

# Church Marriage in the African Context

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## Abstract:

The following text is a presentation by His Eminence Metropolitan Panteleimon given to the Holy Synod of the Hierarchs of the Patriarchate of Alexandria, which met in Alexandria, on Tuesday, October 24, 2017. This text, which is of a canonical, pastoral, and technical nature, was accepted by the Synod as the basis for further discussion.

*Salt* publishes it as part of a small discussion-section dedicated to the African wedding.



blesed Father and Master,

Most Reverend and Most God-loving holy Hierarchs of the Synod,

I would like, in the first place, to express my gratitude for the trust given to my humble person, in assigning to me the study and presentation of the theme “Church Marriage in the African Context” before the Venerable Body of the Hierarchy of our Senior Patriarchate,<sup>1</sup> and also seek your understanding for any possible mistakes, weaknesses or omissions.

This subject is of particular interest and for the past two years has occupied the local Church of Brazzaville, which had already started to study it gradually. For this reason, there were meetings and exchanges of texts and views between Greek Orthodox theologians, with our native clergy, as well as bishops of the Roman Catholic Church and representatives of the Protestant Confessions in Congo—members of which can have a church wedding with a baptized Orthodox Christian—so that there is as complete an examination as possible of this burning issue, both theological-theoretical and pastoral-practical.

<sup>1</sup> This was preceded by a presentation by the Metropolitan Ieronymos of Mwanza.

The following parameters try to touch upon, as far as possible, all the cases that usually appear in the life of the local Churches in Africa:

1. A Church wedding of an Orthodox Christian with a member of another Church or Christian Confession
  - a) Economy as a precondition
  - b) Permissible marriage
  - c) Marriage that is not allowed (impeded)
  - d) Impediments to marriage
2. Traditional and civil marriage in Africa in conjunction with Orthodox marriage
  - a) Traditional and civil marriage as official legal acts
  - b) Traditional, political and church marriage between Orthodox Christians or between Orthodox and heterodox or two former heterodox
  - c) Traditional and civil marriage between an Orthodox and a non-Orthodox—not baptized in the Name of the Holy Trinity or non-religious
3. About the non-celebration of a church wedding between Orthodox (voluntarily)
4. Days when a church wedding is not allowed
5. Certificates for the issue of a church marriage license (with samples of relevant documents)
6. Certificates for the issue of a church divorce (with examples of relevant documents)
7. Establishment and maintenance of marriage records in each Parish and Diocese
8. Pastoral Matters concerning Marriage

### The Church Wedding of an Orthodox Christian with a Member of Another Church or Christian Group

#### *A. Economy as a Precondition for the Celebration of a Mixed Marriage*

According to Professor Ioannis Karmiris, the tolerance of mixed marriages began in the 19th century: “Further, the Orthodox Catholic Church does not recognize nor does it approve of mixed marriages between Orthodox and Roman Catholics, according to the 72nd Canon of the Quinisext Ecumenical Council and other sacred canons; it is however necessary to tolerate them in order to avoid greater evil.” Therefore, according to the economy of the Church, such mixed marriages are allowed, provided that the non-Orthodox member will give a written pledge that

the wedding will be performed by an Orthodox priest, and that the children will be given an Orthodox baptism and upbringing. Thus, in 1878, the Ecumenical Patriarchate declared: "The Church does not recognize mixed marriages, but often, in order to prevent unpleasant consequences, forgives them by condescension and performs them quietly." Similarly, the Holy Synod of the Church of Greece in 1869 recognized mixed marriages between Orthodox and Heterodox—and especially with Roman Catholics and Protestants—writing that "the celebration of mixed marriages is accepted according to the Economy of the Church, under the condition that they are performed by an Orthodox priest according to the formulation of the Orthodox Church, and the children born of them, of both sexes, should be baptized and brought up according to Eastern Orthodox doctrine."<sup>2</sup> Regarding the negative preconditions ("impediments") to marriage, Professor of Canon Law Panagiotis Boumis states: "Doctrinal exactitude in matters of marriage considers that being of another religion is an impediment." As a rule, it is forbidden for a Christian to marry a person of another religion, unless that person promises to become Orthodox. The 14<sup>th</sup> Canon of the 4<sup>th</sup> Ecumenical Council states: "Since in certain provinces it is permitted to the readers and singers to marry, the holy Synod has decreed that it shall not be lawful for any of them to take a wife that is heterodox. [...] nor give them (their child) in marriage to a heretic, or a Jew, or a heathen, unless the person marrying the Orthodox child shall promise to come over to the Orthodox faith." (See also Canon 10 and Canon 31 of Laodicea, Canon 21 and 29 of Carthage and Canon 72 of the Quinisext Council). Heresy is also an impediment to marriage. See in particular the 72<sup>nd</sup> canon of the Quinisext Ecumenical Council. The Council states: "An orthodox man is not permitted to marry an heretical woman, nor an orthodox woman to be joined to an heretical man. But if anything of this kind appears to have been done by any [we require them] to consider the marriage null, and that the marriage be dissolved." And P. Boumis adds: "Today, however, the Church by economy accepts marriages with the heterodox (mixed marriages)."<sup>3</sup>

To the above, Professor Panagiotis Trembelas adds one more condition, that the member of the Orthodox Church "will not be prevented by the other member from remaining faithful to It [the Church]."<sup>4</sup>

Finally, the Archbishop of Athens, Professor Ieronymos I. Kotsonis, character-

<sup>2</sup> See Ioannis Karmiris, *The Dogmatic and Symbolic Records of the Orthodox Catholic Church*, vol. II (Athens 1953), 1003–1004.

<sup>3</sup> Panagiotis I. Boumis, ed., *Canon Law*, 3<sup>rd</sup> augmented edition (Athens: Grigoris, 2002), 134–135.

<sup>4</sup> See P. N. Trembelas, *Dogmatics of the Orthodox Catholic Church*, vol. III (Athens: O Sotir, 2003), 341–342.

istically refers to *Economy*: “[...]The principle of Church Economy that typifies the timeless course of the Orthodox Church and is expressed as the transcendence of exactitude guided by love for the person, independently of whether they are Orthodox or heterodox, and by the imitation of divine love for humankind [...]. In this context, the Church is ready to deviate in some cases from the strict rule for the sake of a greater benefit for the Church, but without setting aside the basic principles of the faith,”<sup>5</sup> and he gives the following examples: [a]. The continuation of communication by Theophilos of Alexandria (385–412) with the Pope of Rome Gelasius, even when the latter had been called a heretic, [b]. The aforementioned decisions of the Ecumenical Patriarchate (1878) and the Church of Greece (1869) on the performance of mixed marriages by Economy, [c]. The decision of the Church of Greece (1891) that hierarchs and priests may perform funerals for the heterodox and bury them in Orthodox cemeteries, when there is no heterodox clergyman and [d]. The exhortation of Demetrios Chomatianos of Bulgaria to Constantine Kabasilas of Dyrrhachium to go to heterodox churches when invited and to give them antidoron during the course of their Divine Liturgy, on the grounds that in this way he can lead them “to our holy customs and doctrines.”

#### *B. Permitted Marriage*

In view of the above, an Orthodox believer is permitted by *Economy* to undertake a religious marriage with a heterodox who has been baptized in the Name of the Holy Trinity (no. 2320/1982 Synodal Circular of the Church of Greece).

#### *C. Marriage that is not Allowed (Impeded)*

An Orthodox believer is explicitly forbidden to execute a religious marriage with a heterodox believer who has NOT been baptized in the Name of the Holy Trinity.

#### *D. Impediments to Marriage and the Implementation of Economy (Holy and Great Synod 2016)*

Regarding impediments to marriage and the implementation of economy, the Decision of the Holy and Great Synod (Crete 2016) states in as many words: Concerning impediments to marriage due to kinship by blood, kinship by affinity and adoption, and spiritual kinship, the prescriptions of the canons (Canons 53 and 54 of the Quinisext Ecumenical Council) and the church practice derived from them are

<sup>5</sup> See I.I. Kotsonis, *Problems of Ecclesiastical Economy* (Athens 1957).

valid as applied today by local autocephalous Orthodox Churches, determined and defined in their charters and their respective conciliar decisions.

A marriage that is not completely dissolved or annulled and a third marriage constitute absolute impediments to entering into marriage, according to Orthodox canonical tradition, which categorically condemns bigamy and a fourth marriage.

In accordance with the rigor [*akribeia* (ακριβεια)] of the holy canons, entering into a marriage after monastic tonsure is forbidden (Canon 16 of the Fourth Ecumenical Council and Canon 44 of the Quinisext Ecumenical Council).

Priesthood in itself does not constitute an impediment to marriage, but in accordance with the prevailing canonical tradition (Canon 3 of the Quinisext Ecumenical Council), after ordination entrance into marriage is forbidden.

Concerning the mixed marriages of Orthodox Christians with non-Orthodox and non-Christians, it was decided, as the marriage of Orthodox with non-Orthodox women is hindered by a normal response (canon 72 of the Pentateuch in the Council).

With the salvation of man as the goal, the possibility of the exercise of ecclesiastical *oikonomia* in relation to impediments to marriage must be considered by the Holy Synod of each autocephalous Orthodox Church according to the principles of the holy canons and in a spirit of pastoral discernment. Marriage between Orthodox and non-Christians is categorically forbidden in accordance with canonical *akribeia*.

The practice adopted in implementing ecclesiastical Tradition with respect to impediments to marriage should also take into account the relevant provisions of state legislation, without going beyond the limits of ecclesiastical economy (*oikonomia*).

To summarize:

- Marriage is expressly prohibited between persons who have kinship via blood, affinity or adoption, or spiritual kinship. The spiritual rules in this case are determined by the Canon Law of the Church (see Appendix), and the legal impediments by the relevant legislation of each country.
- An Orthodox believer is explicitly forbidden to undertake a religious marriage with a person belonging to another religion (Islam, Buddhism, Confucianism, Judaism, etc.).
- There is an impediment to a subsequent marriage before an existing marriage is irrevocably dissolved.
- A fourth marriage, preceded by a third valid marriage, is blocked.
- Similarly, Orthodox marriage is expressly prohibited after ordination. It goes without saying that a civil marriage is also not allowed. Especially in

the case of traditional marriage, which has the greatest weight and validity in the consciousness of the newly established African Orthodox community, it should also not be allowed after ordination because, [a] it “weakens” the prestige of Church marriage, which is already not recognized as official in Africa and causes confusion to the mainly neophyte members of the Church, as they will see its ministers deviate from the canons of Orthodoxy, [b] from an essential standpoint, the supremacy of the mystery of marriage cannot be compared to the traditional one, and [c] there is a lurking temptation of secret polygamy on the part of African clergy.

An Orthodox believer who has undergone a traditional and civil wedding with one person is expressly forbidden from undergoing a church wedding with a person other than the one he or she is already married to by the traditional and civil wedding. The Orthodox Church categorically rejects polygamy, even in the form officially established by legislation in African states, as well as marital infidelity, regardless of gender.

### About Traditional and Civil Marriage in Africa in Relation to Orthodox Marriage

#### *A. Traditional and Civil Marriage as Official Acts of Legal Validity*

It is well known that in Africa there is, of necessity, a customary or traditional marriage, which has the greatest social significance, as well as the consequent civil marriage. Both are officially recognized by African states as opposed to religious marriage which has no official recognition.

However, the performance of traditional and civil weddings is accompanied by expensive traditions lasting many days, which the local mindset does not apparently want to overcome. This attitude of our native brethren acts as a deterrent, first and foremost for themselves, to the two necessary wedding ceremonies—traditional and civil—since they cannot meet the strictly prescribed financial costs based on their inviolable customs and traditions. Therefore, even if they are Orthodox believers, they cannot go on to the third type of wedding ceremony, the ecclesiastical one, since in the consciousness of society traditional marriage functions as a prerequisite for the other types of marriage (civil and ecclesiastical) which define the meaning, context and relationships of family members, morally and legally.

Following this, it becomes apparent that the Orthodox Church of Africa cannot ignore traditional and civil marriage as official acts with legal validity, established

by the states, which regulate family relations, transactions and matters of inheritance law in general. Since it is self-evident that we are always talking about the same couple who undergo the three types of wedding in succession, traditional, civil and ecclesiastical, it is clear that the aforementioned traditional and civil wedding must not only be fully respected by the Church, but also is clearly linked with the church wedding. Thus, it will pastorally cultivate in the faithful the Christian virtues of honesty and candour, it will strengthen trust in the charitable embrace of the Mother Church that always saves its members through illumination, love and wisdom, who render “unto Caesar what is Caesar’s (traditional-civil marriage) and unto God what is God’s (Church marriage),” and will exclusively target the phenomenon of polygamy (official or secret) among the spiritually weaker members of the Church, who have not yet fully absorbed the principles of Orthodox faith and practice.

*B. Traditional, Civil and Church Marriage Between Orthodox Christians  
or Between Orthodox and Heterodox or two Former Heterodox*

- In the case of successive ceremonies of all the above types of marriage between baptized Orthodox believers, there is no obstacle. Instead, their honest stance as law-abiding citizens and, at the same time, conscientious Orthodox Christians should be praised.
- Also, in the case of all the above types of wedding taking place between an Orthodox believer and a heterodox, a member of a Christian Church or Confession who has been baptized in the Name of the Holy Trinity, there is no obstacle.
- This case (baptism in the name of the Trinity) could also include the contingency of a heterodox couple embracing Orthodoxy (e.g. two former Roman Catholics), in which case the marriage that took place before their admission to Orthodoxy—which will have been diligently checked beforehand—is recognized by *Economy* as a valid ecclesiastical marriage on the basis of the equivalence of the First Mysteries. That is to say, in that the Orthodox Church accepts by *Economy* the validity of a heterodox baptism in the name of the Trinity and does not repeat it, it can only by *Economy* recognize the validity of the heterodox wedding ceremony as well.

**Note:**

The Church of Greece is currently studying an important issue concerning the recognition or otherwise of sacraments of the Protestant Churches (principally the Anglican Communion) that on the one hand observe baptism in the name of the

Trinity, when on the other those sacraments were performed by women-clergy. Given the existence in Africa of large non-African communities (French, English, Italian, American, etc.) for many years, members of which are actively involved in the general ecclesiastical life of these countries, this new situation needs some examination and a Synodal Decision, which will answer this question in a timely manner.

*C. Traditional and Civil Marriage between Orthodox and Heterodox-not Baptized in the Name of the Holy Trinity, or of Another Religion.*

In order to study the Orthodox attitude to this unusual situation, that is, a person already married with a traditional or civil marriage and later converting to Orthodoxy, with a spouse (heterodox without Trinitarian baptism, or of another religion), with whom marriage cannot be sanctified in the Orthodox manner, we must look at the similar situation, order and attitude of the Church in the early Christian centuries. The Apostle Paul urges: "If any brother has a wife who does not believe, and she is willing to live with him, let him not divorce her. And a woman who has a husband who does not believe, if he is willing to live with her, let her not divorce him." (1 Cor 7: 12–13). It is obvious that the Apostle of the Gentiles refers to a marriage performed before the Christian baptism of one of the two spouses.

But even this attitude of the Apostle Paul, who was a staunch opponent of fornication (1 Cor 6: 18; Eph 5: 3, etc.), is not the final solution, because it is followed in time by a series of Holy Canons that prohibit the performance of an ecclesiastical marriage with a non-Orthodox, such as the canons 14 of the Fourth Ecumenical Council, canon 72 of the Quinisext Council 10 and 31 of Laodicea, 21 of Carthage.

Of course, as the Canonist Panagiotis Boumis observes (Mission Periodical *Panta ta Ethne* (All Nations)), "according to the reading of the 14<sup>th</sup> canon of the Fourth Ecumenical Council (the 31<sup>st</sup> rule of Laodicea also leads to this) the impression is given that there is a possibility for a marriage to take place, whereby an Orthodox takes someone as of another religion as a spouse (and vice versa), as long as the non-Christian promises to embrace Christianity, and more specifically the Orthodox faith. But is this promise really enough for a Church wedding to take place?"<sup>6</sup> The Byzantine canonists Zonaras and Valsamon (Ralli-Potli, II, 252-253), as well as St Nicodemus of Mount Athos (Pedalion, 197) briefly suggest that baptism takes place first, and then the Orthodox marriage is sanctified. Of course, if the non-Orthodox spouse desires to become Orthodox, the canonical solution is easily given through their baptism and then a church wedding.

<sup>6</sup> Παναγιώτης Μπούμης, στ. Νομοκανονικά [permanent column "*Nomocanonica*"], *Πάντα τα Έθνη* 107 (2008), 26 [25–27].



If, however, the non-Orthodox spouse belongs to a Christian Confession that does not have Trinitarian baptism, or if they happen to be of another religion and do not wish to become Orthodox, then the situation is complicated in terms of the holy canons. Because, even if the 'lenient' view is accepted, in terms of the promise on the part of the non-Orthodox about their future baptism, it is still impossible for the Mystery of Marriage to be celebrated with an unbaptized person in an Orthodox manner. In this case, then, where it becomes impossible to sanctify the marriage, are the two spouses who have already been united by a traditional or civil marriage characterized by the Church as 'fornicators' and penalized accordingly?

It has already been reported that the Apostle Paul, despite being a staunch opponent of fornication, urges the Christian spouse to continue living with his non-Christian wife (and vice versa), despite the fact that the church marriage has not been performed (1 Cor 7: 12–13).

Moreover, the fact that the Church of the Ecumenical Councils has not established a canon prohibiting traditional or civil marriage, is also indicative.

Furthermore, the seventh rule of the Council of Neocaesarea (320 AD) and Theodore the Studite (PG 99, 1616B and 1093AB) do not allow a second marriage, according to canonical exactitude (*akribeia*) in contrast to the three marriages that Orthodoxy Church allows today, by *economy*.

At the same time, we know that two Christians cannot have a secret and private Church wedding ceremony, because according to the canonical decrees, secret marriage (*λαθρογαμία*) is forbidden (cf. 1<sup>st</sup> Canon of Laodicea). There are, however, cases in which the bride and groom are at risk of severe consequences if they have their Church wedding in public (e.g. in times of persecution, under Islamic, communist or atheist regimes), so the civil wedding takes place publicly and a church wedding in secret. This thought encourages us to come to the hypothetical conclusion that it was perhaps for this reason that the Church of the Ecumenical Councils, in charity, did not condemn civil marriage to make it easier for Christians living in hostile environments.

In conclusion, the question posed to the newly formed local Churches, which act in a missionary manner in a predominantly heterodox or hetero-religious environment, is clear: can the Orthodox Church accept the civil and traditional-customary marriage that has already taken place, when a Church marriage cannot be sanctified?

The answer should be affirmative only for the present case under consideration (i.e. the traditional and civil marriage between an Orthodox and a heterodox-unbaptized in the Name of the Holy Trinity, or member of another religion) and with the (written) commitment of the non-Orthodox spouse that the wife who

is a member of the Orthodox Church “will not be hindered by the other member from remaining faithful to this Church” (Cf. Trembelas, *Dogmatics of the Orthodox Catholic Church III*, 341–2).

Consequently, the Orthodox partner in this marriage must also without hindrance participate in the Divine Eucharist and sacramental and ecclesiastical life in general, having, in fact, become acquainted with the Orthodox faith through seeking it out personally, and at a mature age.

Of course, the above affirmative answer is a clear deviation from canonical exactitude (*akribeia*) and ecclesiastical order, since Orthodox marriage depicts the inextricable link between Christ and the Church and brings about the completion, sanctification and perfection of the couple (cf. Eph 5, 22–23). However, the final decision rests primarily with the local Synod and thence the discretion of the local Bishop, who will look at each case individually, and will judge the reasons which compel the couple not to have a church wedding.

### Concerning the Non-Celebration of a Church Wedding between Baptized Orthodox Christians

At this point an important issue must be considered regarding the outlook of the African brethren in relation to marriage in general. The inviolable customs associated with African marriage are most important and take many days, but are also financially burdensome for the vast majority of the population. Despite this, however, the African outlook, as mentioned above, seems unwilling to simplify or transgress against these customs. This attitude of the native brethren deters them from the two obligatory weddings, traditional and civil—especially the traditional one, which is an insurmountable prerequisite for the other two types of marriage, civil and church, since they cannot meet the relevant financial outlay that is strictly expected. Consequently, if both are Orthodox believers, they cannot go on to the third kind of marriage, a church wedding, because of lack of funds.

It is also common for them to make great sacrifices and manage to secure the large sums of money required for a traditional marriage, but then find themselves unable to proceed to the other two kinds of marriage—civil and ecclesiastical—because they have already exhausted all their funds.

In both of the above cases (no type of marriage or only traditional marriage), according to Orthodox teaching, the cohabitation of the couple is not a marriage, is not a blessed sacramental act of the Church and canonically is given a penance through deprivation of Holy Communion, according to Canon Law (canon 14 of the Fourth Ecumenical Council, canon 72 of the Quinisext Council etc.). In addi-

tion, there are no external factors prohibiting or threatening the couple or obliging them not to have an Orthodox wedding (e.g. persecution on grounds of faith, living under an Islamic or atheist regime). The only reason for not having the church wedding is a purely financial one, which, according to the local outlook, hinders the observance of the custom (traditional wedding). Therefore, there is also the question of the fidelity of the two Orthodox spouses to the words of the Lord, since, as mentioned above, Orthodox marriage is not a socio-legal pact of cohabitation, but depicts the inextricable link between Christ and the Church and leads to sanctification and the perfection of the couple (see Eph 5, 22–23).

In this case, our ancient Church may need to show some rigour, as it is obvious that a member of the Church who voluntarily joined Orthodoxy does not, in practice, freely accept theological principles of the faith. The Church cannot ignore, and still less can it invalidate for itself, its canonical preconditions for the spiritual life of its baptized members in general, regardless of tribal or ethnic outlook of secondary importance (cf. the exhortation of the Apostle Paul to Timothy: “Neither be a partaker of other men’s sins”, 1 Tim 5, 22). If, in fact, the most basic traditional wedding in African culture has taken place, it means that the local custom has been kept to the full. Therefore, no native Orthodox is entitled to invoke the pretext that they lack the financial means to have a sacramental act of marriage.

The practice of the Roman Catholic Church in Africa has been to introduce group weddings (“les mariages Cana”) for free in parishes or diocese two or more times a year, so that the faithful can be in full harmony and consistency with their church community (otherwise they are cut off from sacramental and Church life). Correspondingly, this would be a pastoral solution for the Orthodox setting, as well.

Celebrating group weddings for free on predetermined days in each parish or region, following the relevant spiritual and practical preparation, would pastorally regularize those Orthodox who have “outstanding commitments” towards the principles of the Orthodox faith, and would strengthen the awareness of the Christian congregation regarding the importance and sanctity of the Mystery of Marriage.

However, even in this case where the Church has ruled in favour of imposing a religious marriage on its members, notes the canonist Panagiotis Boumis in the missionary magazine *Panta Ta Ethne* (ibid.), it cannot abruptly and automatically cut its members off from the church community, or from sacramental life, due to the non-performance of a church wedding. Such a decision should depend on the reasons that made the Christian resort to civil (*NB or traditional*) marriage or what are the reasons that forced him to insist on not having a Church wedding. In other words, the attitude of the Church will be determined depending on the circumstances, the causes and the degree of tolerance. And yet the final decision will

be left to the discretionary authority of the Bishop. He will judge, in accordance with the canonical principles and preconditions, but also the principle of personalization, the reasons that force a couple to only undergo a civil wedding (*NB or a traditional one*), or to insist on it, always having reference to his higher synodal authority.

### The Days when a Marriage Seremony is Strictly Forbidden

Weddings cannot be performed at the following times:

1. The last week before Christmas, i.e. from the 18th to the 25th of December.
2. The eve (fast) of Theophany and Theophany proper.
3. On Friday before Meatfare Sunday.
4. The Holy and Great Lent (fast), from the Vespers of Cheesefare Sunday to Holy Pascha.
5. Great and Holy Week.
6. On the Sunday of Pentecost.
7. From 1st to 15th of August (fast).
8. On the 29th of August, the Beheading of the Holy Forerunner (fast).
9. On the afternoon of the 13th and on the 14th of September, feast of the Universal Exaltation of the Holy Cross (fast).

The strict prohibition of weddings during the above periods and days is absolute, with the exception of the aforementioned situations of Holy and Great Lent and the Fast for the 15th August, during which, due to their length and only for proven serious reasons (e.g. pregnancy, migration, serious illness that may result in the death of relatives of the future spouses and so forth), in extreme economy and with ecclesiastical leniency, the Sacrament of Marriage may be permitted and performed by one priest only.

We stress that the Bishop's written permission to the parish priest is always required for a wedding to take place. Where this is not the case, the marriage is considered invalid by the Church and the priest is severely punished.

### Credentials for Issuing Marriage Licences

1. Photocopies of the valid identity cards or passports of the future spouses, which prove that both parties are adults (over 18 years old).
2. A certificate of baptism from both future spouses from their Churches.
3. A copy of the civil marriage certificate.

4. A moral inquiry (*enquête morale*) and verification from the parish priest officiating the church wedding that this can take place (with the signed responsibility of the parish priest).
5. A solemn declaration from the future spouses, in which they state that [a] there is no concurrent traditional and civil, or religious marriage with a third person and [b] that he has no kinship with the person he wishes to marry (example no. 1).
6. Two solemn declarations of two Christian witnesses (one per bride and groom), stating that the bride and groom [a] do not have concurrent marriages (traditional, civil or religious) with other persons and [b] that they are not related to each other (example no. 2).
7. A certified copy of divorce certificate, if one of the future spouses has divorced his / her ex-spouse, or death certificate in case of widowhood.
8. An application from the parish priest to the Bishop for the granting of a marriage license, which will be accompanied by copies of all the above certificates (example no. 3).
9. The relevant bishop gives a written marriage license to the parish priest (example no. 4). Having completed the Sacrament, the parish priest sends the Marriage Declaration (example no. 5) to the Bishop, who issues the final Marriage Certificate (example no. 6).

**Caution:**

In circumstances where the spouses-to-be want to hold the civil wedding and the religious wedding on the same day, they are obliged to speak with their parish priest before setting a date at the town hall so that they can confirm that a religious wedding can take place on that day (see the previous section “Days when a marriage ceremony is strictly prohibited”) in order to avoid misunderstandings and other problems.

### Certificates for Granting Church Divorce

1. Photocopies of spouses’ valid identity cards or passports.
2. Divorce application.
3. Photocopy of the Marriage Certificate.
4. Photocopy of the divorce decree for the civil marriage.
5. A moral inquiry (*enquête morale*) and verification by the parish priest on the dissolution of the traditional marriage, with the signed responsibility of the parish priest.
6. Application of the parish priest to the Bishop for the granting of a divorce,

accompanied by copies of all the above certificates (example no. 7).

7. Application of the Bishop to the Patriarch, accompanied by photocopies of the above documents, for the granting of a divorce.

### Registry and Maintenance of Marriage Records in each Parish and Diocese

In the context of establishing a unified and organized way of managing marriages in each Parish and Diocese, it would be useful to have a system for creating parish registers, in which each parishioner will be registered with all the necessary information.

Allow me to use the Holy Diocese of Brazzaville as an example. Due to the lack of record keeping, in general, in the Diocese until I myself arrived, a decision was made from the start to create parish registers which would also make it possible to have a register of weddings performed.

A simple form was distributed to every believer in each Parish, which asked for the following information (example no. 8):

- Full name, name received upon baptism, details of the baptizing priest.
- Date and place of birth, gender, date and place of baptism, previous religion or doctrinal confession (the latter helps to form pastoral policy).
- Home address, telephone number.
- Unmarried or married, type of marriage (traditional, civil, ecclesiastical)
- Information about children (full name, date of birth, date of baptism, names received at baptism).
- Signature of the believer.

This form was completed, with the absolute responsibility of the parish priest, signed by him and sealed with the parish seal. When all the forms were collected in each parish, they were sent to the Holy Diocese, which processed the data and created a register of names for each parish.

The same system has been applied to all those who converted to Orthodoxy since then. Each catechumen completes the same form, shortly before holy baptism. Thus each parish makes a register of catechumens with all the aforementioned information, which is given to the Holy Diocese, so that the baptismal certificate (*carte de baptême*) signed solely by the Bishop can be issued and so that the parish registers can be updated continually, and be kept in writing and electronically at the seat of the local Church. Finally, at the beginning of each year, an updated copy of the parish register is given out with details of the faithful who

embraced the Orthodox faith in the previous year in that parish. It is noted that the information of those who have departed is not deleted, for archival purposes.

The above system helps us :

- In the establishment of complete parish registers for organizational reasons.
- In cross-checking and verifying the authenticity of the information given. In case of uncertainty, the older clergy and faithful, who are still alive, are called upon to confirm or reject the information.
- In the collection of statistical data on payments by the faithful, Christian or not, especially those new to the parish, in order to formulate pastoral methods or strategies to cultivate and consolidate the Orthodox Faith.

### Pastoral Ministry of Marriage

The pastoral approach to marriage is determined by the local Bishop, according to the principles of the faith, the spiritual condition of the congregation of the local Church, spiritual maturity, personal experience and the education of the various local clergy who will undertake this responsible endeavour, and the general attitudes towards marriage that prevail in the various local communities.

Nevertheless, there is a pastoral peculiarity in the situation where members of the same family belong to different Christian denominations. On this, the Greek Rite Catholic Bishop and Professor Dr Dimitrios Salachas aptly notes:

The first experience of the traumatic division of the Churches and the Christians falls upon mixed couples. It is true that in a mixed couple it is more difficult for one and the same faith to be confessed and experienced together and to be transmitted to children, so that the same spiritual life is cultivated among all members of the family. In mixed families, in addition to all the other common problems experienced by every family, the problem of mixed doctrine is added. However, it falls upon the shepherds to help those families acquire the spirituality that the Church will be called to live out when the longed-for day comes for the unity of the One Church of Christ.

Spouses who belong to different doctrinal confessions should be helped by their shepherds to see the many points that unite the two doctrines and turn those points that are not differences in faith, to differences between them, at least with regard to the sanctity and sacramental meaning of marriage and the family. Respect for the religious conscience and ecclesiastical uniqueness of spouses can, through a peaceful dialogue of love and mutual understanding, consolidate and enrich their marital unity and the education of their children, without rivalry and intolerance.

The responsibility of the pastors, Catholic (NB as well as other heterodox) and Orthodox, is enormous, in situations where they cultivate and imbue fanaticism and bigotted intolerance in the spouses of a mixed marriage. Of course, every Church has a pastoral responsibility for the faith and loyalty of its members and determines the preconditions for a mixed marriage.<sup>7</sup>

Thank you for your attention and patience! ■

Translation from Greek: Marina Robb

Keywords:

Africa, Marriage, Canon Law, Mission, Pastoral Theology

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<sup>7</sup> See "Mixed Marriages in the Canon Law of the Catholic Church and in combination with the Charter of the Orthodox Church of Cyprus", Ref. <http://asomatos.eu/index.php/79-frontpage/1101-oi-miktoi-gamoi-sto-kanoniko-dikaio-tis-katholiki-ekklesias-kai-se-syndyasmos-me-ton-katastatiko-xarti-tis-orthodoksis-ekklesias-tis-kyprou>, last accessed on December 28, 2019.