

MARRIAGE AND THE FAMILY ACCORDING TO THE ECUMENICAL COUNCILS

Marriage¹ and the family are treated significantly in nine of the church councils in the Roman Catholic church's traditional list of twenty-one ecumenical councils. Nine citations may seem few in view of the huge importance of marriage and the family within human life and the Christian tradition. Yet this paucity may be interpreted as a good sign inasmuch as it indicates widespread agreement among Christians: councils usually intervened only when there were disputes. Altogether, moreover, through the nine quotations, we are provided with teaching on marriage and the family that is practical, quite comprehensive, and sublime.

The first of the ecumenical councils, Nicea I in 325, provides us with the earliest citation. The council, in the eighth of the twenty canons which it promulgated, obliged schismatic Cathars who wished to be received into the Catholic church to give a written undertaking on various controversial issues, including «that they will be in communion with those who have entered into a second marriage». Cathars took a hard line on this matter, forbidding second marriages. The intrigu-

¹ Unless otherwise stated, all quotations are taken from N. TANNER (ed.), *Decrees of the Ecumenical Councils* London – Washington 1990, I-II, where the original Greek or Latin text is also to be found. The location of the quotation within the two volumes is sufficiently evident from the indications I have given in the text – that is, reference to the council and to the document being quoted – hence the absence of precise page-references.

ing question is whether the Catholic church then permitted second marriages when both partners were alive, or only after the death of the husband or wife. The canon itself is not clear and commentaries on it, so far as I have been able to ascertain, either avoid the issue or provide no satisfactory answer. It is relevant to note that the council was very much an eastern council, held in Nicea in modern Turkey and attended overwhelmingly by Greek-speaking bishops from the eastern church – which developed into the Orthodox Church – and north Africa. The possibility of divorce and remarriage, even while not ideal, has traditionally been upheld by the Orthodox church. So the Nicene canon may well be interpreted in a similar manner.

The second council to consider is Constantinople I in 381. This council improved on the creed originally promulgated by the first council of Nicea, to produce the “Nicene Creed” as we know it today – the most authoritative creed for the whole Christian community, which is normally recited on Sundays during the Mass / Eucharist. This creed does not teach directly or extensively about marriage and the family, but it provides powerful support in its apparently simple proclamation that «Jesus Christ [...] became incarnate from the holy Spirit and the virgin Mary». The full humanity of Jesus Christ is thereby proclaimed as well as the role of Mary in his conception and birth. His conception was unique, of course, inasmuch as it came about through the holy Spirit rather than through Mary’s husband, Joseph. But this uniqueness may be interpreted as underlining rather than undermining the importance of marriage, in a sense pointing to the divine origins of marriage. Moreover, the importance of Jesus’s family life, which is implicit in the creed, had

been emphasized especially in the gospel accounts of his birth and early childhood, in Luke's poignant account of his remaining in the Temple in Jerusalem at the age of twelve, and in various episodes during his public ministry.

The council of Chalcedon in 451 provides our third instance. In this case, too, the council did not provide an extensive or explicit treatment of marriage and the family, but its "Definition of Faith" expanded on the short sentence in the Nicene Creed which has just been quoted. The Definition, accordingly, speaks of Jesus Christ as «consubstantial with us as regards his humanity, like us in all respects except sin; begotten [...] from Mary, virgin mother of God (Greek, *Theotokos*), as regards his humanity». Jesus Christ's solidarity with us is beautifully proclaimed by the word "consubstantial" (Greek, *homoousios*), which is the same word as the Nicene creed had used to state Christ's communion with the Father in his divinity: «Jesus Christ [...] consubstantial with the Father». *Theotokos*, mother of God or God-bearer, had been introduced as a title of Mary by the previous council of Ephesus in 431. Now Chalcedon confirms this honour, underlining Mary's unique role in the Incarnation and the special role of women as mothers within family life.

Our fourth instance comes from the second council of Nicea in 787, which is the last council to be recognized as "ecumenical" (that is, a council of the full or universal church) by both the Orthodox and Catholic churches. Here, too, the commendation of marriage and the family is implicit rather than direct, but powerful nevertheless. The council approved the making and veneration of paintings and other images of Jesus Christ, Mary and saints. Jesus and Mary were inti-

mately involved in marriage and the family, as we have seen; most of the saints had grown up within family life and many of them had married and produced families. The approval given by this council to the portrayal of family life in art, in a variety of ways, has surely given enormous encouragement to countless Christians. Of all the ecumenical councils, indeed, it may well be that Nicea II has had the most profound effect in encouraging Christians in their vocation to marriage and family life. Appropriately, we may note, the prime mover in this council was herself a married woman with a family, the empress Irene.

The next council to consider, the fourth Lateran council in 1215, comes well after the beginning of the schism between the western and eastern churches – which came to be called the Catholic and Orthodox churches – in 1054. Lateran IV was the most comprehensive and wide-ranging of the ten general councils of western Church during the Middle Ages, from Lateran I in 1123 to Lateran V in 1512-17. The council paid considerable attention to promoting celibacy of the clergy and the prohibition of clerical marriage, but this dimension is not our concern here. In terms of the laity, marriage and family life are treated principally in canons 1 and 50-52. Canon 50, «On the restriction of prohibitions to matrimony», reduced the degrees of consanguinity within which marriage was prohibited from seven to four, which remains the norm in most countries today. This relaxation was important, especially in medieval society which was predominantly rural and where the spouse was normally chosen from within the same village or locality, so that it could be difficult to find a spouse beyond the seventh degree of consanguinity. Canon 51 «On the punishment of those

who contract clandestine marriages» and canon 52 «On rejecting evidence from hearsay in a matrimonial case» sought to regularize marriage in various ways. They laid the basis for the council of Trent's decree *Tametsi*. The language of canons 51 and 52 may sound to modern ears largely menacing, but the underlying intent was to promote marriage and the family in the most positive and wholesome manner. This positive intent is nicely put in the short reference to marriage in canon 1 «On the Catholic Faith»: «Married persons find favour with God by right faith and good actions and they deserve to attain to eternal blessedness».

The second council of Lyons in 1274 is important because it provided the Catholic church, for the first time, with a definitive list of the seven sacraments, including marriage. Earlier there had been debate as to whether marriage, confirmation and last anointing, especially, should be classed as sacraments or more simply as rites. The list is to be found in the decree of reunion with the Orthodox church, which is considered to be an authentic decree of the council (even though the reunion proved to be fleeting). The decree states clearly: «The holy Roman church holds and teaches that there are seven sacraments of the Church: one is baptism, another in the sacrament of confirmation [...] then penance, the Eucharist, the sacrament of order, matrimony (Latin original, *matrimonium*), and extreme unction»².

The seventh of our councils to be considered – the last in the Middle Ages – is Basel-Florence: the council which started in Basel in Switzerland and later

² J. NEUNER – J. DUPUIS (ed.), *The Christian Faith in the Doctrinal Documents of the Catholic Church*, 7th revised and enlarged edition, New York 2001, 860, no. 28.

transferred to Florence in Italy. While the council was in Basel it issued, on 7 September 1434, the revealing Decree on Jews and neophytes. In prohibiting various forms of *convivencia* between Christians and “Jews and other infidels” (“infidels” probably meaning principally Muslims), the decree was acknowledging that the forbidden practices were taking place. Attendance at weddings and acting as agents in marriages were the practices explicitly forbidden, but mixed marriages themselves may sometimes have been a reality. The relevant section of the decree reads as follows:

Furthermore, renewing the sacred canons, we command both diocesan bishops and secular powers to prohibit in every way Jews and other infidels from having Christians, male or female, in their households and service, or as nurses of their children; and Christians from joining with them in festivities, marriages (Latin, *in nuptiis*), banquet or baths, or in much conversation, and from taking them as doctors or agents of marriages (Latin, *matrimoniorum proxenetas*).

The council of Trent (1545-63) dealt with marriage extensively and largely in a conservative manner. It clarified and strengthened the framework already prevalent in the Catholic church, rather than provided innovations. While the churches of the Reformation emphasized the importance of marriage, they treated the contract as a rite rather than a sacrament and one that was indicative of God’s grace rather than effective of it. In response, the council of Trent reaffirmed the teaching of Lyons II regarding the inclusion of marriage among the seven sacraments of the Church and asserted that the sacrament was truly a source of divine grace (Session 7). Later the council spelled out this teaching in a full decree

on marriage (Session 24). The best known and most influential part of the decree is canon 1, which is usually known by its first word *Tametsi*. This canon reaffirmed and clarified further the teaching of the fourth Lateran council in 1215, to which it made explicit reference. It has remained fundamental to the regulation of marriage in the Catholic church ever since. A long canon, its principal clauses read as follows:

Following in the footsteps of the holy council of the Lateran held under Innocent III, this council orders that henceforth, before a marriage is contracted, an announcement of those intending to marry shall be made public during Mass by the parish priest of the contracting parties on three successive feastdays. After these announcements have been made, and if no legitimate impediment is raised in objection, the celebration of the marriage must then take place in open church, during which the parish priest will, by questioning the man and woman, make sure of their consent and then say, «I join you together in marriage, in the name of the Father and the Son and the holy Spirit», or use other words according to the accepted rite of each province [...] The council also exhorts spouses not to live in the same house before they have received the priest's blessing in church [...] The parish priest must keep a book in which he records the name of the couple and of the witnesses, and the day and place of the marriage contracted [...] Finally, the council exhorts couples to make a careful confession of their sins and to approach the holy sacrament of the eucharist with devotion before they marry, or at least three days before they consummate the marriage.

Our final council to consider is Vatican II. Something should first be said, however, regarding Vatican I. The council did not teach directly about marriage, but

indirectly its decree on the infallibility and plenitude of jurisdiction of the pope had much influence, for it underlined the central role of the papacy in Catholic teaching. Accordingly, after Vatican I the papacy played an increasing role in Catholic teaching on marriage and the family through papal encyclicals and other pronouncements.

Teaching on marriage and the family, in Vatican II, is to be found in many of the sixteen documents promulgated by the council, but it comes primarily and most systematically in the «Pastoral constitution on the church in the modern world». This decree (or “constitution” according to its official title), which is normally referred to as *Gaudium et spes* from its opening words in the Latin text, dedicates a full chapter to the twin topics of marriage and the family. The chapter comes within the part on «Some urgent problems» and is entitled «Promoting the dignity of marriage and the family». It runs to some two thousand words in the Latin text. It constitutes much the most complete teaching on marriage and the family in all the twenty-one ecumenical councils. The headings of the six sections (nos. 47-52), into which the chapter is divided, provide an outline of the contents: «Marriage and the family in the modern world», «The holiness of marriage and the family», «Married love», «The fruitfulness of marriage», «Reconciling married love with respect for human life» and «Promoting marriage and the family as the concern of all». Altogether one may say that the treatment is comprehensive and sublime while also sensitive to the challenges and difficulties of marriage. The most significant omission is full treatment of contraception and the contraceptive pill, which had to wait until pope Paul VI’s encyclical *Hu-*

manae vitae in 1968. The opening paragraph of the first section provides a neat summary of the chapter's contents and its encouraging tone. It addresses the whole human family as well as Catholics and other Christians more specifically, following in this way the style of the opening words of *Gaudium et Spes*. This opening paragraph and the final paragraph of the section provide a fitting and encouraging conclusion to this short and fragmentary lecture:

The wellbeing of the person and of human and Christian society is intimately connected with the healthy state of the community of marriage and the family. That is why Christians and all who value this community derive real satisfaction from the various supports being developed today in promoting this community of love and caring for its life as well as in helping married couples and parents in their outstanding tasks. They also look for further benefits and desire to encourage them (*GS* 47).

Married couples themselves, made in the image of the living God and established with the true status of persons, should be united in equal regard, similarity of mind and mutual holiness so that following Christ, the beginning of life, in the joys and sacrifices of their vocation, they may become through their faithful love witnesses to that mystery of devoted love which the Lord in his death and resurrection revealed to the world (*GS* 52).

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