

Marriage Preparation including Co-Habitation

Diocese of Bismarck

Catholic Wedding Guidelines

**JESUS SAID  
“BUT FROM THE BEGINNING OF CREATION  
GOD MADE THEM MALE AND FEMALE  
FOR THIS REASON A MAN SHALL LEAVE HIS FATHER AND MOTHER  
AND BE JOINED TO HIS WIFE  
AND THE TWO SHALL BECOME ONE  
SO THAT THEY ARE NO LONGER TWO, BUT ONE.  
WHAT THEREFORE GOD HAS JOINED TOGETHER, LET NOT MAN PUT ASUNDER.”  
-MARK 10:6-9**

Dear Friends in Christ,

One of the most important times in the life of a family is the occasion of a wedding. This is true not only for the individual family, but also for the family of the Church. In witnessing the love of a man and woman in the Sacrament of Matrimony the community is reminded of the love of Christ for his bride, the Church. (Ephesians 5:22)

Parishes today face many situations with regard to the dignity of the Sacrament of Matrimony. Some couples have not had a good example of marriage in their own families. Some couples may not worship regularly or even be fully catechized in their faith and have drifted away from the Church. Their ideas of marriage may be more influenced by television and the movies than by our Catholic tradition. Today's modern society, with its cultural emphasis on excessive individualism and preoccupation with self-fulfillment create many obstacles to a successful marriage.

The vocation of Catholic marriage is a serious one and so the Church has an obligation to do all that she can to preserve the dignity of marriage and offer guidance and support that will help prepare couples for married life. Over the years the Diocese of Bismarck has developed and improved various norms and guidelines which are to be observed by all those responsible for marriage preparation.

The wedding liturgy is an official act of worship of the Church and, as such, the Church has an obligation to exercise her teaching to lead and guide all the faithful to a truly Catholic understanding of marriage as a Sacrament, that is, a public, communal, celebration of the Church.

In view of various circumstances, it is appropriate to publish norms for the proper celebration of a Catholic marriage. For the benefit of the faithful to receive what the Church intends in her rites of marriage, it is necessary that the Pastors, Parochial Vicars, Deacons, and the laity involved in the preparation and celebration of the Catholic Rite of Marriage in the Diocese of Bismarck, all observe a consistent application of the liturgical laws and norms as set down in the approved liturgical books. This consistent observance of norms applies to those particular norms which are deemed necessary for the Diocese of Bismarck.

With this in mind, I publish the following for observance throughout the Diocese of Bismarck:

1. The celebration of a Catholic marriage is not a private observance, but is a celebration which takes place in the midst of the local parish community. The rite of marriage, therefore, is to be celebrated with appropriate choices of liturgical music, Scripture readings, gestures, and environmental decorations which are consistent with a Catholic understanding of marriage, and which are approved by the Church and contained in the approved liturgical books.
2. It is the responsibility of the parish priest to direct and prepare any lay faithful who are to assist him in the celebration of the rites of marriage by following the directives in the Rite of Marriage.

The pastor of a parish is the one who is to determine, under proper law, what should and should not be done in the celebration of the marriage rite and who is, by Church regulation, the proper director of all marriage arrangements.

3. While it is the practice and preference of the Church that the wedding of two Catholics take place during the celebration of the Mass, pastoral attention and sensitivity to the other rites for marriage between a Catholic and a baptized Christian, or a Catholic and a non-baptized person, are to be observed.
4. Competent judgements have to be made with regard to the liturgical, musical, and pastoral appropriateness of the music used in the ceremony. No secular music is allowed before, during, or after the Celebration of marriage.
5. With consideration of the self-serving attitude of the current culture, it is important that due attention be given to creating and maintaining the proper attitude of reverence in the church, before, during, and after the marriage.

In his exhortation regarding the role of the Christian family in the modern world, *Familiaris Consortio*, St. John Paul II writes that the liturgical celebration of marriage, as a sacramental action of the Church, should involve the Christian community “with the full, active, and responsible participation of all those present: the bride and bridegroom, the priest, the witnesses, the relatives and friends, and the other members of the faithful, all of them members of an assembly that manifest and lives the mystery of Christ and his Church.” (67:4)

May all of those entrusted with pastoral responsibility continually strive to help the faithful achieve the ideals of Christian marriage.

## Diocese of Bismarck Pre-Marriage Requirements

Congratulations on your engagement! As you prepare for the Sacrament of Marriage, may you be filled with God's grace and blessings!

In order to help you best prepare to live out your vocation of Marriage the Diocese of Bismarck has certain requirements to help you prepare to be best spouse you can be.

### Nine to Twelve Months Prior to Wedding Date:

- Pray and enjoy quiet moments together as a couple. Ask God to bless your relationship and thank God for the gift of one another.
- Initial meeting with priest to get to know him and learn more about his particular marriage preparation processes.
- Complete Pre-Nuptial Forms with your priest.
- Obtain a baptismal certificate (issued at 9 months or first contact). Have the parish include all notations, if there are no notations; please have the parish write "none".
- If either of you have been previously married obtain a declaration of nullity.
- Schedule your Pre-Marriage Seminar date: (maybe a link sending them to the page)
- Schedule your Natural Family Planning Course (maybe a link sending them to NFP page)
- Take your FOCCUS inventory

### Six Months Prior to Wedding Date:

- Turn in certificate of Completion for the Pre-Marriage Seminar to your priest.
- Turn in certificate of Completion for your Natural Family Planning Course.
- Begin meeting to review the results of your FOCCUS inventory.
- Meet and discuss music and Liturgy with parish

### One to Two Months Prior to Wedding Date:

- Finalize your Music and Liturgy Plan with the parish.
- No more than 30 days prior to the wedding date you must apply for a civil marriage license.
- Continue Praying and attend the Sacrament of Reconciliation

The diocesan program and process outlined herein represents a **minimum** level of preparation. A lengthier period of preparation may be necessary in cases or other adaptations may be made which address the specific needs of an individual couple.

#### Pastoral Response to the Rationale of the Requirements:

Those responsible for marriage preparation in the parish should explain that the policy and process described above were established by the diocesan bishop as **mandatory** for all couples planning a Catholic marriage. They were developed by the local church as part of its obligation to provide an adequate catechesis and preparation for the Sacrament of Matrimony.

The diocesan policy provides a developmental process, through which those contemplating marriage may come to a deeper appreciation of the sacredness of married life as well as its many responsibilities, joys, and challenges. The diocese feels that these requirements give the couples the best tools necessary for success in the culture in which we live in. It also allows pastoral ministers to provide proper catechetical preparation and a context for the celebration of a sacramental or canonical marriage.

The demands of pastoral care and church law place a serious obligation on pastors to involve other members of the parish community, especially those already married, in preparing couples for marriage. In this way, couples planning to marry will receive a more individualized and personal preparation for their vocation and for the sacrament they are about to receive. (cc. 1063-1064)

Should a couple refuse to participate in any form of marriage preparation, it should be clearly stated at the earliest opportunity that the celebration of their wedding **will be deferred** until appropriate catechesis takes place. Any provisional date of celebration should be removed from the parish calendar until this obstacle is overcome.

## General Principles and Norms:

1. In the Diocese of Bismarck, the *Order of Celebrating Matrimony, 2016* is to be used as the normative liturgical ritual for the celebration of the Sacrament of Matrimony.
2. The three principal rites for the celebration of marriage are:
  1. Order of Celebrating Matrimony within Mass:  
~A marriage of two Catholics should take place at Mass. This presumes that the couple regularly participates at Sunday Mass and are active in their faith.
  2. Order of Celebrating Matrimony without Mass:  
~In a marriage between a Catholic and a baptized non-Catholic, it is expected that the Rite of Marriage Outside of Mass will be used.  
~The Eucharist is a symbol of Christian unity. Celebrating such a marriage at Mass may make the celebration awkward for both parties by highlighting their differences in faith. This awkwardness is further accentuated in cases where non-Catholic clergy are invited to participate in a marriage celebrated at Mass.  
~If circumstances justify it and the non-Catholic party agrees to having a Mass, “the Order of Celebrating Matrimony” within Mass may be used, except that according to the general law, communion is not given to the non-Catholic.”  
~In the Diocese of Bismarck, the distribution of Holy Communion shall not be included in marriage ceremonies celebrated outside of Mass.
  3. Order of Celebrating Matrimony between a Catholic and a Catechumen or non-Christian:  
~Marriage involving a non-Christian (after reception of a dispensation from disparity of cult), shall be celebrated at the liturgy of the Word and not at the Eucharistic liturgy.

The *Introduction* to the entire ritual, and the *Introductions* to the various ritual forms, set forth guiding principles for the proper liturgical celebration of each of these rites.

- It is the responsibility of the Pastor of each parish to ensure that those liturgical principles are respected, understood, and used with pastoral sensitivity by those priests, deacons, and lay persons who participate in the preparation and planning of weddings in the parish.
- Furthermore, it is the responsibility of the Pastor to inform the parish of the proper order and liturgical expression set forth in the *Order of Celebrating Matrimony*, and to ensure that they are followed according to the mind of the Church.
- The Constitution on the Sacred Liturgy states that the full, conscious, and active participation in liturgical celebrations “is called for by the very nature of the liturgy and is the aim to be considered before all else.” (no. 14). Everyone involved in the wedding liturgy needs to understand this foundational principle and promote it in planning the liturgy for the Sacrament of Matrimony.

- The normative regulations of Canon Law and Diocesan Law which guide the preparation of individuals for the Sacrament of Matrimony are to be followed, without exception.

Special Pastoral Concerns:

A. The Entrance Procession

- For the Entrance Rite, it is stated in the *Order of Celebrating Matrimony*: “If there is a procession to the altar, the ministers go first, followed by the priest, and then the bride and bridegroom. According to local custom, they may be escorted by at least their parents and the two witnesses. Meanwhile, the entrance song is sung.” (no 20)
- The proper liturgical procession for a Catholic marriage begins with the processional crucifix followed by the ministers, the priest and the couple with their parents and witnesses.
- In the *Catholic* procession, the faith of the Church holds that the bride and groom as ministers of the Sacrament of Matrimony, enter marriage mutually and as complementary, equal partners. That theological point also explains why the tune “Here Comes the Bride” is not permitted for the entrance procession; its focus on the bride alone contradicts the Church’s emphasis on the couple.

B. The Liturgy of the Word

- The Scripture readings for the *Conferral of the Sacrament of Marriage* are found in the Lectionary for Ritual Masses, Volume IV, [80-805], 2002
- Non-scriptural or secular readings may never be substituted for the Scripture readings which are given in the Lectionary for Ritual Masses.
- Because of the nature of the liturgy, it is preferred that the liturgical role of the lector should be given only to those Catholics who practice their faith. By exception, the role may be exercised by a person who shares the Christian faith. Those selected for the role of lector are to be well-trained for the proper proclamation of the Scriptures.
- The Responsorial Psalm is to be sung or recited. It is not permitted to substitute other songs, hymns, or poetry in its place.

C. Liturgical Music for the Sacrament of Matrimony

- Music is an integral part of the liturgy of the Sacrament of Matrimony. Provision should be made that all the people are involved at the important moment of the celebration and that the same general principles of planning worship and judging music are employed as at other liturgies, and that the liturgy is a prayer for all present.
- The selection of music used in weddings is to reflect the understanding that this ritual is an action of the assembly which, like all Catholic ritual, expresses and forms the faith of those gathered to celebrate.

Therefore, in the Diocese of Bismarck the following norms are to be observed:

- Music is integral to the celebration of the Liturgy. The choice of music should follow the musical, liturgical, and pastoral norms as set forth in *Sing unto the Lord*.

- Non-liturgical or secular selections, in any form of musical presentation, are not allowed before a wedding as preludes, at any place during the celebration of marriage, or after the ceremony as postludes.
- The choices of liturgical music should be such that they enable the gathered assembly to participate fully in the rite. No part of the liturgical ritual of the Sacrament of Matrimony which is communal in nature is to be given to a soloist to perform.
- The Pastor is to approve and authorize the use of proper liturgical music for all weddings, whether he or another priest or deacon functions as the witness of the marriage.

D. Environment for Wedding Liturgy:

- In the celebration of weddings, the requirements of the Liturgical Year are to be observed, particularly during the Seasons of Advent and Lent.
- Both out of respect for the presence of the Blessed Sacrament and the purpose of the church, proper decorum in the church is to be observed.
- Each Pastor is to establish guidelines for the proper use of photography and videography in his church. As a basic norm photographic equipment, in any of its modern forms, is not to be allowed in the sanctuary.
- The placement of flowers in the church should be done in harmony with the Liturgical Year and with respect to their use for the enhancement of the environment as the liturgy requires.
- Seating arrangements are for a social function.

E. Intercommunion

- The celebration of the Eucharist at an interfaith marriage can lead to an emphasis on the differences between the couple rather than on the love which unites them. As a result, the celebration of a nuptial Mass for an interfaith marriage **should be discouraged** when the non-Catholic is baptized (e.g.: Episcopalians, Lutherans, Orthodox) and is **forbidden** when the non-Catholic is not baptized (e.g.: Jewish, Moslem, Hindu, Buddhist). (*Rite of Marriage, 8*).
- The occasion of celebrating an interfaith marriage is never a suitable occasion for intercommunion by the couple or their guests. Intercommunion presumes an already existing unity of faith, not merely the hope of a future unity, yet to be realized.
- In 1986, the National Conference of Catholic Bishops approved the following *Guidelines for Receiving Holy Communion* and required that they be printed in missalettes and the like. They are reprinted here for your reference:

***Guidelines for Receiving Holy Communion***

**For Catholics:**

As Catholics, we fully participate in the celebration of the Eucharist when we receive Holy Communion. We are encouraged to receive Communion devoutly and frequently. In order to be properly disposed to receive Communion, participants should not be conscious of grave sin and normally should have fasted for one hour. A person who is conscious of grave sin is not to receive the Body and Blood of the Lord without prior sacramental confession except for a grave reason where there is no opportunity for confession. In this case, the person is to be mindful of the obligation to make an act of perfect

contrition, including the intention of confession as soon as possible (c. 916). A frequent reception of the sacrament of Penance is encouraged for all.

### **For our fellow Christians**

We welcome our fellow Christians to this celebration of the Eucharist as our brothers and sisters. We pray that our common baptism and the action of the Holy Spirit in this Eucharist will draw us closer to one another and begin to dispel the sad divisions that separate us. We pray that these will lessen and finally disappear, in keeping with Christ's prayer for us "that they may all be one" (Jn 17:21).

Because Catholics believe that the celebration of the Eucharist is a sign of the reality of the oneness of faith, life, and worship, members of those churches with whom we are not yet fully united are ordinarily not admitted to Holy Communion. Eucharistic sharing in exceptional circumstances by other Christians requires permission according to the directives of the diocesan bishop and the provisions of canon law (c. 844 §4). Members of the Orthodox Churches, the Assyrian Church of the East, and the Polish National Catholic Church are urged to respect the discipline of their own churches. According to Roman Catholic discipline, the *Code of Canon Law* does not object to the reception of Communion by Christians of these churches (c. 844 § 3).

### **For those not receiving Holy Communion**

All who are not receiving Holy Communion are encouraged to express in their hearts a prayerful desire for unity with the Lord Jesus and with one another.

### **For non-Christians**

We also welcome to this celebration those who do not share our faith in Jesus Christ. While we cannot admit them to Holy Communion, we ask them to offer their prayers for the peace and unity of the human family.

#### **F. Presence of a Minister of Another Faith**

- If it is the desire of the couple that a minister of another faith participate in the Catholic ceremony, they should arrange contact between the Catholic priest/deacon and that minister. The Catholic priest/deacon may also wish to initiate a contact with the other minister. He should discuss thoroughly any such participation with the couple and the minister.

Ceremonies in which a Catholic priest/deacon witnesses the vows of the Catholic party and another minister witnesses the vows of the other party are not permitted. In order for the marriage to be valid in the Catholic tradition, **the same priest/deacon must ask for and receive the marriage vows of both parties without exception** (c. 1127 § 3). This is necessary, not for validity, but liceity.

- When the couple requests the minister of another faith to be the presider, a dispensation from canonical form is required and the marriage should take place in that minister's church. The minister should serve as the official witness for the couple's exchange of consent. For pastoral reasons, the priest/deacon may attend the wedding but not serve as the official witness.



## G. Pastoral Care/Preparation:

- Special Preparation:
  - The marriage of a Catholic with another baptized Christian requires the permission of the diocesan bishop. (c. 1124)
  - The marriage of a Catholic with a person who is not baptized requires a dispensation from Disparity of Cult. (c. 1086)
  - The religious difference of the couple should not be ignored. They should be a considerable part of the discussion at the first session of the marriage preparation program.
  - All necessary dispensations and permission should be requested from the chancellor as soon as the prenuptial questionnaire is completed, necessary documents obtained, and assurance is established that both parties are free to marry in the Catholic Church.
  - A Catholic who is not confirmed is to be confirmed before the wedding 'if it can be done without grave inconvenience.' (c. 1065, §1). This is left to the pastor's discretion."
- Declaration and Promise of the Catholic Party:
  - In order to obtain the permission or the dispensation required for an interfaith marriage, the Catholic party must make the declaration found on Form B (c. 1125)
  - The priest/deacon should point out to the couple that the declaration contains two statements which are intimately connected: since the Catholic party declares that he/she recognizes the value of the gift of his/her faith, not only will he/she continue to practice it, but he/she will also do all in his/her power to share that gift with their children.
  - The precise nature of what the Catholic party may be able to do to share the gift of faith with the children may vary from situation to situation. However, the commitment binds the Catholic party, in conscience, before God, to make every possible effort to share his/her faith with the children.
  - The declaration is to be made in writing in the presence of the priest/deacon. As an exception, the declaration may also be made orally; however, the priest/deacon should inquire as to the reasons why an individual would refuse to sign the document. Ordinarily, Catholics should have no difficulty in signing the declaration.
- Preparation
  - The following steps will provide a useful guide to priests/deacons, pastoral staff, and engaged couples as they move through the process of marriage preparation.
    - The engaged couple and priest/deacon meet at least nine months prior to the proposed wedding date.
    - Important elements of the first meeting include:
      - Welcome engaged couple and build rapport.
      - Explain marriage policies and guidelines for the Diocese of Bismarck
        - Pre-Marriage Seminar Weekend
        - Pre-Nuptial Forms
        - Full course of Natural Family Planning
        - Pre-Marital Inventory (i.e. FOCCUS)

- Request baptismal/confirmation certificates from both parties.
  - Discuss the role of the sponsoring couple if present within the parish.
  - Explain and discuss any special parish requirements that pertain to the wedding.
- Take pre-marital inventory (FOCCUS) as soon as possible.
- Attend the Pre-Marriage Seminar Weekend
- Schedule and attend Natural Family Planning course.
- Meet with priest/deacon and sponsoring couple to discuss relationship strengths and growth areas highlighted by the inventory.
- Gather and complete all required paperwork:
  - Form A
  - Baptism Record for each party issued at 9 months or first contact (with notations for subsequent sacraments, including confirmation)
  - If one party is not baptized, Form C, with testimony from a parent or older sibling.
  - Confirmation record for each Catholic party. If this is the only record available, this will suffice in lieu of an unlocatable baptismal certificate.
  - Form C, if party is unknown to the priest/deacon, to establish the freedom to marry.
  - Form B
  - Correspondence pertaining to a previous marriage.
    - Copy of marriage license.
    - Copy of civil divorce decree(s)
    - Declaration of nullity from a tribunal for each previous marriage.
    - Evidence of the satisfaction of any restriction placed on the party wishing to enter into a subsequent marriage in the Catholic Church.
    - Declaration of freedom to marry for previous marriage(s).
- Plan liturgy and prepare spiritually
- Celebrate wedding liturgy
- Record marriage in parish records
- Notify parish(es) of baptism for Catholic party(ies).
- Civil Requirements:
  - In accord with canon 1059: “Even if only one party is baptized, the marriage of Catholics is regulated not only by divine law but also by canon law, with due regard for the competence of civil authority concerning the merely civil effects of such a marriage.”
  - Although state law does not mandate a minimum age for the witnesses, it is mandated that witnesses must be at least 18 years of age in the Diocese of Bismarck.
  - Current North Dakota law governing the marriage contract is found at Chapter 14-03 of the Century Code. Pertinent sections of the law are as follows:
  - **14-03-01. What constitutes marriage – Spouse defined.** Marriage is a personal relation arising out of a civil contract between a male and a female to which the consent of the

parties is essential. The marriage relation may be entered into, maintained, annulled, or dissolved only as provided by law.

- **14-03-02. Lawful age for marriage.** Any unmarried person of the age of 18 years or upwards, and not otherwise disqualified, is capable of consenting to and consummating a marriage. If either applicant for a marriage license is under the age of 18, written consent of a custodial parent of the minor applicant, or other person who has legal and actual custody of the minor, such as a guardian, is required. Notwithstanding the consent of a custodial parent or guardian, a marriage license may not be issued to any person below the age of 16.
- **14-03-03. Void marriages.** The following marriages are incestuous and void:
  - Marriages between parents and children including grandparents and grandchildren of every degree.
  - Marriages between brothers and sisters of the half as well as the whole blood.
  - Marriage between uncles and nieces of the half as well as the whole blood.
  - Marriage between aunts and nephews of the half as well as the whole blood.
  - Marriage between first cousins of the half as well as the whole blood.
  - This section applies to illegitimate as well as legitimate children and relatives.
- **14-03-06. Marriage of person having husband or wife void – Exception.** A marriage contracted by a person having a former husband or wife living, if the former marriage has not been annulled or dissolved, is illegal and void from the beginning unless such former husband or wife was absent and believed to be dead for a period of five years immediately preceding the marriage.
- **14-03-08. Foreign marriages recognized - Exception.** Except when residents of this state contract a marriage in another state which is prohibited under the laws of this state, all marriages contracted outside this state, which are valid according to the laws of the state or country where contracted, are valid in this state. This section applies only to a marriage contracted in another state or country which is between one man and one woman as husband and wife.
- **14-03-09. Who may solemnize marriages.** Marriages may be solemnized by all judges of courts of record, municipal judges, clerks of court, ordained ministers of the gospel, priests and clergy licensed by recognized denominations and by any person authorized by the rituals and practices of any religious persuasion.
- **14-03-10. Marriage may not be solemnized without license.** A person may not solemnize any marriage until the parties produce a license regularly issued not more than 60 days before the date of the marriage.
- **14-03-17. Application for license.**
  - When application is made to a recorder, unless the board of county commissioners designates a different official, for a marriage license, the recorder, or designated official, shall inquire of the applicant concerning the legality of the contemplated marriage. The recorder, or designated official, may examine other witnesses. The facts concerning the legality of the marriage may be submitted to the recorder, or designated official, by affidavit. The recorder,

or designated official, also shall require each applicant to submit the following facts upon blanks provided by the county, together with documentary evidence of age:

- a. An affidavit by each of the applicants showing that each is over the age of eighteen years. In addition, each applicant shall exhibit to the recorder, or designated official, a birth certificate or other satisfactory evidence of age. If either applicant is under the age of eighteen years, the recorder, or designated official, shall require the written consent of:
    1. Either parent of the minor applicant, if the parents are living together;
    2. The parent having the legal custody of the minor applicant, if the parents are not living together;
    3. The surviving parent, if one of the parents of the minor applicant is deceased; or
    4. The guardian, or person under whose care and government the minor applicant is, if both parents of the minor applicant are deceased, or if a person other than a parent has legal and actual custody of the minor applicant.
  - b. An affidavit showing whether either or both of the parties have been divorced. If a decree of divorce has been granted to either or both of the parties, a certified copy of the decree must be filed with the application. A license shall not be issued if it contravenes any provisions of the divorce decree.
    - All affidavits must be subscribed and sworn to before a person authorized to administer oaths. The recorder, or designated official, shall retain on file all papers and records pertaining to all marriage licenses. Anyone knowingly swearing falsely to the statements contained in any affidavit mentioned in this section is subject to the penalty provided in section 14-03-28.
    - Each application for a marriage license must also contain a statement regarding surname options which is consistent with section 14-03-20.1.
    - Each application for a marriage license must contain the social security number of each applicant.
- **14-03-18. License to and marriage of intoxicated person prohibited.** A license for marriage may not be issued to anyone under the influence of intoxicating liquor at the time of making application therefor. No marriage ceremony may be performed when either or both of the contracting parties is under the influence of intoxicating liquor or any narcotic drug.
- **14-03-20.1. Surname options.**
- Every person has the right to adopt any surname by which that person wishes to be known by using that surname consistently and without intent to defraud.
  - A person's surname does not automatically change upon marriage. Neither party to the marriage must change the party's surname. Parties to a marriage need not have the same surname.

- One party or both parties to a marriage may elect to change the surname by which that party wishes to be known after the solemnization of the marriage by entering the new surname in the space provided on the marriage license application. The entry on the application must consist of one of the following surnames:
  - a. The surname of the other spouse;
  - b. Any former surname of either spouse;
  - c. A name combining into a single surname all or a segment of the premarriage surname or any former surname of either spouse; or
  - d. A combination name separated by a hyphen, provided that each part of the combination surname is the premarriage surname or former surname of either spouse.
- Use of the option under subsection 3 has the effect of providing a record of the surname change. The marriage certificate containing the new surname, if any, constitutes proof that the use of the new surname, or the retention of the former surname, is lawful.
- Neither the use of nor the failure to use the option of selecting a new surname by means of a marriage license application, as provided in subsection 3, abrogates the right of either party to adopt a different surname through usage at a future date.
- Compliance with the surname provisions of this section is sufficient to meet the satisfactory evidence requirements of section 39-06-07.1.
- **14-03-20.2. Middle name options.**
  - One party or both parties to a marriage may elect to change the middle name by which that individual wishes to be known after the solemnization of the marriage by entering the new middle name in the space provided on the marriage license application. If an individual elects to change that individual's middle name, the middle name entry on the marriage license application or marriage license must consist of the premarriage surname or former surname of that individual.
  - Compliance with the middle name provisions of this section is sufficient to meet the satisfactory evidence requirements of section 39-06-07.1.

H. Simple Convalidations of a Civil Marriage:

- A recent civil or invalid marriage is no reason to diminish the participation of the couple in the diocesan marriage preparation program.
- However, with long standing civil marriages, adaptations in the marriage preparation program may be made, working with the local ordinary.
- Marriage forms A and B are to be prepared along with copies of appropriate documentation and forwarded to the Office of the Chancellor.
- All exceptions to marriage preparation should be referred to the Office of the Bishop.
- Proper preparations should always be made to ensure a fitting liturgical celebration of the Catholic marriage. (See *DOB Synod*, 164 §§1-4.)

I. Teenage Marriages:

- The diocesan bishop has special concern for teenagers who wish to marry.
- A couple, either both of whom will not yet be twenty years of age on the proposed date of marriage, is required to participate in a more intensive marriage preparation program. No date for the celebration of marriage may be set until after the permission of the bishop has been received.
- After the initial contact session, the priest/deacon should contact the Office of the Bishop and supply particular information regarding the couple.
- As soon as possible after the initial contact, the priest/deacon must interview each party and their parents, and thoroughly discuss the proposed marriage. In the case of valid concerns, the priest/deacon then refers the couple to appropriate counseling opportunities. The results of the interviews together with the recommendations of the priest/deacon are to be sent to the Office of the Bishop.

J. Pre-Marital Pregnancy:

- Special pastoral care must be exercised whenever an existing pregnancy is a factor in the desire of a couple to marry.
- Aside from the interest of the church to ensure that the couple is not being pressured or unduly influenced to marry, pastoral concern arises since this marriage must be founded upon an even more stable and mature foundation than one in which pregnancy is not a factor.
- The diocesan policy of marriage preparation is to be followed in all instances. Exceptions may only be made by the Office of the Bishop.
- No reduction in the time of preparation will be granted. In many cases, this will mean that the marriage may not be celebrated under Catholic auspices until after the birth of the child.

K. Marriage after annulment/death of a spouse:

- In the first session with a couple, the priest/deacon should inquire if either party has previously married. If either or both of them have been married, they must produce either a Death Certificate, Decree of Nullity, or a Declaration of Freedom to Marry before the marriage preparation process may begin. No date for the wedding may even be considered until these documents have been produced.

- If an individual cannot produce the official Decree of Nullity, it is a cause for serious pastoral concern and the appropriate diocesan Tribunal should be contacted as soon as possible.
- Special permission is required for the celebration of marriage after a Decree of Nullity (c. 1071 §1,3°)
- When the Decree of Nullity is presented, the priest/deacon should contact the Tribunal, on behalf of the couple, to determine whether there may be need for special preparation for the new marriage.
- The Tribunal granting an annulment issues an official decree indicating that a previous marriage has been examined and found to be null and void in the eyes of the church. This decree contains a protocol or file number, the last names of the two parties of the previous marriage, and the date and place where the annulment was granted. Often, the Tribunal granting an annulment establishes a restriction that requires the person who received the annulment to see further counseling prior to another marriage. Priests/deacons should recall that this and other restrictions may be placed on a person's ability to marry again in the church. The priest/deacon should encourage the individual to undergo this counseling prior to the proposed marriage.
- The priest/deacon should await the response of the Tribunal before proceeding with the marriage preparation process for the couple. This response is the permission required by c. 1071
- The priest/deacon must consult with the Tribunal in every situation of marriage after a Decree of Nullity, when a restriction has been placed on further marriage in the Catholic Church. Satisfaction must occur before permission to enter a new marriage is granted by the Office of the Chancellor.
- A Declaration of Freedom to Marry, issued by a Tribunal, is required for Catholics previously married without benefit of the canonical form. Such cases require consultation with the Tribunal to obtain the Declaration of Freedom to Marry.

#### L. Non-Liturgical Customs:

- With regard for the Church's requirement that only two witnesses are necessary for a marriage, the number of groomsmen and bridesmaids should be reasonable and not an excessive display.
- The unity candle, sand creations, etc. if desired, is best used at the reception and incorporated into the blessing before the meal and may not be used in a Catholic Marriage Ceremony in the Diocese of Bismarck. (*DOB Synod*, 165)
- Established and liturgically proper ethnic marriage customs are to be respected.
- Pastors should be aware of cultural attempts to over-personalize weddings as the "bride's day" or "my wedding" and guide the couple to a proper understanding of the expectations of the Church. Good liturgical planning does not happen automatically. The Pastor has the responsibility to help the couples, most of whom have little experience in this area, make good decisions about how to celebrate their wedding.

#### M. Postponement of Marriage:

- Decision of the Couple:

- i. The couple themselves may decide to postpone their marriage after considering their original intentions in greater depth. During the course of the marriage preparation process, and especially after participating in a marriage preparation program and thinking and praying about themselves, their relationship to each other, and their reasons for marriage, one or both of the parties may conclude that they need more time or that they should not marry at all.
  - ii. The priest/deacon should support that decision and exercise great pastoral care and concern for the man and the woman and their individual needs. He should offer to assist them to speak with their families about the decision and help them to use the delay wisely. When a decision to postpone marriage or not marry is unilateral he should work with both parties, according to their need, to effect whatever healing may be necessary.
- o Decision of the Church
  - i. In some circumstances, it may be the priest/deacon who must inform the couple that, for some specific reasons, the marriage must be delayed.
  - ii. The reasons for the postponement should be clearly stated and the priest/deacon should suggest the couple may address the problems so that they may seek to overcome them before proceeding with the preparation for their marriage. He should discuss the decision with the couple thoroughly, individually, or jointly as appropriate, with absolute and delicate respect for professional and pastoral confidentiality.
  - iii. Some obvious attitudes or problems, in either or both of the parties that might lead a priest/deacon to the conclusion that the marriage should be postponed are:
    1. An existing non-dispensable canonical impediment
    2. An intention against children
    3. An unresolved problem with a previous marriage
    4. Obvious gross immaturity
    5. Serious lack of faith commitment
    6. Refusal by the Catholic to make the required promises in an interfaith marriage.
    7. Complete absence of religious practice
    8. Undue haste in planning the marriage
    9. Active alcoholism or addiction to other substances
    10. Compulsive behavior, such as excessive gambling or pornography use
    11. Pending prison sentences, drug rehabilitation, or ongoing psychiatric treatment and/or hospitalization
    12. An unreasonable reluctance to participate in the diocesan marriage preparation process
    13. Reasonable objections of the parents
    14. Other serious problems or situations known in the external forum



- Consulting with the Office of the Bishop
  - i. If the couple is unwilling to accept the postponement of their marriage, the priest/deacon should refer the matter in writing to the Office of the Chancellor. He should briefly explain the facts of the case, any special circumstances and request an official postponement for a specific period of time, up to six months, for a specific serious cause and for as long as that cause exists (c. 1077). This request will be reviewed and if the situation described warrants, a delay of up to six months will be authorized. After the first postponement, the matter may be reviewed again if needed and a second decision to delay is not subject to further review for at last six months. (c. 1077)
- Appeal Process

A couple may feel aggrieved by a decision to postpone their marriage either by the priest/deacon himself or with the authorization of the Office of the Chancellor. They should be told that they have the right to present their own case, in writing, to the Office of the Bishop for consideration and review.

#### N. SATURDAY EVENING WEDDINGS

*Pastors may schedule Saturday wedding Masses according to their pastoral judgment, given their availability and the parish schedule. The following guidelines are observed.*

- If the wedding liturgy takes place during a regularly scheduled parish liturgy (Sunday anticipated or Holy Day).
  1. The procession includes the following people:
    - a. Servers (with candles, if appropriate).
    - b. Readers (if normally in parish procession).
    - c. Presider.
    - d. Two witnesses.
    - e. Bride and groom (with parents, if appropriate).
  2. Music
    - a. An ongoing congregational song is sung either during or immediately following the procession.
    - b. The parish acclamations (Gospel, Holy Holy, Memorial Acclamation, Concluding Amen) for the season and the communion song are sung by the congregation. The Glory to God, responsorial psalm, and the Lamb of God are sung according to the liturgical season and the parish practice.
    - c. A soloist may sing **sacred** songs appropriate to a wedding as prelude before the procession, following the exchange of rings, and as a second communion song. Songs with secular texts are not appropriate.
  3. The texts of the prayers (Opening Prayer, Prayer over the Gifts, Prayer after Communion) are taken from the Sacramentary for the Sunday. The nuptial blessing and the special final blessing are taken from the *Rite of Marriage*. Prayers of the Faithful include petitions for the couple as well as the parish petitions of the day.

4. The Sunday readings are used; the second reading may be replaced by a New Testament reading from the *Rite of Marriage* selected by the couple.
  5. Photography may not take place during regularly scheduled parish functions, such as confessions, and must be completed at least a half-hour before liturgy begins.
  6. The environment (decorations on the pews and in the sanctuary) is planned in accord with the liturgical season, especially during the seasons of Advent and Lent.
  7. A wedding liturgy celebrated within the context of a parish liturgy is open to the public. Invitations and announcements state that the wedding celebration is part of a parish Sunday liturgy. Naturally, the couple may determine the guests invited to other events such as a reception, dinner or dance.
  8. The couple and the priest/deacon select ministers of the liturgy with sensitivity to the scheduled parish ministers.
- If the wedding liturgy is scheduled after 4:00 p.m. on Saturday, but not during a scheduled parish liturgy.
    1. Guidelines from Section I, numbers 2, 3, and 5 from above apply.
    2. During the seasons of Christmas and Ordinary Time, the readings and prayers of the wedding liturgy may be used. During the seasons of Advent, Lent and Easter, the readings and prayers are of the Sunday. Ordinarily, weddings are not scheduled during the seasons of Advent and Lent.
    3. The priest/deacon may instruct the congregation that the liturgy fulfills the obligation to attend Sunday Mass.
  - If a wedding liturgy is scheduled on a solemnity or holy day of obligation but not during a scheduled parish liturgy.
    1. Guidelines from Section I, numbers 2, 3, 4, and 5 from above apply.
    2. The pastor may instruct the congregation that the liturgy fulfills the obligation to attend Mass on a holy day.
    3. Solemnities of the Church Year, other than those that occur only on Sundays, include the following:
 

Mary, Mother of God	January 1	Peter and Paul, Apostles	June 29
Joseph, Husband of Mary	March 19	Assumption	August 15
Annunciation of the Lord	March 25	All Saints	November 1
The Octave of Easter	Movable	All Souls	November 2
Sacred Heart	Movable	Immaculate Conception	December 8
Birth of John the Baptist	June 24	Christmas	December 25
    4. Weddings are not to be scheduled during the Easter Triduum, from Holy Thursday through Easter Sunday.

# Memo

**To:** All priests and deacons of the Diocese of Bismarck (active and retired)

**From:** Bishop David D. Kagan, D.D., P.A., J.C.L.

**Date:** March 15, 2017

**Re:** Policy on Cohabitation

In November 2009 Fr. Chad Gion, Fr. Chris Kadrmas, Joyce McDowall, and Dr. James Link began a proposal to renew how cohabitation is approached throughout our diocese. The written proposal was discussed with couples from the pre-marriage program in Bismarck and with pastors and interested lay persons throughout deaneries in our diocese. Our hope was to assist in moving couples to some sincere level of conversion on this issue and to encourage consistency within our diocese and among our clergy.

After recommendation of the final draft by the Presbyteral Council in April 2010, I now give permission for the following: a) that the following text be included in any future revision of the *Preparing for Marriage Companion Resource Book* of the Diocese of Bismarck, and b) that the topic of cohabitation be explicitly addressed, utilizing this text as a basis, by all clergy presenting for pre-marriage seminars in the Diocese of Bismarck. The text of the policy follows.

“God has revealed to humanity his Son Jesus as the way to holiness and happiness. God loves us and desires that we be saved! All are called to follow his Son as the means to this holiness and happiness. Jesus continues to teach us through his Body the Church, speaking to each age and culture through the centuries until his return.

Unfortunately, our culture today presents many voices advocating practices contrary to the message of our Savior. This is particularly confusing to couples preparing for the sacrament of marriage. It is all the more urgent, in order to help those preparing for marriage, that the many voices within the Body of Christ (clergy and lay persons) witness with one voice.

For those couples preparing for the sacrament of marriage in the Church, following Jesus includes trying to live chastely by avoiding sexual relations and cohabitation ("living together"). When failures occur, Jesus' forgiveness and strength are available in the sacrament of reconciliation. God's love can always be received by those who sincerely try, despite weakness, to live as Jesus requires.

Unfortunately, our culture today has convinced many couples to choose not to try to follow Jesus in regards to their sexual lives. It is particularly troublesome when this includes public cohabitation. This is a serious concern for Christ and his Church because it hurts the couple, their love, and their future marriage. In order to help these couples what is most needed is a

desire to be stirred in them – a desire to follow Jesus. Even with a desire for change, some cohabiting couples (and those who assist them) may not even know where to begin.

In order to better help these couples, all clergy and laity assisting with marriage preparation in the Diocese of Bismarck are urged to utilize the following sequential levels of conversion to help move couples to greater fidelity to Christ. While the pastor is the primary minister to the couple, he also is assisted greatly by other parish and diocesan staff. The cohabiting, engaged couple will be served most effectively if all of these ministers of Christ speak with one unified voice on these levels of needed conversion. (These levels of conversion can be used on any issue in a Christian's life, in fact.)

Each engaged, cohabiting couple is at their own unique place spiritually; it is up to the pastor to discern how far the couple can grow in these sequential levels of conversion within the pre-nuptial program in their parish and within the Diocese of Bismarck. The emphasis here for the couple is on sincere effort. In order to remind us of the generous spirit in which Mother Church gathers those who seek the Lord, John Paul II states about this very issue: “. . . pastors must also understand the reasons that lead the Church also to admit to the celebration of marriage those who are imperfectly disposed . . . the decision of a man and a woman to marry . . . really involves, even if not in a fully conscious way, an attitude of profound obedience to the will of God, an attitude which cannot exist without God's grace.” (*Familiaris consortio*, n. 68)

Preparatory: Pastor (or delegate) communicates the following facts . . . a) Christ's love for the couple, b) that He wills their personal good, and c) Christ's teaching on sexuality and commitment (i.e. fornication and cohabitation as contrary to this teaching and hence against their personal good).

1. Conversion of heart. At this level of conversion it is the hope of the minister to move the couple toward:
  - admitting that premarital intercourse is not what Jesus desires for them
  - a desire to try to follow Jesus by abstaining until marriage with an explicit commitment to receive Jesus' forgiveness in the sacrament of reconciliation as soon as can be arranged, and as needed in the future especially before receiving Holy Communion and before the wedding ceremony
  
2. Conversion of behavior and habit. At this level of conversion it is the hope of the minister to move the couple toward:
  - admitting that all that tempts them toward premarital intercourse is not what Jesus desires for them
  - a desire to try to follow Jesus by changing whatever they need to try to live chastely. For example, the couple would make explicit arrangements to sleep in separate rooms (as “brother and sister”).

3. Conversion toward avoiding scandal. At this level of conversion it is the hope of the minister to move the couple toward:

- admitting that public cohabitation (even as brother and sister) wounds the larger Body of Christ through example and scandal, and hence is not what Jesus desires for them
- a desire to try to avoid harming the larger Body of Christ, the Church. For example, the couple would move apart into separate residences. This date is eventually to be made explicit and to be agreed upon by the couple and pastor. A legitimate exception would include the presence of children, which in such a case the couple would still arrange for separate rooms.

Based on the existing policy concerning Cohabitation outside of Marriage, we present to the priests/deacons of the Diocese of Bismarck the following Pastoral Directives.

The practice of cohabitation before marriage has become more and more common among citizens of the United States. This is also true among US Catholics and, therefore, has become a greater concern for priests who prepare couples for marriage. We hope you will find the information provided in this helpful to your task of ministering to the Catholics of the Diocese of Bismarck. We do not present these directives as a substitute for the current policy regarding couples who cohabit. Therefore we ask that you familiarize yourself with the official policy on Cohabitation which is found above. May these Pastoral Directives assist you, good Father and Deacons, in your ministry to Christ's flock within the Diocese of Bismarck.

Questions and Answers:

1. What are my options when a couple refuses to separate before the wedding?

- Although a couple may not be in a perfect state of grace, the natural right of marriage should not be denied a couple when they refuse to cease sinful behavior. They should be informed that their choice can be perceived by society and the church as an "appearance" to live as husband and wife. The following options may be used if the circumstances warrant such an approach:
  - a. Option 1: A pastor may choose to perform a wedding ceremony outside the context of Mass. Some pastors may suggest a simple form of ceremony (like in cases of convalidation). However, the priest must be cautious in exercising this suggestion so as not to appear punitive and possibly cause a couple to enter into an invalid marriage. If this option is chosen, the couple will still have their natural right to marry exercised, but the sacredness of the rites are preserved and protected from scandal since a couple choosing to live in a manner that does not follow God's moral law should not receive communion. Remember that in exercising this option, it should NOT be presented to the couple as a bribe: "unless you separate, you will not get a big wedding ceremony within the context of Mass." A couple should be led to the proper understanding of the sacredness of the marriage ceremony and the contradiction of their public choice to cohabit, the expectations of God's law and His

Church, and the willingness to conform one's life and actions to God's holy Will. In exercising this option the priest must never deny a Catholic the possibility of celebrating a Nuptial Mass if the Catholic is in a state of grace at the time of the ceremony. *Please note that the Catholic is in no way required to prove this state to the priest.*

- b. Option 2: A couple may be given a later marriage date in hopes that their understanding and readiness is developed by that time. (Again this should not be used as a threat: "unless you separate, I will postpone your wedding date.") This option should only be used in the most serious cases of notorious sin and provided it will work to the benefit of the couple.
  - c. Option 3: Some priests, as a matter of their personal conscience, refuse to witness marriages of couples who will not separate. This cannot be done. If a priest is unable to reconcile the teaching of the Catholic Church with his personal conscience, then he may call a brother priest to witness the marriage and the pastor of the territory can offer his delegation for such a wedding to be witnessed by his brother priest in the parish of the couple. In this way, he will not be denying the couple the right to "regularize their situation" and it will afford the priest time to correct his erroneous personal conscience and bring it into conformity with the teachings and practice of the Catholic Church.
2. Can a priest refuse to witness a wedding of a couple who choose to cohabit and not go to confession to the same priest before the wedding?
    - NOT going to confession before the wedding is NOT an impediment to marriage. A priest should instruct (but cannot require) a couple to go to confession before the marriage date. Also, a priest cannot require a couple to receive the Sacrament of Penance from himself: individuals are free to pick their own confessors (c.991). After instruction and encouragement, a priest may offer the Sacrament of Penance to the couple, as well as inform them that they may choose another confessor. Finally, a priest cannot, in any fashion require a cohabiting couple to express publically material the belongs in the sacramental forum.
  3. Can a priest require that a couple separate before the wedding?
    - Because of the public nature of cohabitation, living in separate places is usually the best suggestion for a couple who are not yet married. However, some couples cannot do so without major difficulty (children at home, truly limited finances with no family to help, etc...). In such cases, the continuation of cohabitation would expect, at the very least, compliance with the moral law (to cease sexual activity). Separate living arrangements may be suggested but cannot be required. Also, a declaration to family of such compliance (either spoken or written) cannot be required, but the couple may choose to do so in order to heal the perceived scandal of the cohabitation itself.

- *As a caution, always keep in mind: A priest/deacon CANNOT require of the Catholic Faithful that which the Church, Herself, does not require of them in law.*
4. How much time should I spend preparing a couple for marriage who are cohabiting?
- A priest who works with a couple who are living together should show extra care preparing the couple for marriage because of the inherent difficulties the relationship will face. List of “goods” that the priest will try to teach: faith, obedience to God’s law, trust, long-term commitment, human dignity and respect, communication, sexual expression, and maturity; all of which are damaged by the practice of cohabitation. There are also difficulties the couple who choose to cohabit will face that may require extra attention as well.
  - Above all, *Instruct, Invite, Encourage, and Pray*. Be sensitive, and remember that in this world of the New Evangelization, there are people who come every day in need, to the Church. The faithful should find the Church’s holy ministers not only ready to serve them in the name of Jesus Christ, but also eager to lead them to a life of holiness.

**Priests/Deacons should remember that...**

1. **The priest/deacon must always take a welcoming stance with a cohabiting couple.** Assume that the couple approaching the Church for marriage arrives with sincere motives (ie. To profess their love for one another in the vows of sacred and sacramental Christian marriage). **Do not condemn. Do not yell. Instruct, Invite, Encourage, and Pray.**
2. **Cohabitation is not a canonical impediment to marriage.** A couple who refuses to separate, or refuses to stop sexual activity cannot be denied marriage in the Catholic Church, provided that they may otherwise be married validly and licitly.
3. **Couples who cohabit do so for various reasons:** 1. Save money 2. Have a child out of wedlock and wish to give some appearance of a stable relationship 3. Test compatibility 4. Not much thought (it is what everyone else is doing) 5. Cultural practice (Familiaris Consortio #81) In any situation the priest must take a welcoming position. Some couples may be hostile to the suggestion of a change of lifestyle, while others may be quite open to the change. A great deal depends on the priest/deacon’s approach.
4. **The Church’s teaching on Morality and Sexuality must be taught.** Statistics show that couples who have chosen to cohabit before marriage have a higher percentage of divorce. To ignore the issue of cohabitation and its destructive issues does not help a couple during their time of marriage preparation. At the same time, however, remember that the instruction provided a couple should not be over-bearing. Some couples do not initially see a problem with their choice of cohabitation and, therefore, should be lead (not forced) to understand some of the important issues that may affect their future marriage by solid and direct, yet kind and charitable instruction in light of the Gospel and Church teaching.

5. **A priest cannot require of the Catholic Faithful that which the Church, Herself, does not require.** Some priests and deacons, in their zeal and good intentions, develop requirements that a couple must attain. A priest cannot require anything more than the Church already asks of the couple in law. If there is some confusion to what is or is not required of a couple, a priest should consult the Church's Code of Canon law and Diocesan law, or contact the Chancery for clarification.



Ideas for Homiletics/Catechesis:

### Goods and Properties of Marriage

The Catholic Church has a counter-cultural view of marriage to that of secular society or even other ecclesial communities. This vision is incorporated into the Code of Canon Law through c. 1055, which states:

The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life and which is ordered by its nature to the good of the spouses and the procreation and education of offspring, has been raised by Christ the Lord to the dignity of a sacrament between the baptized. For this reason, a valid matrimonial contract cannot exist between the baptized without it being by that fact a sacrament. (§1)

This canon is packed with theological and canonical considerations. In order to more fully understand it, the paragraph must be broken down into pieces.

**First**, marriage is a covenant, which is an exchange of persons. These *persons* necessarily include only *one man* and *one woman*. The Church recognizes no other type of marriage. The bride and the groom give themselves to each other “fully and without reservation” (*Rite of Marriage*). The priest or deacon is the witness to the Sacrament – the couple confers the Sacrament upon each other at the exchange of consent. A covenant, which is made by the parties before God, cannot be broken; it is of its very essence, permanent.

Secular society sees marriage only as a contract, which can be made and broken by either party at any time, and for any reason. Additionally, through mass media and lobbying efforts, many states and countries have come to the conclusion that a ‘marriage’ can be made up of two parties of the same sex.

**Second**, the human family is itself modeled on the family of the Trinity. “The Christian family is a communion of persons, a sign and image of the communion of the Father and the Son in the Holy Spirit” (*Catechism of the Catholic Church, 2205*). In *Familiaris Consortio*, “The Christian Family in the Modern World,” Pope John Paul II wrote:

The family, which is founded and given life by love, is a community of persons: of husband and wife, of parents and children, of relatives. Its first task is to live with fidelity the reality of communion in a constant effort to develop an authentic community of persons (*FC 18*). The first communion is the one which is established and which develops between husband and wife: by virtue of the covenant of married life, the man and woman “are no longer two but one flesh” and they are called to grow continually in their communion through day-to-day fidelity to their marriage promise of total mutual self-giving (*FC 19*).

Thus, we see that marriage is a life-long partnership built on the commitment of the bride and groom to each other and to God. Such a marriage cannot happen overnight, and it cannot happen without hard work. Again, quoting John Paul II:

All members of the family, each according to his or her own gift, have the grace and responsibility of building, day by day, the communion of persons, making the family “a school of deeper humanity”; this happens where there is care and love for the little ones, the sick, the aged; where there is mutual service every day; when there is a sharing of goods, of joys and of sorrows (*FC 21*).

However, the world and people around us often scoff at the notion of a true marital partnership. Married couples are told that if love ‘dies,’ the marriage has died as well. If one spouse is not ‘happy’ (and that interpretation is left up to the individual), then divorce is not only a possibility, but a necessity. Spouses often have difficulty communicating their joys and sorrows to each other, and if they seek out counseling, they are often told there is ‘no hope.’

**Third**, marriage is for the good of the spouses. Each partner in the marriage has a duty and a right to help the other grow and mature as a person – emotionally, mentally, and spiritually. Each is to help the other get to heaven! That said, helping someone to mature may not be easy, and caring for their souls is an awesome responsibility that must be handled with great care, love, and prayer.

Society tells us to look out for ourselves, to do whatever is necessary to ‘get ahead’ in life. The 1980s is referred to as the ‘me generation;’ however, that has not changed much. In order to be ‘happy,’ we are told that we need the mini-mansion, several vehicles, boat, exotic vacations, etc. Never mind that in order to pay for these things, the partnership of the whole of life is thrown by the wayside.

**Fourth**, the Church teaches that marriage is for the procreation and education of children. Spouses have the tremendous opportunity and responsibility to assist God in His creating work. This is why the couple is asked whether they will “accept children lovingly from God” (*Rite of Marriage*) during the wedding ceremony. But the acceptance of children does not end with their conception; parents have the obligation and right to see to the physical, social, cultural, moral, and religious education of their children (*canons 226 and 1136*). John Paul II wrote:

With the creation of man and woman in his own image and likeness, God crowns and brings to perfection the work of his hands: he calls them to a special sharing in his love and in his power as Creator and Father, through their free and responsible cooperation in transmitting the gift of human life...Thus, the fundamental task of the family is to serve life, to actualize in history the original blessing of the creator – that of transmitting by procreation the divine image from person to person. However, the fruitfulness of conjugal love is not restricted solely to the procreation of children (*FC 28*)...it cannot be forgotten that the most basic element, so basic that it qualifies the educational role of parents, is *parental love*, which finds fulfillment in the task of education as it completes

and perfects its service of life: as well as being a *source*, the parents' love is also the *animating principle* and therefore the *norm* inspiring and guiding all concrete educational activity, enriching it with the values of kindness, constancy, goodness, service, disinterestedness and self-sacrifice that are the most precious fruit of love (FC 36).

We are often told that 'our children are our future.' If that is true, then why are there so many abortions? Why are so many countries below the level of population sustainability? In actual fact, society teaches that children are an inconvenience, something to be put off until couples are 'more settled' or 'have more money.' If a couple does have children, more and more, they are left to the secular educational system to instill the values and mores of the culture, instead of those of the parents and the Church. Oftentimes, parents deliberately decide not to raise their children in any religious environment whatsoever, on the theory that the child can 'decide for him/herself' if he/she wishes to practice some type of religion. Indeed, it often seems that parents prize their Sundays for sleeping, watching or playing sports, or shopping over any type of religious service. When children see this modeled for them, is it any wonder that they are contemptuous of religion and faith itself?

**Fifth**, during the wedding ceremony (and presumably throughout the courtship and engagement periods), the couple promise to be faithful to each other. Fidelity encompasses the virtue of chastity. The chaste person has control over his/her passions, desires and appetites. Chastity is a moral virtue, meaning that a person can grow in it; it is also a gift of the Holy Spirit, meaning that the Spirit gives the grace needed to be pure and faithful. Within the context of marriage, chastity means that each spouse remains faithful in mind, heart, and body only to each other. This includes avoiding such things as both heterosexual and homosexual liaisons, pornography, 'emotional' attachments, and internet infidelity. Fidelity is also a part of 'unity,' which is an essential property of marriage. Because marriage is a partnership of the whole of life, unity excludes any unhealthy close emotional relationships (which may not be sexual) with other people. For example, the husband who has not cut the 'apron strings' from his mother or the wife who depends on her daddy for everything.

Society, on the other hand, tries to tell us that if the other spouse does not find out about any infidelity, there is no harm done. In fact, the mass media sometimes attempts to put a positive 'spin' on infidelity by saying that an affair can help a marriage. How can something that tears at the very fabric of a covenant be helpful? Likewise, the viewing of pornography is something 'normal' that 'everyone' does. What it does, is to objectify the persons involved, and by extension, the spouse. A person can justify his/her behavior when no physical infidelity exists, but that does not mean the 'emotional' attachment has not harmed the bond of marriage.

**Sixth**, all marriages, whether between the baptized or not, are indissoluble. Marriage is a *perpetual* relationship that cannot be terminated; even if the state grants a civil divorce, the bond of marriage remains. Thus, remarriage after divorce is not possible, unless the Church declares that the prior bond was invalid from the beginning, or the Pope grants a dissolution of a presumably valid bond.

Society, of course, tries to tell us that a marriage is just a contract which can be broken at any time. Remarriage after divorce, even multiple re-marriage, is a natural right of the parties.

**Seventh**, when a validly baptized man and woman marry, their marriage is automatically raised to the level of a Sacrament. This occurs whether both, neither, or only one party is Catholic, and whether or not the ecclesial community of the non-Catholic person believes marriage to be a Sacrament. However, we are taught that the sacrament gives a 'special firmness' (c. 1056) to the properties of unity and indissolubility. Even when a marriage is a 'good and natural' one, meaning that one or both parties are not baptized, the other goods and essential properties of marriage – fidelity, children, the good of the spouses, unity, and permanence – remain.

Sacramentality is rarely considered by most people, including Catholics. At best it may be an 'add-on,' not needed, but nice to have. At worst, it is viewed as an anachronism of an institution which is out of step with modern times.

All of the above theological concepts should be part of the marriage preparation program. This will help to ensure that the couple understands what it is to which they are consenting – permanence, children, fidelity, the good of the spouses. Additionally, it should help the couple dialog with each other on their own thoughts on these matters.

## **A Sacrament of Faith: Marriage as a Sacred Reality**

The establishment of marriage was the summit of God's creative activity: "God created man in his own image, in the image of God he created him; male and female he created them. And God blessed them and God said to them, 'Be fruitful and multiply, and fill the earth and subdue it'..."(Gen. 1:27-28) The faith of ancient Israel recognized in marriage not only the blessed gift of the good Creator but also the reflection of who God is in himself. From that time, first the Jewish, and then the Christian tradition would see marriage as transparent and revelatory of transcendental realities.

Our Judeo-Christian tradition also reveals the desire of the Creator to share God's life-giving power with God's children in the loving union of married life. Marriage provides husband and wife with companionship and assistance expressed in both a spiritual and physical union. The diverse aspects of the marriage relationship are manifestations of the qualities which exist in the mysterious covenant of love, which God has established with God's people. The essential qualities of the covenant between husband and wife: fidelity, intimacy, tenderness, generosity, and fruitfulness, are preserved and developed in a life of mutually free and unconditional commitment.

In the New Testament, the Christian covenant of marriage is an Easter sacrament, a sacrament of the covenant love of God declared through Christ's paschal sacrifice. The eternally faithful and everlasting love of God for humankind is reflected and manifested by the faithful and everlasting love of husband for wife, wife for husband. It is evident in their daily life as a married couple in the midst of the world, strengthened by God's grace and blessings, whose courageous love endures unto death.

Married love finds its complete fulfillment when it is blessed by fruitfulness in the creation of a new family and, should God permit, in bringing a new life into the world and into God's family, the church.

As the Second Vatican Council teaches, in other religious traditions, and in society itself, the relationship which arises from such a commitment is considered a lasting one. Because of its direct relationship to the family, the foundation of all society, the bond established in marriage "by that human act whereby spouses mutually bestow and accept each other, a relationship arises which by divine will and in the eyes of society too is a lasting one. For the good of the spouses and their offspring as well as of society, the existence of this sacred bond no longer depends on human decisions alone."<sup>1</sup>

Catholic theology attributes the dignity of a sacrament only to marriages between baptized Christians. However, it does recognize the unique sacredness of the marriage covenant established by a Christian and an unbaptized person, and indeed among the unbaptized.

The marriage of two baptized persons is a covenant which has been raised by Christ the Lord to the dignity of a sacrament (c. 1055).

By her relationship with Christ, the church is a kind of sacrament or sign of intimate union with God, and of the unity of all humankind. She is also an instrument for the achievement of such union and

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<sup>1</sup> *Gaudium et Spes*, 48

unity.<sup>2</sup> In the sacrament of matrimony, a man and a woman freely manifest their desire in faith to establish such a covenant and become a living sign to each other and to the church of the presence of Jesus Christ in the world. The couple themselves are the ministers of this sacrament, with the presider acting as an official witness on behalf of the community of faith.

The sacrament of matrimony is a gift of Christ to the church. Through this sign of grace we are all sanctified and strengthened. We are also comforted by the revelation of the love of God for us made visible in human form in the life and love of the married couple. It is for this reason that the church teaches that married love, once pledged before the church and society, creates a union which can only be dissolved by death (c. 1056).

The couple shares in the church's office of sanctification and promotes its growth by leading a chaste conjugal life in the spirit of Christ and by the Christian education of their children (c. 835 §4). The sacrament of matrimony transforms and consecrates them (c. 1134). Their union in love grows and deepens each day as they live their marriage covenant as a further expression of their baptismal consecration.

The couple offers and receives from each other God's sacramental grace in the mutual sharing of their lives amid the joys and hopes, griefs and anxieties of the world. They likewise become channels of this grace to their children, especially as they strive to fulfill their obligations as Catholic parents.<sup>3</sup> The couple is strengthened in their commitment to each other and strives for holiness and union with God through their unique sharing in God's life.

The rich symbolism of the sacrament of matrimony extends beyond the couple themselves. They become a sign of the unfailing love which Christ has for each of us to the church, to their families, and to the whole of society.

The church, therefore, sees the irrevocable, exclusive and fruitful commitment of marriage as a sign and sacrament of the eternal, unique and creative covenant between Christ and the church. Marriage, as a communion of life and love, also mirrors the most intimate bond of the Trinity's common life and love.

Such is the dignity of marriage and such is the witness it can offer to the world. The Christian community owes to those seeking to enter into the sacrament of matrimony education in its significance and support for their progress in the relationship they are beginning.

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<sup>2</sup> *Lumen Gentium*, 1

<sup>3</sup> cc. 835 §4; 793; 1055

## GENERAL CATECHETICAL OVERVIEW

The church continues to be concerned about the spiritual life and catechetical formation of those planning to marry.

It wishes to ensure that Catholic couples seeking marriage are fully initiated into the Christian community. The church expects them to have been baptized, confirmed and introduced into the Eucharistic life of the church in the years preceding marriage.

However, failure to have been confirmed or to have received the Eucharist is not an absolute obstacle to marriage. It is, rather, an opportunity for the priest/deacon to arrange for the preparation of an individual or couple for the reception of these sacraments. This can take place sometime before the marriage or soon after it when time for preparation is needed. A firm understanding should be reached during the marriage preparation (c. 1065).

The *Code of Canon Law* dedicates considerable attention to the preparation of couples for marriage (cc. 1063 – 1072).

Remote preparation for marriage requires that pastors be encouraged to frequently preach about the sacrament of matrimony and the holiness of married life. More explicit attention needs to be given to catechesis and formation in the Catholic understanding of marriage throughout the lifetime of the Christian believer. More proximate catechetical formation is especially demanded from pastors. This formation is explicitly developed in the parish and diocesan marriage preparation programs (c. 1063).

The church also expects the pastor to involve his parishioners in assisting him in providing the catechetical preparation for marriage. Thus many parishes have married couples who share their own experience of Christian married life as a means of strengthening and supporting the commitment of those about to marry (cc. 1063 – 1064).

The *Code of Canon Law* also reminds the whole ecclesial community of its obligation to assist already married couples so that they may grow in their vocation to holiness. This is especially true for couples who are in a marriage of mixed religion, and who experience tensions and pressures due to inter-faith differences.<sup>4</sup> Information or programs for newly married couples are available from the Office of Family Ministry, Diocese of Bismarck.

## CATECHESIS FOR MARRIAGE

The experience of the contemporary world clearly establishes the critical need for the preparation and catechesis of Catholic couples prior to marriage.

Catechesis is the communication of the basic fundamentals of the spiritual life and Christian teaching (*Rite of Christian Initiation of Adults*: Introduction, 42). Each sacrament has its own proper catechesis as

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<sup>4</sup> cc. 1063 4°; 1128

required by the different moments in the development, education, and formation of the Christian believer which the sacrament celebrates (cc. 777; 843).

Marriage between the baptized is a sacrament, an opportunity to enter into a special relationship with the Father, Son, and Spirit. It is another moment in which Christians enter more deeply into the life of grace, the life they share with God from the day of their own baptism.

The church considers each marriage to be holy: a living relationship of two people marked by mutual love, assistance, companionship, friendship, intimacy, personal growth, common prayer, joint experiences of joy and grief, mutual hopes, the experience of Christian forgiveness and compassion. The richness of married love is expressed in the life of so many married couples and is marked by a constant renewal each day.

The sacrament of matrimony is the union of a baptized man and woman characterized by their absolute fidelity to each other and marked by such stability that it is indissoluble. The “goods” of marriage are fidelity, procreation and education of children, permanence, and the good of the spouses.

1. Fidelity is defined as both physical and emotional faithfulness. Each party is to resolve to remain faithful in thought and deed, even if common life becomes difficult. Thus, fidelity excludes such things as pornography, internet romances, or a deep emotional/mental relationship with another who is not one’s spouse.
2. The good of children means that the couple is open to conceiving children as long as they are naturally fertile and agree to foster their raising and education to the best of their ability.
3. Permanence indicates a life-long commitment, which is dissolved only by death. Thus, in the event that common life becomes difficult due to grave reasons, even in the face of civil divorce, the parties are to remain single until death.
4. The good of the spouses refers to the partnership of the parties. Each party is to resolve to personally sacrifice for the sake of their marriage, for their duties as parents, for the salvation of their souls, and for the ultimate happiness in God for both of them.

Separation and divorce are known only too well in modern society. The church hopes to strengthen the commitment of those about to marry by providing them with an opportunity to learn more about developing a spirit of forgiveness and strengthening their faith before entering into the marital covenant of life and love enduring unto death.

It is most difficult for a marriage to survive in the face of infidelity or adultery. The marriage covenant is seriously damaged by such an offense against the sacredness of marriage and married love. Marriage, for people of faith, is not merely a relationship of mutual convenience, an arrangement for living or a purely sexual relationship. Marriage among the baptized is a true and effective sign that Jesus is present in a special way in the world through the lives of believers.



In interfaith marriages there is an additional need to learn and understand the faith of the other while deepening and strengthening one's own faith. These tasks are a challenge and the church must provide assistance for the couple as they strive to develop a deeper realization of their individual faith and mutual love.

Marriage with one who is not baptized is also a sign of God's blessing, and a sign that can be further enriched by coming to faith in Christ Jesus.