Officer or the Officer in charge of Marriage Registration at the Sydney Registry of Births, Deaths and Marriages. (Tel. 240-1202)”