

27 Ιουνίου 2016

The Sacrament of Marriage and its Impediments

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SYNAXIS OF THE PRIMATES OF THE ORTHODOX CHURCHES

Chambésy, 21-28 January 2016

THE SACRAMENT OF MARRIAGE AND ITS IMPEDIMENTS

DECISION



*** This document was not signed by the Patriarchates of Antioch and Georgia*

I. On Orthodox Marriage

1. The institution of the family is threatened today by such phenomena as secularization and moral relativism. The Orthodox Church maintains, as her

fundamental and indisputable teaching, that marriage is sacred. The free union of man and woman is an indispensable condition for marriage.

2. In the Orthodox Church, marriage is considered to be the oldest institution of divine law because it was instituted simultaneously with the creation of Adam and Eve, the first human beings (Gen 2:23). Since its origin, this union not only implied the spiritual communion of a married couple—a man and a woman—but also assured the continuation of the human race. As such, the marriage of man and woman, which was blessed in Paradise, became a holy mystery, as mentioned in the New Testament where Christ performs *His first sign*, turning water into wine at the wedding in Cana of Galilee, and thus reveals His glory (Jn 2:11). The mystery of the indissoluble union between man and woman is an icon of the unity of Christ and the Church (Eph 5:32).
3. Thus, the Christocentric typology of the sacrament of marriage explains why a bishop or a presbyter blesses this sacred union with a special prayer. In his letter to Polycarp of Smyrna, Ignatius the God-Bearer stressed that those who enter into the communion of marriage *must also have the bishop's approval, so that their marriage may be according to God, and not after their own desire. Let everything be to the glory of God* (V, 2). Therefore, the sacredness of the God-established union and the lofty spiritual content of married life explain the affirmation: *So that marriage should be honored among all, and the bed undefiled* (Heb 13:4). That is why the Orthodox Church condemns any defilement of its purity (Eph 5:2-5; 1 Thes 4:4; Heb 13:4ff).
4. The union of man and woman in Christ constitutes “a small church” or an icon of the Church. Clement of Alexandria affirms: *Who are the two or three gathered in the name of Christ, in whose midst the Lord is? Does he not by “three” mean husband, wife, and child? For the woman is united to the man by God* (*Stromata*, 3.10, PG 8, 1169 B). Through God’s blessing, the union of man and woman is elevated to a higher level, for communion is greater than individual existence because it initiates the spouses into the order of the Kingdom of the All-Holy Trinity. A necessary condition of marriage is faith in Jesus Christ, which must be shared by the bridegroom and the bride, man and woman. Consequently, unity in Christ is the foundation of marital unity. Thus, marital love blessed by the Holy Spirit enables the couple to reflect the love between Christ and the Church as a mystery of the Kingdom of God—as the eternal life of humanity in the love of God.
5. Protecting the sacredness of marriage has always been crucially important for the preservation of the family, which reflects the communion of the persons yoked together both in the Church and in society at large. Therefore, communion achieved through the sacrament of marriage does not merely

serve as an example of a typical natural relationship, but also as an essential and creative spiritual force in the sacred institution of the family. It alone ensures the safety and formation of children, both for the spiritual mission of the Church as well as in the life of society.

6. It was always with necessary strictness and proper pastoral sensibility, in the compassionate manner of Paul, Apostle of the Gentiles (Rom 7:2-3; 1 Cor 7:12-15, 39), that the Church treated both *the positive preconditions* (difference of sexes, legal age, etc.) and *the negative impediments* (kinship by blood and affinity, spiritual kinship, an existing marriage, difference in religion, etc.) for the joining in marriage. Pastoral sensibility is necessary not only because the biblical tradition determines the relationship between the natural bond of marriage and the sacrament of the Church, but also because Church practice does not exclude the incorporation of certain Greco-Roman natural law principles that acknowledge the marital bond between man and woman as *a communion of divine and human law* (Modestin) compatible with the sacredness of the sacrament of marriage attributed by the Church.
7. Given our current context, which is unfavorable for the sacrament of marriage and the sacred institution of family, hierarchs and shepherds must actively cultivate their pastoral work in order to protect the faithful, standing by them to fortify their hope shaken by many hardships, and asserting the institution of the family upon an unshakable foundation that neither rain, nor river, nor wind can destroy, since this foundation is the rock which is Christ (Mt 7:25).
8. The pressing issue in society today is marriage, which is the center of the family, and the family is what justifies marriage. Pressure to recognize new forms of cohabitation constitutes a real threat for Orthodox Christians. This variously-manifested crisis in marriage and family profoundly concerns the Orthodox Church not only in light of negative consequences for the fabric of society, but also in light of its threat to particular relationships within the bounds of the traditional family. The main victims of these trends are the couples themselves, and especially the children, since regrettably the children often endure great suffering from an early age, while nonetheless bearing no responsibility for the situation.
9. A civil marriage between a man and a woman registered in accordance with the law lacks sacramental character since it is a legalized cohabitation recognized by the State, different than the marriage blessed by God and the Church. The members of the Church who contract a civil marriage ought to be regarded with pastoral responsibility, which is necessary to help them understand the value of the sacrament of marriage and the blessings connected with it.

10. The Church does not allow for her members to contract same-sex unions or any other form of cohabitation apart from marriage. The Church exerts all possible pastoral efforts to help her members who enter into such unions understand the true meaning of repentance and love as blessed by the Church.
11. The grave consequences brought about by this crisis of the institutions of marriage and the family are manifested in the dangerous increase in number of divorces, abortions, and other problems of family life. These consequences constitute a great challenge to the mission of the Church in the modern world, which is why the shepherds of the Church are obligated to make every possible effort to address these problems. The Orthodox Church lovingly invites her children and all people of good will to defend this fidelity to the sacredness of the family.

II. On Impediments to Marriage

1. 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 valid as applied today by local autocephalous Orthodox Churches, determined and defined in their charters and their respective conciliar decisions.
2. 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.
3. In accordance with the strict keeping (*akribeia*) 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).
4. The priesthood, according to the prevailing canonical tradition, represents an impediment to entering into marriage (Canon 3 of the Quinisext Ecumenical Council).
5. Concerning mixed marriages of Orthodox Christians with non-Orthodox Christians or non-Christians:
 1. Marriage between Orthodox and non-Orthodox Christians is forbidden and is not blessed in the Church, according to canonical *akribeia* (Canon 72 of the Quinisext Ecumenical Council). However, such a marriage can be blessed by dispensation and out of love, on the condition that the children born of this marriage will be baptized and raised within the Orthodox Church.
 2. Marriage between Orthodox and non-Christians is categorically forbidden

in accordance with canonical *akribeia*.

6. The practice adopted in implementing ecclesiastical Tradition, with respect to impediments to marriage, should take into account relevant provisions of state legislation, without going beyond the limits of ecclesiastical dispensation (*oikonomia*).
7. With the salvation of man as the goal, the exercise of ecclesiastical *oikonomia* must be considered by the Holy Synod of each autocephalous Orthodox Church according to the principles of the holy canons and in the spirit of pastoral discernment.

Chambésy, 27 January 2016

† Ecumenical Patriarch Bartholomew, Chairman

† Metropolitan Gabriel of Leontopolis
(Representative of Patriarch Theodoros of Alexandria)

† Archbishop Aristarchos of Constantina
(Representative of Patriarch Theophilos of Jerusalem)

† Archpriest Nicholas Balashov
(Representative of Patriarch Kirill of Moscow)

† Patriarch Irinej of Serbia

† Patriarch Daniel of Romania

† Patriarch Neophyte of Bulgaria

† Archbishop Chrysostomos of Nova Justiniana and All Cyprus

† Metropolitan Germanos of Ilias
(Representative of Archbishop Ieronymos of Athens and All Greece)

† Bishop George of Siemiatycze
(Representative of Archbishop Sawa of Warsaw and All Poland)

† Archbishop Anastasios of Tirana, Durrës, and All Albania

† Archbishop Rastislav of Prešov and All Czech Lands and Slovakia