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Marriage catechesis and pastoral care in a European comparison of particular standards

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Zusammenfassung: *Universalkirchliche Dokumente betonen die Verantwortung der Ortskirchen im Hinblick auf die Vorbereitung zur Ehe und fordern zum Erlass entsprechender Normen auf. Der Autor untersucht die Partikularnormen von vier europäischen Bischofskonferenzen. Gewählt wurden die Bischofskonferenzen von Italien, Irland, Österreich und Deutschland, die für drei unterschiedliche Sprachfamilien und Ziviltrauungsregelungen stehen. Für jede dieser Bischofskonferenzen werden die Quellen partikularer Regelungen zur Ehecatechese und –pastoral benannt. Anschließend werden diese im Hinblick auf Struktur und Inhalt der Ehevorbereitung im jeweiligen Land befragt. In einer Schlussbetrachtung werden die Ergebnisse miteinander verglichen.*

Abstract: *Universal Church documents emphasize the responsibility of local churches with regard to marriage preparation and call for the adoption of corresponding norms. The author examines the particular norms of four European bishops' conferences. The bishops' conferences of Italy, Ireland, Austria and Germany were chosen, representing three different language families and civil marriage regulations. For each of these bishops' conferences, the sources of particular regulations on marriage catechesis and pastoral care are named. These are then examined with regard to the structure and content of marriage preparation in the respective country. In a final analysis, the results are compared with each other.*

Schlagwörter: Ehecatechese, Ehepastoral, Ehevorbereitung, c. 1064, c. 1067

Keywords: marriage catechesis, marriage preparation

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Introduction

The present work is a comparative study of particular legal regulations with regard to marriage catechesis and pastoral care in the area of certain European bishops' conferences. Among the cc. 1063-1072 of the CIC/1983, which deal with marriage preparation and pastoral care, it is above all cc. 1064 and 1067, which focus on the level of the particular Churches. C. 1067 CIC/1983 gives the bishops' conferences the legislative competence for the examination of spouses and the marriage banns, while c. 1064 CIC/1983 assigns the local ordinaries the task

of organising marriage catechesis and pastoral care, which were defined in more detail in the previous c. 1063 CIC/1983, in their dioceses, whereby it is of course not excluded that several local ordinaries agree on a common order, for example within the boundaries of a bishops' conference.

The responsibility of the individual particular churches and their groupings has been repeatedly emphasised by the universal church. In his 1981 Apostolic Exhortation *Familiaris Consortio*, Pope John Paul II expressed the wish "that the Bishops' Conferences [...] ensure that a guide for pastoral care of the family is published. Above all, this should define the minimum content, duration and method for marriage preparation courses"¹. At the same time, in the same document, he provides a kind of framework for all future documents when he analogises marriage preparation to the baptismal catechumenate and divides it into three different phases, namely the more distant preparation, the closer preparation and the immediate preparation.² This categorisation has been taken up and deepened time and again since then. Pope Francis, in particular, then placed the topic of marriage and family at the centre of attention anew through the General Assemblies of the Synod of Bishops in 2014 and 2015. His post-synodal exhortation *Amoris laetitia* provides important pastoral perspectives.³ Five years after this letter, he put the topic back on the agenda with a "Year of the Family". The letter "Catechumenal Paths for Married Life" from the Dicastery for the Laity, the Family and Life can be seen as the fruit of this year.⁴ The subtitle of the document, "Pastoral Guidelines for the Particular Churches", already indicates that the actual responsibility for marriage preparation naturally lies with the particular churches. And so Pope Francis already points out in the foreword to this document that it provides "abundant and stimulating material, the fruit of reflection and pastoral experiences that have already been implemented in various dioceses/parishes

¹ John Paul II, Adhortatio Apostolica "Familiaris Consortio", in: AAS 74 (1982), pp. 81-191; in dt: Sekretariat der DBK (ed.), Johannes Paul II, Apostolisches Schreiben *Familiaris consortio* an die Bischöfe, Priester und Gläubigen der ganzen Kirche über die Aufgaben der christlichen Familie in der Welt von heute von 22. November 1981 (= Verlautbarungen des Apostolischen Stuhls; 33), p. 66.

² See *ibid.*

³ Franciscus, Adhortatio Apostolica Post-Synodalis "Amoris Laetitia", in: AAS 108 (2016), pp. 311-446; dt: Sekretariat der DBK (ed.), Franziskus, Nachsynodales Schreiben *Amoris laetitia* an die Bischöfe, an die Priester und Diakone, an die Personen geweihten Leben, an die christgläubigen Eheleute und an alle christgläubigen Laien über die Liebe in der Familie vom 19. März 2016 (= Verlautbarungen des Apostolischen Stuhls; 204).

⁴ Dikasterium für die Laien, die Familie und das Leben, Katechumenale Wege für das Eheleben. Pastorale Leitlinien für die Teilkirchen vom 15. Juni 2022 (= Verlautbarungen des Apostolischen Stuhls; 237).

around the world".⁵ He wants the document to be understood as "guidelines to be adopted, adapted and put into practice in the concrete social, cultural and ecclesial situations in which each particular Church lives"⁶.

The present work would now like to take a look at some of these experiences of the particular churches. To this end, normative texts of individual bishops' conferences are analysed, above all the particular laws of the bishops' conferences according to c. 1067 CIC/1983 as well as the orders that can refer to c. 1064 CIC/1983 in the broadest sense. This study only analyses national orders. With regard to the latter, bishops' conferences that have decided in favour of uniform national orders were selected for this study. Any additional diocesan orders that may still exist were not analysed. The question of the extent to which the normative texts play a role in actual practice in the local parishes must also be excluded.

The source situation can be described as somewhat confusing overall due to the various ecclesiastical legislators with different promulgating bodies and texts of different legal qualities. The collection of sources by Martín de Agar and Navarro⁷ can be used as an initial overview of the particular laws of the bishops' conferences, although the second edition of this is already outdated, so that it remains to be investigated in each individual case whether the laws presented actually reflect the current status. Martín de Agar and Navarro cite particular laws for 16 of the 24 European bishops' conferences or non-conference bishops.⁸ However, at least in the case of Austria, one particular law was overlooked.⁹ Whether other laws were overlooked was not the subject of this study.

With regard to national regulations in accordance with c. 1064 CIC/1983, it should be noted that the texts presented are of varying binding force. In his study on diocesan directives pursuant to c. 1064 CIC/1983, which were published in the Spanish dioceses in the first ten years after the promulgation of the new code, Aznar Gil already distinguishes four different cate-

⁵ *ibid.*, Vorwort des Heiligen Vaters Franziskus.

⁶ *ibid.*

⁷ MARTÍN DE AGAR, José; NAVARRO, Luis (eds.), *Legislazione delle conferenze episcopali complementare al C.I.C.*, Rome 2009.

⁸ See *ibid.*, p. 1366f.

⁹ See Österreichische Bischofskonferenz, Dekret über die Bekanntmachung der Trauung (can. 1067), in: *Amtsblatt der Österreichischen Bischofskonferenz* Nr. 1 vom 25. Jänner 1984, p. 2.

ries of binding force, ranging from mandatory requirements to non-binding recommendations.¹⁰ The present work will similarly attempt to analyse the binding nature of the texts presented.

Of the 24 bishops' conferences and non-conference bishops mentioned by Martín de Agar and Navarro, this study selects four to be analysed in more detail, namely Italy, Ireland, Austria and Germany. Italy, Ireland and Austria were deliberately chosen as three countries that belong to different language families and have different national civil marriage traditions in order to compare them with Germany. The fact that these countries were chosen also has to do with the availability and accessibility of the corresponding source texts. A more intensive look at a country in the Slavic-speaking part of Europe, which could possibly have expanded the study, fails due to the author's lack of language skills.

The examination of the particular regulations of the individual countries always follows the same systematic structure. Firstly, the source texts from which the particular regulations on marriage catechesis and pastoral care are taken are presented. Then the respective structure is examined, i.e. the sponsors, locations, phases, durations and the binding nature of marriage catechesis and pastoral care, before finally looking at whether and, if so, what content is specified by the bishops for marriage catechesis and pastoral care.

The final section of this paper then looks at the similarities and differences between the individual countries.

Regulations on the territory of the Italian Bishops' Conference

On 5 November 1990, the Italian Bishops' Conference issued a general decree on canonical marriage, which has been in force since 17 February 1991.¹¹ This general decree contains all the particular legal regulations on marriage for which the bishops' conferences have legislative competence in accordance with CIC/1983, including the particular norms for c. 1067 CIC/1983.

¹⁰ See AZNAR GIL, Federico, *Los directorios de pastoral prematrimonial de las diócesis españolas (1983-1992)*, in: *Pontificium Consilium de Legum Textibus Interpretandis* (ed.), *Ius in Vita et in Missione Ecclesiae. Acta Symposii Internationalis Iuris Canonici occurrente X Anniversario Promulgationis Codicis Iuris Canonici diebus 19-24 Aprilis 1993 in civitate Vaticana celebrati*, Rome 1994, pp. 1035-1060; here especially 1043f.

¹¹ See Conferenza Episcopale Italiana, *Decreto generale sul matrimonio canonico*, in: MARTÍN DE AGAR, José; NAVARRO, Luis (eds.), *Legislazione delle conferenze episcopali complementare al C.I.C.*, Rome ²2009, pp. 624-649.

Within the document, it is above all numbers 2 to 18 that deal with marriage preparation.¹² In addition to this General Decree, the Directory for the Pastoral Care of the Family, which was published by decree on 25 July 1993, should also be mentioned for the Italian Bishops' Conference.¹³ This document contains extensive explanations on marriage catechesis and pastoral care, especially in the third chapter under numbers 37 to 68.¹⁴ Finally, the form for the examination of spouses, which is an important part of marriage preparation, should also be mentioned. Bianchi quotes the questions there in German translation in an essay.¹⁵ Even if Bianchi assumes in this essay from 2015 that a new version of the questions is currently being prepared,¹⁶ a look at current sets of forms provided by the dioceses shows that such a new version of the questions has not yet taken place.¹⁷

Structure

The Directory of the Italian Bishops' Conference on Family Pastoral Care sees the responsibility for marriage preparation programmes as lying with the parishes, although it is not ruled out that parishes of a deanery, a pastoral unit, a vicariate district or similar units may join forces for this purpose.¹⁸ However, as the Italian bishops consider such paths to be catechetical paths, they rule out delegating these programmes to professional marriage or family counselors, instead emphasising the responsibility of the parishes with their ministers, couples and pastoral staff.¹⁹ The literature states that associations of the faithful, religious or individuals can also organise such courses, as long as it is ensured that they are faithful to the teachings

¹² See *ibid*, n. 2-18.

¹³ See Conferenza Episcopale Italiana, *Direttorio di pastorale familiare per la Chiesa in Italia*. Annunciare, celebrare, servire il "Vangelo della famiglia", Rome 1993.

¹⁴ See *ibid*, n. 37-68.

¹⁵ See BIANCHI, Paolo, *Das Brautexamen als pastorales Instrument*, in: Mückel, Stefan (ed.), *Ehe und Familie. Die "anthropologische Frage" und die Evangelisierung der Familie*, Berlin 2015 (= *Soziale Orientierung*; 24), pp. 141-157, here especially pp. 150-154.

¹⁶ See *ibid*, p. 148.

¹⁷ One example is the Diocese of Catania, which provides a good overview of the forms used on its website: Diocese of Catania, Forms. URL: <https://diocesi.catania.it/cancelleria/node/6> [viewed on: 28 May 2024]. The form for the groom's examination can also be found here: Diocese of Catania, *Esame del fidanzato*. URL: https://diocesi.catania.it/cancelleria/sites/diocesi.catania.it.cancelleria/files/pictures/Mod.%20I%20a%20-%20Esame%20del%20fidanzato_0.pdf [viewed on: 28 May 2024]. The corresponding form for the bride can also be found on the diocese's website and contains the same questions and wording with regard to the bride.

¹⁸ See CEI, *Direttorio* (see note 13), n. 56.

¹⁹ See CEI, *Direttorio* (see note 13), n. 57.

of the Church.²⁰ In the course of social mobility, courses using the internet or social networks are also conceivable.²¹

As far as the duration of marriage preparation is concerned, the Italian bishops assume that the bride and groom will contact the parish priest about a year before their wedding and thus begin the more detailed preparation, while the immediate preparation will then take place in the three months before the wedding.²² With regard to the frequency and duration of the preparation meetings, the Directory proposes a two-month course with weekly meetings, but emphasises that the diocesan bishops should issue binding regulations for their dioceses so that there is a uniform practice within the dioceses.²³ With regard to the binding nature of the courses, the bishops state that the obligation to attend is a moral obligation on the part of the bride and groom, without the failure to attend the marriage preparation courses constituting a legal obstacle to marriage.²⁴

In addition to the marriage preparation courses, interviews with the pastor or priest who is to assist at the wedding ceremony are also mandatory.²⁵ From a legal point of view, these discussions are primarily understood as an investigation by the priest into whether a marriage ceremony can take place in a valid, authorised and fruitful manner.²⁶ To this end, the bride and groom must present him with a number of documents, which he must verify, namely proof of baptism, which must not be older than six months, proof of confirmation, proof of unmarried status and, if necessary, other documents such as the death certificate of a previous partner in the case of widowed couples.²⁷ In addition to verifying the documents submitted, the priest is also responsible for the examination of spouses, in which he must determine whether the spouses give the marriage consent with the necessary freedom and whether they do not exclude any essential element, purpose or characteristic of the marriage; he must also

²⁰ See MARCHETTI, Gianluca, La preparazione e la celebrazione del matrimonio in un contesto di mobilità sociale, in: Quaderni di diritto ecclesiale 33 (2020), pp. 27-63, here especially p. 31.

²¹ See *ibid.*, p. 32.

²² See CEI, *Direttorio* (see note 13), n. 61.

²³ See *ibid.*, n. 62.

²⁴ See *ibid.*, n. 63.

²⁵ See *ibid.*, n. 3.

²⁶ See *ibid.*, n. 4.

²⁷ See *ibid.*, n. 6-7.

contact the local Ordinary if dispensations or permissions are to be obtained.²⁸ If the examination of the documents reveals that the sacrament of Confirmation has not been received, the pastors are advised to work towards a subsequent Confirmation, if possible before the marriage, unless the spouses are already living together irregularly, in which case Confirmation should only be administered after the couple's living situation has been regularised.²⁹ A possible exclusion from receiving the sacrament due to a life of grave sin should be the centre of this norm. If one of the spouses has lived outside their own diocese of residence for more than a year, the testimony of two witnesses or, alternatively, an oath by the person concerned is also required to prove their single status.³⁰

Finally, the examination of spouses comes at the end of the immediate preparation for the marriage. Here it is important that the exam is held separately with each of the bride and groom. It assumes that the bride and groom have attended a marriage preparation course.³¹ A separate standardised catalogue of questions is used for the exam, in which the individual questions are not only to be answered with yes or no, but lines are provided for complete sentences.³² Questions 1 and 2 serve to clarify the free status and ask about stays of more than one year outside the diocese and about previous marriages, including those of a purely civil nature.³³ Questions 3 to 10 concern the marriage consensus. Question 3 first asks about the motivation for a church marriage and at the same time about the acceptance of the church's teaching on marriage.³⁴ Question 4 seeks to clarify whether fear or coercion is involved on any side.³⁵ Question 5 asks about marital fidelity³⁶ and question 6 about the indissolubility of marriage.³⁷ Question 7 is aimed at the well-being of the spouses and the procreation and upbringing of offspring.³⁸ Question 8 asks about possible conditions that are set for marriage.³⁹ Question 9 expects an assessment of the partner's marriage intentions, namely

²⁸ See *ibid.*, n. 5.

²⁹ See *ibid.*, n. 8.

³⁰ See *ibid.*, n. 9.

³¹ See *ibid.*, n. 10.

³² See CEI, *Esame del fidanzato* (see note 17).

³³ See *ibid.*, 1-2.

³⁴ See *ibid.*, 3.

³⁵ See *ibid.*, 4.

³⁶ See *ibid.*, 5.

³⁷ See *ibid.*, 6.

³⁸ See *ibid.*, 7.

³⁹ See *ibid.*, 8.

whether the respondent has any reason to doubt his or her freedom or attitudes towards unity, indissolubility or fidelity.⁴⁰ The last question in this complex focusses on possible doubts that the interviewee may have had during the engagement period; it also asks whether the interviewee is deliberately concealing something important from the other person with regard to their marital life together.⁴¹ Finally, questions 11 to 16 serve to clarify whether certain impediments to marriage or prohibitions on marriage exist. The impediment to marriage of consanguinity according to c. 1091 CIC/1983 is asked separately in question 11, before question 12 asks about other impediments to marriage or prohibitions on marriage in general.⁴² Question 13 is aimed at minors entering into marriage and asks about the knowledge and consent of the parents to the planned marriage.⁴³ Question 14 is intended for couples who are already married under civil law and asks why the choice was made in favour of a civil marriage and why a church marriage is now intended.⁴⁴ Question 15 is aimed at nupturants who are divorced under civil law and asks about the divorce judgement and possible obligations towards the former partner.⁴⁵ Finally, question 16 focusses on impediments to marriage or prohibitions on marriage that may exist under civil law.⁴⁶ There are interesting alternative proposals for questions 3 to 10 in the canonical literature, the realisation of which could certainly also be useful for future marriage annulment proceedings.⁴⁷

After the examination of spouses, both the General Decree of the Bishops' Conference and the Directory for the Pastoral Care of the Family provide for further discussions between the bride and groom and the parish priest or wedding minister, especially in order to plan the liturgy of the marriage.⁴⁸ In this context, the Directory assumes that each diocesan bishop should determine the minimum number of interviews and the content to be discussed.⁴⁹

⁴⁰ See *ibid.*, 9.

⁴¹ See *ibid.*, 10.

⁴² See *ibid.*, 11f.

⁴³ See *ibid.*, 13.

⁴⁴ See *ibid.*, 14.

⁴⁵ See *ibid.*, 15.

⁴⁶ See *ibid.*, 16.

⁴⁷ See BIANCHI, *Brautexamen* (see note 15), pp. 150-154.

⁴⁸ See CEI, *DGMC* (see note 11), n. 11, and CEI, *Direttorio* (see note 13), n. 67.

⁴⁹ See CEI, *Direttorio* (see note 13), n. 67.

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The content that the Italian bishops want for their marriage preparation courses can be seen above all within the Directory, where they dedicate a separate number to the content of marriage preparation courses.⁵⁰ Basically, it can be said that marriage preparation is understood as a catechetical process in which the Gospel is proclaimed to the bride and groom in order to help them better live the mystery of a Christian marriage. The following topics are given as headings for the marriage preparation courses: Marriage and family, a human reality; the life of man, a vocation to love; from baptism to marriage; marriage, a covenant of love that strengthens and saves the freedom of the couple; the Christian novelty of marriage: united in the Lord; values and goals of Christian marriage; a journey of faith through a fruitful marriage in grace; sexual morality in motivating language.⁵¹

It can also be seen as part of the understanding of the content of the course that the bishops want it to be embedded in prayer and liturgy, as well as lived charity.⁵² As part of the preparation, the bride and groom should also be introduced to the celebration of the Eucharist and the sacrament of penance, they should experience charitable commitment and perhaps retreat for a retreat or days of reflection.⁵³

Regulations on the territory of the Irish Bishops' Conference

Sources

On 22 April 1984, the Irish Bishops' Conference issued a decree in accordance with c. 1067 CIC/1983, which can be found in Martín de Agar and Navarro and is essentially limited to referring to the new form for marriage preparation, an explanatory accompanying letter and declaring that the publication of marriage banns is no longer necessary.⁵⁴ However, Martín de Agar and Navarro's collection is no longer up to date at this point. The Irish bishops adopted

⁵⁰ See *ibid*, n. 58.

⁵¹ See *ibid*, n. 58 footnote 21.

⁵² See *ibid*, n. 59.

⁵³ See *ibid*.

⁵⁴ See Irish Catholic Bishops' Conference, Decree N° 13, Marriage banns no longer required, in: MARTÍN DE AGAR, José; NAVARRO, Luis (eds.), *Legislazione delle conferenze episcopali complementare al C.I.C.*, Rome 2009, p. 592.

a new norm in June 2014 and received the Roman Recognitio for it in May 2015, so that it could be promulgated in October 2016.⁵⁵ With this norm, they refer to the renewed *Pre-Nuptial Enquiry Form*, as well as to an accompanying publication entitled *Pastoral Guidelines*. According to the promulgation decree of the Bishops' Conference, both will enter into force on 27 November 2016, the First Sunday of Advent. Both texts should be mentioned here as important source texts and will be analysed in more detail below. The form can easily be found on the website of Irish parishes.⁵⁶ The thin booklet *Pre-Nuptial Enquiry. Pastoral Guidelines* is distributed by the bishops' conference publishing house Veritas Publications and is available for purchase.⁵⁷ The entire *Pre-Nuptial Enquiry form* is also reproduced in sections in this book.

With regard to the content of Catholic marriage catechesis in Ireland, an essay by Cosgrave is primarily used for the purposes of this work.⁵⁸

Structure

The Irish bishops have given their marriage preparation form a tripartite structure which they use to organise the whole marriage preparation process. Until Section A of the form is completed, they point out that bookings for a marriage ceremony can only ever be made provisionally and a final commitment from the church can only be given once Section A has been completed.⁵⁹ They even provide a sample contract for the provisional booking of the church, in which the nupturients sign exactly this.⁶⁰

As soon as possible after the provisional booking of the church, section A of the form should be completed with the bride and groom individually. The purpose of this section is to establish whether the two partners are legally able to enter into a marriage. For this purpose, the general contact and address details of the bride and groom and their parents are requested first,

⁵⁵ See GAVIN, Fintan, Commentary on the complementary norm, in: *The Furrow* 67 (2016), pp. 571-573. The norm can also be found on the homepage of the Irish Bishops' Conference: Irish Catholic Bishops' Conference, Complementary Norm with Regard to Canon 1067. URL: <https://www.catholicbishops.ie/wp-content/uploads/2012/11/Complementary-Norm-with-Regard-to-Canon-1067-1.pdf> [viewed on: 3 June 2024].

⁵⁶ See e.g. Irish Catholic Bishops' Conference, *Pre-nuptial Enquiry*. URL: <https://www.merriamroadchurch.ie/wp-content/uploads/2022/11/Pre-Nuptial-Enquiry-Form-SAMPLE.pdf> [viewed on: 3 June 2024].

⁵⁷ See Irish Catholic Bishops' Conference, *Pre-Nuptial Enquiry. Pastoral Guidelines*, Dublin 2016.

⁵⁸ See COSGRAVE, Bill, *Catholic Marriage Preparation in Ireland. Church Teaching and Practical Guidance*, in: *The Furrow* 68 (2017), pp. 42-49.

⁵⁹ See ICBC, *Pastoral Guidelines* (see note 57), p. 12.

⁶⁰ See *ibid.*, p. 28f.

as well as the future address after the wedding.⁶¹ From number 4 onwards, the main focus is on whether there are any obstacles to marriage or prohibitions on marriage. For example, explicit questions are asked about consanguinity and adoption,⁶² about a possible baptism of the partner and, if this is affirmed, about the denomination,⁶³ also about vows or promises of celibacy.⁶⁴ Possible civil or religious previous marriages with the current or another partner are examined,⁶⁵ as well as natural obligations towards these previous partners or children from these previous relationships.⁶⁶ Question 5 deals with free status. If someone has lived in a parish other than their current parish of residence for more than six months since their 18th birthday, the current baptismal certificate is obviously no longer accepted as sufficient and the nupturient is offered three options to prove their free status in another way.⁶⁷ The three options are *Letters of freedom*, which is an extract from the marriage registers of all places where the person has lived for at least six months since the age of 18; *Statement of freedom to marry*, which is a declaration by a parent, or sibling in the presence of the priest or deacon, that the party is not married; and *Sworn affidavit*, which is a genuine oath by the party before an appointed *Commissioner of Oaths*.⁶⁸ The *Guidelines* favour the second option in all cases where the party has had multiple residences.⁶⁹ A form is also provided for this purpose.⁷⁰ The third option should be chosen above all in cases where the priest or deacon has certain doubts about the free status and a more formal procedure is therefore advisable.⁷¹

After completing Section A, the Irish bishops stipulate that the nuptial candidates attend an official marriage preparation course and explicitly ask at the beginning of Section B which course they have attended.⁷² The Irish bishops refer to the *ACCORD Catholic Marriage Care Service* organisation, which was founded by the bishops themselves and is represented in all 26 Irish dioceses, for the provision of these marriage preparation courses.⁷³ The courses are

⁶¹ See ICBC, PNEF (see note 56), A 1.-3.

⁶² See *ibid.*, A 4. (a).

⁶³ See *ibid.*, A 4. (b).

⁶⁴ See *ibid.*, A 4. (c).

⁶⁵ See *ibid.*, A 4. (d).

⁶⁶ See *ibid.*, A 4. (e).

⁶⁷ See *ibid.*, A 5.

⁶⁸ See ICBC, Pastoral Guidelines (see note 57), p. 16f.

⁶⁹ See *ibid.*, p. 17.

⁷⁰ See *ibid.*, p. 30f.

⁷¹ See *ibid.*, p. 17.

⁷² See ICBC, PNEF (see note 56), B 1.

⁷³ See ICBC, Pastoral Guidelines (see note 57), p. 19.

offered by volunteers who have been trained accordingly. An overview of the requirements for these volunteers can be found on the organisation's website:⁷⁴ They are looking for people who have a positive attitude to marriage and to working in a Catholic organisation. Sociability and the ability to work in a team are just as important as a certain human warmth. All applicants must go through a one-day selection process. Participation in a six-day training course is a prerequisite. And after completing the course, they are expected to volunteer for around four courses each year for a period of at least three years. The training is sponsored by the Faculty of Theology at the Pontifical University of St Patrick's College, Maynooth.⁷⁵ The courses, which can be booked by couples on the website, are usually organised over two days. There is always a Saturday from around 9.00 am to 3.00 pm. Then there is an evening the week before, such as the Friday immediately before or another day of the week, from 6.30 p.m. to 9.30 p.m. or in comparable time slots.

The Irish bishops see the final responsibility for the attendance of a marriage preparation course by the bride and groom as lying with the officiating priest, who confirms with his signature that the bride and groom have been correctly prepared.⁷⁶ Once the marriage preparation course has been completed, Section B of the *Pre-Nuptial Enquiry Form* is completed, again separately for the bride and groom. This part of the form aims to ensure that all the requirements for a valid consent are met. Firstly, the couple is asked how long they have known each other and how long they have been a couple.⁷⁷ Freedom from external coercion by others is asked separately.⁷⁸ Question 4 then looks at various possible simulations and asks specifically indissolubility, spousal welfare, fidelity, offspring and any other reservations.⁷⁹ Questions 5 to 7 are directed only at Catholics, asking whether they recognise the sacramentality of marriage, whether their desire for Christian marriage is an expression of their wish to practise the Catholic faith regularly and whether they are prepared to do everything they can to have their children baptised and brought up in the Catholic faith.⁸⁰

⁷⁴ See ACCORD Catholic Marriage Care Service, Certification in Marriage Education. URL: <https://www.accord.ie/certificate-in-marriage-education-preparation-facilitation/> [viewed on: 11 February 2025].

⁷⁵ See ACCORD Catholic Marriage Care Service, Becoming a Facilitator. URL: <https://www.accord.ie/joining-accord/becoming-a-facilitator> [viewed on: 4 June 2024].

⁷⁶ See ICBC, Pastoral Guidelines (see note 57) , p. 19.

⁷⁷ See ICBC, PNEF (see note 56), B 2.

⁷⁸ See *ibid.*, B 3.

⁷⁹ See *ibid.*, B 4.

⁸⁰ See *ibid.*, B 5-7.

After both bride and groom have answered the questions in section B, the priest or deacon is asked in section C to put his assessment on paper. Question 1 explicitly asks whether he is satisfied with the understanding and acceptance of the meaning and consequences of Christian marriage as they are shown by the bride and groom, whether he sees no obstacles to marriage and whether the respective persons can give the necessary freedom of consent.⁸¹ Question 2 only needs to be completed for mixed marriages to ensure that the non-Catholic partner has been informed of the Catholic partner's promises.⁸² And under number 3, the minister conducting the examination has the opportunity to put any further comments or concerns on record.⁸³ The reason for that could be to have material for a possible marriage annulment proceeding in the future. In the following two blocks, there is the option of transferring the bride and groom to another parish or delegating another priest to their own parish.

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The marriage preparation courses offered by *ACCORD* all have the same content. They can be divided into eight topics, where a presentation on each topic is followed by the opportunity for the participating couples to discuss it in more depth in pairs.⁸⁴ The titles of the eight units are: Marriage and your family of origin and self-perception; Marriage and your commitment; Conflict management; Communication in marriage; Choosing the sacrament of marriage; Parenthood; Sexuality and intimacy; Fertility in marriage.⁸⁵ It is therefore a combination of life and faith topics. At first glance, it is not obvious that the marriage preparation courses are a catechetical programme.

⁸¹ See *ibid.*, C 1.

⁸² See *ibid.*, C 2.

⁸³ See *ibid.*, C 3.

⁸⁴ See COSGRAVE, Preparation (see note 58), p. 47.

⁸⁵ See *ibid.*, pp. 47-49.

Regulations on the territory of the Austrian Bishops' Conference

Sources

Very soon after the promulgation of the new Code, the Austrian Bishops' Conference issued a particular law in accordance with c. 1067 CIC/1983.⁸⁶ However, this norm deals exclusively with the question of the marriage banns and makes no statements regarding the examination of spouses. It does not provide any further insights into the question of marriage catechesis and pastoral care to be analysed in this work.

As sources for the Austrian situation, reference should rather be made here to the standards for marriage seminars for bridal couples, which the Austrian Bishops' Conference published in 2008.⁸⁷ These standards were adopted by the bishops in 2007 and subsequently published in the official gazette of the Austrian Bishops' Conference under the heading "Laws and Ordinances". This document is therefore highly binding. Another important document is the document "Church guidance on the sacrament of marriage" from 2022.⁸⁸ This document, published by the General Secretariat of the Austrian Bishops' Conference as part of the "The Austrian Bishops" series of publications, was commissioned by the Bishops' Conference from Bishop Herrmann Glettler, the bishop responsible for marriage and family, and can therefore be regarded as a recommendation that is less binding than the standards mentioned above. It also refers to the marriage protocol of the Austrian Bishops' Conference, which should also be considered.

Structure

The Austrian Bishops' Conference stipulates a marriage preparation period of at least six months.⁸⁹ It begins when the bride and groom register the planned wedding in the parish office. Immediately afterwards, each bridal couple should be offered a companion or a couple

⁸⁶ See ÖBK, to c. 1067 (as note 9).

⁸⁷ See Österreichische Bischofskonferenz, Standards der Eheseminare für Brautpaare, in: Amtsblatt der Österreichischen Bischofskonferenz Nr. 45 vom 1. Mai 2008, pp. 11-17.

⁸⁸ See Österreichische Bischofskonferenz, Kirchliche Begleitung zum Sakrament der Ehe, Wien 2022 (= Die österreichischen Bischöfe; 15).

⁸⁹ See ÖBK, Begleitung (see note 88), p. 25.

to accompany them during the preparation period.⁹⁰ This companion has an important function within the Austrian concept during the entire preparation time. They should stand by the couple on the path to marriage and be the contact person for all the couple's questions regarding the marriage, show interest and willingness to talk and, above all, bear witness to the Christian faith.⁹¹ In contrast to other functions, it is emphasised that the companion is "not a spiritual counsellor [...], not a therapist, not a personal confidant, not a know-it-all, not an authority figure, not a wedding planner, but a co-worker with God in the joy of people"⁹². Accompaniment is described as a "missionary service"⁹³. The Austrian bishops believe that the pastors are responsible for finding a suitable companion for each bridal couple.⁹⁴ Contact between the companion and the bride and groom should take place approximately once a month, with more precise arrangements being made at the first meeting between the bride and groom and the companion.⁹⁵ The accompaniment should motivate the couple to participate in the life of the local church and in particular in the liturgical celebrations on offer.⁹⁶

Another important element of marriage preparation is attending a marriage seminar, which is described as "compulsory"⁹⁷. There is a great variety in terms of the duration and organisation of these marriage seminars. They can last one day, a weekend, several evenings, days or up to eight months, divided into several weekends.⁹⁸ In addition to traditional seminar formats, there are also experiential education formats such as "hikes, canoe trips, climbing, escape rooms, geo-caches, cooking together, etc."⁹⁹ The instructors for these courses are people from the field of adult education, who are thus assigned a missionary service.¹⁰⁰ In addition to professional and methodological expertise, they need a love of people, personal practice of faith, loyalty to the church and its teachings, as well as friendliness, patience and openness.¹⁰¹

⁹⁰ See *ibid.*, p. 29.

⁹¹ See *ibid.*

⁹² *ibid.*

⁹³ *ibid.*

⁹⁴ See *ibid.*, p. 31.

⁹⁵ See *ibid.*, p. 32.

⁹⁶ See *ibid.*, pp. 33-35.

⁹⁷ *ibid.*, p. 35.

⁹⁸ See *ibid.*, p. 36.

⁹⁹ *ibid.*

¹⁰⁰ See *ibid.*, p. 35f.

¹⁰¹ See *ibid.*

Another important part of the marriage preparation process is the wedding protocol interview with the priest or deacon, usually the one who assists at the wedding afterwards.¹⁰² The Austrian bishops provide their pastors with their own discussion guidelines for this.¹⁰³ They emphasise that the conversation about the wedding protocol "should be recorded before the other wedding preparations begin if possible"¹⁰⁴, especially in order to check whether there are any civil marriages or partnerships.¹⁰⁵ However, the interview should not only serve legal purposes, but should above all be seen as a "pastoral opportunity"¹⁰⁶. Based on the personal life experiences of the bride and groom, it is the task of the pastor or deacon who makes the enquiry to open up the faith to them.¹⁰⁷ It is intended that the bride and groom are questioned separately about any obstacles or impairments to marriage.¹⁰⁸ As impediments to marriage, the corresponding impediments of the CIC/1983 are presented and explained in detail, with reference also being made to the cases in which dispensations are possible.¹⁰⁹ Under the heading Impediments to marriage, examples are given that classically fall under c. 1095 §3 CIC/1983, without the canon being explicitly mentioned.¹¹⁰ The questions about the will to marry should also be put to the bride and groom in an individual discussion, whereby the discussion guide also explains the possible lack of consensus in detail and cites the relevant legal bases.¹¹¹

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With their standards, the Austrian bishops have set a framework for the mandatory marriage seminars which, despite all the structural differences between the courses, means that the same content is covered everywhere. These are listed under a total of 14 headings, which must be addressed in the marriage seminar, namely "Marriage in God's plan"¹¹², "Created as

¹⁰² See *ibid.*, p. 38.

¹⁰³ See *ibid.*, pp. 54-87.

¹⁰⁴ *ibid.*, p. 60.

¹⁰⁵ See *ibid.*

¹⁰⁶ *ibid.*, p. 61.

¹⁰⁷ See *ibid.*, p. 62f.

¹⁰⁸ See *ibid.*, p. 68.

¹⁰⁹ See *ibid.*, pp. 71-77.

¹¹⁰ See *ibid.*, p. 77f.

¹¹¹ See *ibid.*, pp. 78-86.

¹¹² ÖBK, Standards (see note 87), p. 13.

man and woman - called to the family"¹¹³ , "Marriage - a sacrament"¹¹⁴ , "Essential characteristics of sacramental marriage"¹¹⁵ , "Clarification of canon law"¹¹⁶ , "Celebration of the church wedding ceremony"¹¹⁷ , "Sexuality in marriage"¹¹⁸ , "Responsible parenthood"¹¹⁹ , "Contraception"¹²⁰ , "Comprehensive protection of life"¹²¹ , "Christian organisation of marriage and family life in everyday life"¹²² , "Communicating in partnership"¹²³ , "Shared responsibility in society and church"¹²⁴ and "Marriage as an exciting process with different phases"¹²⁵ .

Regulations in the area of the German Bishops' Conference

Sources

The German Bishops' Conference has issued a particular norm for c. 1067 CIC/1983, the most recent version of which dates from 2005.¹²⁶ However, this only regulates the form of the marriage banns and does not provide any information on marriage catechesis or pastoral care. However, together with the particular norm for c. 1067 CIC/1983, the marriage preparation protocol of the German Bishops' Conference is also published together with the annotation table, the most recent version of which can be found in the official gazette of 2022.¹²⁷ Insofar as the marriage preparation protocol is of course part of the preparation for marriage, it can be said that a legal basis for marriage preparation has also been created here.

In addition to these texts, which have been promulgated in legal form, there are also various pastoral working aids of the German Bishops' Conference with less binding force, which will

¹¹³ *ibid.*

¹¹⁴ *ibid.*

¹¹⁵ *ibid.*

¹¹⁶ *ibid.*, p. 14.

¹¹⁷ *ibid.*

¹¹⁸ *ibid.*

¹¹⁹ *ibid.*

¹²⁰ *ibid.*, p. 15.

¹²¹ *ibid.*

¹²² *ibid.*

¹²³ *ibid.*, p. 16.

¹²⁴ *ibid.*

¹²⁵ *ibid.*

¹²⁶ Deutsche Bischofskonferenz, Partikularnorm zu c. 1067 CIC, in: Kirchliches Amtsblatt Bistum Essen 48 (2005), p. 113.

¹²⁷ Deutsche Bischofskonferenz, Revidiertes Ehevorbereitungsprotokoll, in: Kirchliches Amtsblatt Bistum Essen 65 (2022), pp. 65-73.

also be considered here. As early as 2000, the Bishops' Conference published considerations on the pastoral care of weddings and thus also on marriage preparation.¹²⁸ The document is aimed at priests and all those who accompany bridal couples on a professional or voluntary basis.¹²⁹ It is explicitly emphasised in the introduction that the letter has a "pastoral, not dogmatic or canonical character"¹³⁰. Further publications have been published in response to the post-synodal exhortation *Amoris laetitia*. In 2017, for example, the Bishops' Conference Commission for Marriage and Family published a booklet for the annual Family Sunday, which focusses on the topic of marriage preparation.¹³¹ It is not explicitly stated who this work aid is aimed at. The style of some of the texts is aimed more at pastoral workers, while others are formulated in such a way that they address bridal couples directly. One year after this working aid, of the Council of Diocesan Bishops then decides on key points for marriage preparation, which are made available to pastors as flyers.¹³² They are intended to be a "stimulus for reflection and [...] help for pastoral dialogue"¹³³. With the key points paper, the German bishops also acknowledge that they are "only at the beginning of their efforts to expand marriage preparation"¹³⁴ and that the standards formulated there must be further developed in the dioceses of the conference area.¹³⁵

Structure

The German Bishops' Conference does not specify a fixed structure within which marriage preparation should take place. This starts with the question of who is actually responsible for marriage preparation. The key points paper states that "the spouses themselves are responsible for ensuring that their relationship grows and matures"¹³⁶. At the same time, however, the pastors are also made responsible.¹³⁷ In addition to pastors, reference is also repeatedly

¹²⁸ Deutsche Bischofskonferenz, *Auf dem Weg zum Sakrament der Ehe. Überlegungen zur Trauungspastoral im Wandel*, Bonn 2000 (= Die deutschen Bischöfe; 67).

¹²⁹ See *ibid.*, p. 5.

¹³⁰ *ibid.*, p. 9.

¹³¹ See Deutsche Bischofskonferenz, *Für immer zusammen. Auf dem Weg zur sakramentalen Ehe - Familienpastorale Arbeitshilfe zum Familiensonntag*, Bonn 2017 (= Arbeitshilfen; 296).

¹³² See Deutsche Bischofskonferenz, *Eckpunkte zur Ehevorbereitung – für die Hand der Seelsorgenden*, Bonn 2018.

¹³³ *ibid.*, p. 6.

¹³⁴ *ibid.*

¹³⁵ See *ibid.*

¹³⁶ *ibid.*, p. 2.

¹³⁷ See *ibid.*

made to cooperation between the dioceses and "family education centres and church educational institutions"¹³⁸, which act as providers of marriage preparation courses. Reference is made in various places to the EPL (A Partnership Learning Programme) and KEK (Constructive Marriage and Communication) conversation training courses.¹³⁹ The background to these courses is the Bonn-based Arbeitsgemeinschaft für katholische Familienbildung e.V. (Association for Catholic Family Education). The German bishops emphasise the great value of such inter-parish offers, but also point out how valuable it can be for bridal couples if there are marriage preparation talks in the parishes that are offered by married couples from the parish.¹⁴⁰ While these programmes tend to be run by voluntary members of the parish, it can be assumed that professional conversation training sessions are run by full-time educators. In addition, there are also the programmes offered by pastors. The programmes offered in the parish are seen as catechetical,¹⁴¹ while those offered by inter-parish providers are more likely to have an adult educational character. The personal requirements of those who run such programmes are not formulated.

With regard to marriage preparation, the German bishops are in favour of voluntary participation and would rather motivate than force couples to take part in such courses. As an example of this, a sentence from the somewhat older considerations on the pastoral care of marriage, which has not yet been corrected, is quoted here: "A rather formal obligation to participate can arouse resistance, which can cause difficulties in the initial phase of the courses."¹⁴² A corresponding footnote to the sentence emphasises that participation in a marriage preparation course should not be made a condition for a church marriage.¹⁴³

The marriage interview to complete the marriage preparation protocol is a mandatory element of marriage preparation.¹⁴⁴ There are no specifications as to when this discussion should be held and the protocol completed during marriage preparation. There are also no specifications as to whether the interview should be held with the bride and groom together or sepa-

¹³⁸ DBK, Arbeitshilfe (see note 131), p. 13.

¹³⁹ See DBK, Weg (see note 128), p. 37 footnote 12; DBK, Arbeitshilfe (see note 131), p. 11.

¹⁴⁰ See DBK, Weg (see note 128), p. 44.

¹⁴¹ See *ibid.*, p. 44.

¹⁴² See *ibid.*, p. 43f.

¹⁴³ See *ibid.*, p. 43 footnote 17.

¹⁴⁴ See *ibid.*, pp. 45-48.

rately. However, it is clear from the notes to the marriage preparation protocol that the bishops assume that the interview is generally held with both bride and groom.¹⁴⁵ The marriage preparation protocol is divided into five different sections. In section A, the personal details of the bride and groom are recorded. Here, the free status is also checked, including any previous marriages and natural obligations to previous partners or children from previous marriages.¹⁴⁶ Section B is dedicated to impediments to marriage, marriage prohibitions and the will to marry. The parish priest or an authorised representative is instructed to check whether there are any impediments or prohibitions and to clarify whether the bride and groom have the will to marry.¹⁴⁷ Section C is completed by the parish priest or authorised representative if dispensation, permission or nihil obstat is to be requested from the Ordinary, section D if only dispensation from the banns is to be granted or permission for a mixed marriage, which priests or deacons with the faculty to assist at marriages can do themselves.¹⁴⁸ Finally, Section E is used for the official notes regarding aculty to assist at the marriage and the permission to marry outside the parish, the signatures that must be made by the officiating clergyman and the witnesses after the marriage ceremony, as well as the note that the marriage ceremony has been duly registered or reported.¹⁴⁹

Contents

Given the non-binding structure of marriage preparation in the area of the German Bishops' Conference described above, it is naturally not possible to look at binding content. Therefore, we will look at the standards that the bishops specify in the key points paper and also take a look at the content of the more frequently mentioned inter-parish courses.

In the key points paper, the bishops refer to the foundation of marriage in creation and to the fact that the love between man and woman has a special quality that can also be recognised

¹⁴⁵ See DBK, EVP (see note 127) note 17.

¹⁴⁶ See *ibid.*, p. 1f.

¹⁴⁷ See *ibid.*, pp. 2f. including notes 10-17.

¹⁴⁸ See *ibid.*, p. 3.

¹⁴⁹ See *ibid.*, p. 4.

by non-Christians.¹⁵⁰ The unity of the human body and soul and the openness to the transmission of life are also mentioned.¹⁵¹ The sacramental dimension of Christian marriage is a point that is specifically addressed.¹⁵² In addition, the key points also include the realisation that marriage preparation is a long journey that begins with experiences in childhood and youth and is ideally supported by open and appreciative encounters in local communities.¹⁵³ The importance of good communication within a marriage is cited as an important factor, as the proper integration of physicality and sexuality.¹⁵⁴ Finally, the fact that Catholic weddings increasingly involve people who are not Catholic or who, despite being Catholic, have no experience of faith of their own, and accompanying them is seen as a missionary task is also taken into consideration.¹⁵⁵ Opening up the wedding liturgy is named as the last binding cornerstone.¹⁵⁶

The EPL programme mentioned above consists of six units with the following headings: "1. we understand each other!, 2. I can talk to you even when I'm angry!, 3. we're getting one step further!, 4. this is what I want in our relationship!, 5. this is how I imagine our erotic relationship!, 6. this sustains me and us!".¹⁵⁷ The somewhat more extensive KEK programme consists of seven units. The headings of the first three units are identical to those of EPL and are followed by: "What I appreciate about you, How do we talk to each other in everyday life, Our relationship is alive, What keeps us together."¹⁵⁸

Conclusion

An overview of the four countries shows that the legal qualities of the normative texts alone are very different. The Italian Bishops' Conference chooses the clearest path here. A detailed general decree creates a legal basis, the application of which is explained in more detail in a

¹⁵⁰ See DBK, Eckpunkte (see note 132), p. 2f.

¹⁵¹ See *ibid.*, p. 3.

¹⁵² See *ibid.*, p. 3f.

¹⁵³ See *ibid.*, p. 4.

¹⁵⁴ See *ibid.*, p. 5.

¹⁵⁵ See *ibid.*, p. 5f.

¹⁵⁶ See *ibid.*, p. 6.

¹⁵⁷ Arbeitsgemeinschaft für katholische Familienbildung e.V., EPL - Ein Partnerschaftliches Lernprogramm. URL: <https://www.epl-kek.de/gespraechstraining/epl.html> [viewed on: 18.6.2024].

¹⁵⁸ Arbeitsgemeinschaft für katholische Familienbildung e.V., KEK - Konstruktive Ehe und Kommunikation. URL: <https://www.epl-kek.de/gespraechstraining/kek.html> [viewed on: 18.6.2024].

separate Directory. The Irish Bishops' Conference, on the other hand, opted for a very short decree, in which reference is made to the other texts, which are thus quasi canonised. The Austrian bishops have at least chosen a very binding place for the publication of their standards in the official gazette, while the pastoral organisation is described in a rather non-binding working aid. Finally, the German bishops basically only have the marriage preparation protocol with annotation board as a truly binding text. Everything else is only published in the form of non-binding working aids and discussion proposals.

When it comes to the structure of marriage preparation, the Irish bishops are particularly convincing with a very clear concept in several stages. The preliminary examination of free status and impediments to marriage provided for there should also at least correspond to informal practice in many countries, which aims to ensure that there are no nasty surprises shortly before the wedding. By declaring this procedure binding, the Irish bishops are ensuring that such surprises cannot occur. The fact that the examination for the marriage consensus should only take place after the corresponding marriage preparation courses is found in both Ireland and Italy and makes immediate sense, because the couple can only judge exactly what the marriage consensus is actually about after the courses. The information on Austria and Germany is less precise here.

The degree to which marriage preparation is binding varies greatly. The Italian Bishops' Conference is the most precise here, making it clear that the spouses are morally, but not legally, obliged to participate, insofar as non-participation does not invalidate the marriage. Ireland and Austria also regard their marriage preparation courses as obligatory, but without going into more detail about the nature of the obligation, while in Germany only the discussion with the priest is obligatory, but everything else is voluntary.

There are also major differences in the organisations that run marriage preparation courses. In Italy, the constitutional structures of the church are clearly in focus here, especially the parishes, while in Ireland there are separate bishops' organisations for this purpose. In both countries, in addition to the clergy and pastoral staff, it is generally volunteers who organise marriage preparation, while the rich local churches in Austria and Germany use full-time edu-

cational staff. An interesting component here is the voluntary support provided by parishioners, which the Austrian concept provides for the entire marriage preparation process for each individual couple.

In terms of content, the programmes oscillate between catechesis and adult education. In Italy, the clearest reference is to catechesis, in Germany the clearest reference is to adult education, without completely excluding the other. While the Italian marriage preparation programme primarily aims to open up the Christian faith to the bride and groom, the German adult education courses primarily want to help the bride and groom to have a stable marriage. The different emphases also lead to different objectives in terms of content.

In the coming years, we will have to see to what extent the above-mentioned Roman guidelines lead to further changes in the local churches. The German local church, at least, emphasises in various places that its marriage preparation concept is still in its infancy.

Another interesting research perspective would be an empirical study that compares the normative texts presented here with the lived reality in the local churches. The question would be to what extent the episcopal texts are received in the parishes and to what extent they are also implemented. Just as it remains to be asked what effect the respective marriage preparation has on the couples who go through it.