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Marriage Preparation With Co-Habiting Couples

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I was ordained in 1995 and assigned to a parish of about 3500 families. The parish saw over seventy weddings a year which meant that I spent a lot of my time doing marriage preparation with young couples. Marriage preparation is one of the most important functions of any parish. The strength of families, parishes, the Church and society depends on the strength of the marriage.

I quickly became troubled because many couples were already living together. I felt caught between the rock of wanting to help them form a firm foundation for their marriage and the hard place of fearing that if I confronted them, they might leave the Church altogether.

What most confused me was how it came to be that I was the bad guy. Here I was working hard and doing what I was ordained to do and all a couple had to do was call me on the phone and ask me to witness their marriage and if I questioned them about their living together, I was the bad guy. The question in my mind was this: "Why are couples free to follow whatever truth they want and make whatever decisions they want, even when they contradict the faith and the teaching of the Church, but priests are not free to follow the faith and teaching of the Church and are cast in the role of pastorally insensitive bad guys if we question their decisions?"

What I finally realized was that I was unduly taking responsibility for the mature faith that these couples should have had, but did not have. I re-evaluated the dynamic in these relationships and saw that it was not up to me to take responsibility for the maturity of their faith and decisions. If they were coming to the Church for marriage, they had to be able to take responsibility for the maturity of their own faith and decisions.

This allowed me to extricate myself as the apparent source of their problem and to place responsibility for the problem, and its resolution, squarely on their shoulders where it belonged.

But what precisely was the problem? I had seen various articles that dealt with the issue of couples living together. They seemed to focus on the scandal that is caused by co-habitation and suggested a punitive approach to resolving the problem. The suggested solution was to tell the couples that co-habiting was scandalous and that if they insisted on staying together, they would only be able to have a simple ceremony in the day chapel or the rectory.

I think that this approach is well meaning but it is incomplete because it does not address the main question. The main question is not what kind of a wedding ceremony to have in order to avoid scandal, but whether or not there is reason to believe that the couple is mature enough and free enough to consent to the sacrament of marriage.

At the heart of their relationship, there is an irreconcilable contradiction between their objective lifestyle and the faith they are trying to express in their sacramental

marriage. I think this contradiction demonstrates that the couple does not yet have the minimal maturity and due discretion to commit marriage.

How have I arrived at this judgement? Canon 1066 says, "*Before marriage is celebrated, it must be evident that nothing stands in the way of its valid and licit celebration.*"

Co-habitation is a sign that something probably does stand in the way of the valid and licit celebration of the marriage. That something is the "grave lack of discretion of judgement ..." that we are warned about in Canon 1095.2. Let me quote from A Code of Canon Law: A Text and Commentary of the Canon Law Society of America and then make some comments of my own.

The ability to form an adequate will act at the time of marriage is not sufficient in itself for a valid marriage. It must be preceded by sufficient deliberation or critical judgment about the implications of the act of consent for the person at that particular time. The person does not only consent to a wedding but makes a decision about his or her life and the life of the marriage partner. If there is a serious inability to evaluate critically the decision to marry in light of the consequent obligations and responsibilities, then consent may well be invalid. A person must be able to evaluate his or her motivation for the wedding, personal strengths and weaknesses, as well as those of the other party, and his or her ability to live up to the demands of the marriage.

This evaluation is governed by the person's critical faculty, an ability that differs from mere intellectual apprehension of the situation. For the psychiatrist and the jurist this means "...the ability to form judgments, that is, the capacity to draw correct conclusions from the material acquired by experience."

The critical faculty depends first on the mature ability to grasp what the marital relationship entails. The person must then be able to relate marriage as an abstract reality, i.e., what it theoretically involves, to his or her concrete situation. This requires insight and the application of one's actual situation and abilities to the theoretical demands of marriage.... It also presupposes freedom from mental confusion, undue pressure, or fear in contemplating marriage.... A person may be capable of right judgment in areas of life such as business, personal health, etc., but generally incapable of good judgment in regard to interpersonal relationships and specifically in regard to the special relationship demanded for Christian marriage (p. 776).

Even if the decision to live together before marriage is made innocently or sincerely, I suggest it demonstrates a lack of this "critical faculty" that is necessary for valid and licit celebration of the sacrament.

That the decision to live together before marriage is a bad choice is demonstrated again by a 1999 study from the National Marriage Project based at Rutgers University. This study finds that living together increases the risk of breaking up after marriage. It increases the risk of domestic violence for women and the risk of physical and sexual abuse of children. Also, unmarried couples have a lower level of happiness and well being than married couples (Should We Live Together? What Young Adults Need to Know About Co-habitation Before Marriage. <marriage@rci.rutgers.edu>).

So, why do couples decide to co-habit when it is such a bad choice and is contrary to their faith? It usually is not a conscience choice. There is a disconnect between the principles, duties and teachings of their Christian faith and their day to day decisions. Without the anchor of faith and a belief in the divine authority of the Word

of God, they are driven before the winds of daily life and circumstances and may end up wrecked on the shoals of divorce and never understand how they got there.

But the Church in her wisdom and her experience can see clearly that the way they got there was through the disconnect between faith and life that was evident in their decision to live together before marriage. The actual decision to live together is a symptom of this larger problem. The couple, as well as all the faithful in the Church, have a right to the treasury of the Church's wisdom and experience. It is unconscionable for the Church's minister to gloss over this wisdom or not challenge the couple to apply it to their situation in order to help them grow and avoid the pain of divorce. This is all the more true at this time and in this society when there are already so many elements working against marriage and family.

The pastoral response is, with all patience, to work with the couple to help them to see the disconnect between their faith and their life and how this may threaten any future marriage.

The Church and her priests and other ministers are free to teach and believe what the Church teaches and believes, indeed they have a formal obligation to do so. Likewise, the couple is free to ignore this faith, or to remain ignorant of it. But if they come to the Church asking for the sacrament of marriage, then they must be ready to learn about and conform themselves to what the Church understands about the Christian life in general and about this sacrament. It is not enough for them to want a marriage ceremony with all the ecclesiastical sights and sounds. When weak marriages end in divorce, the Church is harmed and the institution of marriage weakened. Thus, the Church has a vested interest in making sure they are fully prepared, fully mature and capable of judging themselves ready for the obligations of a marital commitment.

Some will object that this approach is not "pastoral." They will ask does not this approach force the couple to seek an invalid marriage? I would respond no, we do not force the couple to seek an invalid marriage and it is the wrong question. I think that there are several other points to consider.

First, the fact of annulment makes clear that the ceremony does not make a marriage if it is based on invalid consent. If, as I think, the fact of co-habitation is a sign that this couple does not yet have the requisite maturity required for proper consent, then we certainly should wait and try to help the couple grow in their maturity rather than risk a failed marriage. In other words, if I can already see the grounds for an annulment prior to the wedding, should I not first work to remove such grounds before proceeding?

Notice I am not suggesting that we tell them that they cannot get married at all. I am suggesting that we take the marriage preparation process seriously as a means and opportunity for growth and conversion and not simply treat it as a set of hoops and paperwork to get through in six months. If we take marriage preparation seriously, we will be looking for signs of growth and maturity. We already do this in our formation programs for priesthood and religious life. Do we somehow believe that marriage is a lesser or easier vocation that does not require as high a level of maturity and formation in the faith?

Secondly, the solution of having the couple return to a chaste and truly free living arrangement is not asking something heroic of the couple. It is not asking any more of the co-habiting couple than the Church asks of all couples. It is just that this couple has chosen for a number of perhaps well intended, but wrong, reasons to live in a public manner that is inconsistent with their faith. In a society that is providing an absolutely disastrous formation in human sexuality to our people, it is more essential than ever that the Church teach clearly the beautiful truth of human sexuality. Seminaries should make sure that seminarians are able to teach this truth in love before they are ordained.

Thirdly, the question forgets that the faithful have rights too. They have a right to hear the truth that the Church has been commissioned to teach. They have a right to live without the confusion that is caused by theological opinions and pastoral practices that are contrary to the authoritative teaching of the magisterium. This is especially clear in paragraph 2037 of the Catechism and in canons 208-231. What is the effect on the families and invited guests, especially the young adults, who attend a wedding of a couple whom everyone knows has been living together. *Lex orandi, lex credendi*: if couples who have been living together can get married with all the rites of the Church, then how are parents supposed to teach their children that such behavior is wrong? Do not parents have a right to have the Church help them teach the truths of the faith and particularly through her liturgy?

Finally, I think there may be an implicit and unjust presumption that the couple cannot handle the growth in maturity required for them to live chastely and freely before their marriage. This would be an unfortunate attitude on the part of the Church's minister since it is certainly the attitude of society. If the minister does not demonstrate enough true pastoral concern to help the couple grow in maturity and holiness, then the minister is abandoning the faithful to the errors and painful consequences of those errors of the larger society.

The point of entry for this process of growth is the couple's faith that brings them to the Church to request marriage. It is an evangelical moment. The minister can explain that marriage preparation is an effective and dynamic process that seeks to resolve questions and problems, not merely talk about them. This is the first one and a major one. Thus, as long as it exists, the marriage preparation cannot go forward to other issues. With this question in the way, it is impossible to tell how long the marriage preparation may take and so they cannot set a date. So, the sooner they deal with their problem, the sooner they will be able to set a date.

Now it is not the minister who is holding them back, but they are holding themselves back. Also, the solution is very simple. The minister can help them study the gospel and the Church's teaching about marriage and human sexuality, embrace the gift and freedom of chastity and modesty, confess any sin and go back to their single living arrangements just as if they had never made the wrong decision in the first place. Granted, if they are already civilly married or already have children, other arrangements may have to be pursued. But I think that most couples who are living together are not in this category.

Of course, the more bishops and priests preach about and publicize the danger of co-habitation, the more it will help single Catholics avoid making the wrong decision to co-habit in the first place.

On the cover of most bulletins is a sentence about marriage preparation that could be edited to say for example: "Living together before marriage is harmful to future marriage and sinful. Couples who are living together will be asked to live separately during the marriage preparation time."

If they know that they will not be considered ready for marriage while still co-habiting, it will give them courage to find other solutions, based on their mature faith, to whatever perceived needs they have that make them want to co-habit in the first place. This is not an additional burden or something heroic. It is basic Christian faith and morality.

So, what does all this look like in the face to face meeting with the couples? What follows is an attempt to show by way of a dialogue the kinds of conversations that I have when I meet with couples who are living together. As appropriate I will supply commentary in parenthesis to help illustrate the theory behind the conversation. I believe the approach I am describing avoids placing the couple in an adversarial relationship with the Church or me while at the same time helping them to grow in their faith and achieve a strong foundation for their marriage.

I have found five principles helpful and useful. The individual minister should rely on their own talents, skills and personality in applying these principles in their work with the couples.

1. The process by which the couple decided to live together before marriage may have been completely innocent. Nonetheless, the fact that they are living together before marriage is objectively wrong, creates an unworkable atmosphere for marriage preparation and poses a real danger to their future marriage. The ideal solution is for the couple to separate during the marriage preparation process.

2. I do not set a date with the couple until I know if they are already living together or if there will be any other major conflicts such as annulments etc... to resolve in the marriage preparation process. In this way outside pressure and timetables from hall or church reservations do not get in the way of the marriage formation.

3. I do not preach at the couple or criticize them telling them that the Church or I do not approve of their living together.

4. I take the marriage preparation and my role in it seriously. When a young man wants to be a priest, the Church provides a whole group of people to help him discern if he is called and ready for priesthood. The same thing happens when a young man or woman desires religious life. There should also be someone willing to help a young couple discern if they are ready for marriage.

5. If it is discovered that they are not ready yet, I do not judge them. I make myself available to them to help them to get ready. If the relationship becomes conflicted, I always leave the door open, ready to work with them in their growth towards marriage. I will never say to them that I will not witness their marriage. But I will tell them if I think that they are not yet ready for marriage.

The scenario of the first meeting is that the couple have called and said that they want to get married and so we have set up a first meeting. When they arrive, they are sometimes a bit nervous, all the more so if they are living together, another good reason to deal with this issue honestly and up front.

Priest: Hello Jack and Jane, come in and have a seat.

(We shake hands, I offer hospitality and get them comfortable. At this point I do not know whether they are living together or not. I feel comfortable in meeting them because even if they are living together, I do not believe that it is my problem, and so I do not have to take responsibility for it if it causes a delay in their marriage plans.)

Couple: Hello, how are you?

Priest: So, tell me something about yourselves, where are you from, who are your parents, how many siblings, what is your work, how did you meet etc...?

(We engage in a conversation that helps to break the ice and helps us get to know one another. I share with them where I am from and a little about my family etc...)

Priest: So, what can I do for you?

(This question may surprise them because they have already told me over the phone that they want to get married and that is why they are here. They may be assuming that I and or the Church have already organized a whole series of hoops for them to jump through. Consciously or unconsciously they may think that marriage preparation will be like other religious programs that they have been through where you go from step one to step two with some authority telling you what to do and what to believe. With this question, I am trying to take myself out of the loop and get **them** to take responsibility for **their** marriage preparation. I want all the couples I work with, not just the co-habiting couples, to understand that marriage and marriage preparation are paths to holiness and personal growth.)

Couple: We want to get married.

Priest: That's great. Why did you come to me?

(They think that I am putting them on and just grin at each other and at me so I continue.)

I mean you could just as easily go to a Justice of the Peace. It would be quicker and cheaper, but you came to me, a Catholic priest, why?

(I am asking this question pleasantly, but sincerely. I may even explain to them that it is not a trick question and I am not looking for a certain answer. I just want to hear them talk about the motivation behind their wanting a "religious" wedding. It allows us to explore what it means **to them** to want a "religious" wedding. It is easy for us to take the practice of our faith and the sacraments for granted without having a conscious understanding of why we do what we do, why we believe what we believe. I want them to think about what they believe and why they want a "religious" wedding so they can articulate their faith to each other, be consciously aware of it and take responsibility for it.)

Couple: We don't want a civil marriage because we are both Christians. We believe marriage is a sacrament. All our families are Christians. We believe in the Church.

(The answers here are usually some variation of these with the basic theme being that we are Christians, we are members of the parish, Jesus is our Lord and we want to honor that in our marriage. My goal here is to use questions to help them clarify and express in **their** own words and thoughts their Christian faith and values. Once this faith has been established, I can help them see the connections and or disconnections between their Christian faith and their life choices.)

Priest: So, it sounds like you are telling me that you do not want a secular wedding because you believe Jesus is your Lord and you want to get married in your Church to honor your Christian faith. Well good, with your faith meaning so much to you I can see why you would want to go to all the trouble of a formal preparation process and a sacramental wedding.

(At this point we can move into the prenuptial questionnaire which is the point wherein I usually discover that they are living together.)

Priest: I see by your addresses that you are already living together? As Christians, doesn't that go against your faith?

(The fruit of the earlier conversation begins to ripen here. Now as we begin to deal with this issue it is their own expressed faith that questions them about this apparent contradiction in their relationship. This is very different than telling them that neither the Church nor I approve of their living together. Since they claim that they are here because of their Christian faith, they must take responsibility for the objective content of that faith and the consequences that it has for how they live their life.

They must also take responsibility for how their living together contrary to their Christian faith and values demonstrates an immaturity in how they think and apply faith and values to their life. If they are not yet able to make concrete life decisions based on the values and beliefs of their faith, then why do they think they will be able to make such decisions based on the values and beliefs of their marriage? For example, fidelity, forgiveness, commitment, generosity, patience are all values and beliefs that are easier to live when things are going well and harder to live when things are going poorly.

If they cannot apply the values of faith or marriage to daily decisions, they may one day find themselves looking at divorce. They will not have intended for these things to happen. No couple ever does and yet the divorce rate is at or above 50 percent. This is the danger of going forward with the marriage of a couple who, by their decision to live together, have amply demonstrated that they do not yet have the "critical faculty" of being able to relate Christian faith or marriage as an abstract reality to the day to day concrete decisions and actions of their life.

Moreover, given the high rate of divorce and the consequent scandal caused by the high number of annulments, it seems evident that allowing the co-habiting couple to get married in a simpler ceremony is still a dangerous practice. We may have avoided the scandal on the day of the marriage. But, if by allowing a co-habiting couple to get married in a simplified ceremony we set up a future divorce and petition for nullity, we will not have avoided scandal and greater pain at the end of the marriage.)

Couple: We honestly did not think of it in this way, but yes, you do have a point. (The conversation may go in many directions at this point from denial and making excuses to relief at getting it out in the open because they have known it was wrong, wanted to deal with it, but have not known how to proceed. Below we will examine several common responses. The goal is to get them to separate for a significant amount of time before the marriage. This separation is not punitive, but formational. It can accomplish several things. It can restore the virtue and gift of chastity. It can help them to see that there is a connection between faith and life and thus grow deeper in their relationship with God and their ability to allow God and their faith to guide their decisions. And, it can give them the freedom and independence they need in order to evaluate the motives for getting married in general, to this person in particular and at this time in their lives.)

Priest: So, how can I help you grow in integrating your faith with the choices in your life?

Note that the Church and I continue to be outside the problem, and it is a real problem. Because the Church did not cause their problem, it can properly offer them a way of salvation, a solution to their problem.

The first kind of response may be an outright denial that there is any problem. In this situation the minister must be prepared to explain objectively why co-habiting is a problem. Studies such as the one mentioned above, scriptural passages dealing with sexual immorality and the dignity and beauty of marriage and the Church's teachings on the dignity and beauty of human sexuality and marriage are all helpful here. The guiding principle in the conversation is to leave the door open to further work and discussion. I may arrange another appointment with them so they can go home and think about and pray about our discussion. I will never tell them they cannot ever get married, but that I do not think they are ready to get married yet.

A second response may be a recognition that their decision to live together was the wrong decision followed by an attempt at a compromise without growth. This usually takes the form of the argument that now they are dependant on one another and cannot afford to separate. I do not accept this at face value because usually it is not true and if it is, it presents another problem. Usually it means that they are trying to save money for some goal, such as the wedding, a car, a home or something else. In their decision to live together before marriage and contrary to their faith, they have taken a moral shortcut in order to arrive at their goal. This is not mature decision making and may indicate the way they will handle other problems in the marriage.

In my conversation with them I will first ask them individually if they mean to say that they cannot make a living on their own. This helps them to see that in fact they are not really dependent on one another, but rather they are living together because they want something. Then I will point out that other couples want the things they want, but do not take shortcuts to get them and that they should not either. If they separate now and pursue their goal in a mature fashion, it will take longer to reach it, but it will allow them to grow in their faith and relationship.

If in fact they cannot make a living on their own, then we must deal with how this dependency affects their ability to give free consent to the wedding. In this situation I will want to work with them to verify their freedom to marry, their intention to observe chastity before marriage and how to deal with the potential scandal at the wedding. Here is where the simplified wedding ceremony makes sense so as to avoid giving scandal to the friends and family who attend.

A third kind of response is one of relief at getting it out in the open. On a couple of occasions I have dealt with one person has been feeling very guilty about their living together but has been afraid to bring it up. Now we can talk openly about how they got into this situation and how we can make their separation a path to holiness and growth. Of course this is not the easiest situation to deal with, but they may never have had this opportunity if the minister did not have the courage and pastoral concern to challenge them about their living together before marriage.

I have found this to be a useful approach that helps co-habiting couples grow in their faith and priests and others in marriage preparation feel more confident in working with them.