

How important is it to Anglicans that the children of mixed marriages be brought up as members of their own Communion, and why? An Episcopalian's Response.

Although the primary purpose of this paper is to attempt to answer the question posed in its title, I should like to begin by noting some qualifications implicit in the subtitle: An Episcopalian's response. Firstly, it is an Episcopalian's response, for I am an Episcopalian, or more precisely, a Priest of the Episcopal Church in the United States of America. I believe it important to emphasize this at the outset, for the Anglican Communion's image of itself is that of a worldwide Communion of Churches in communion with the See of Canterbury. Anglicans experience the reality of this worldwide communion, but are loath to give it magisterial or juridical expression. This can often be confusing and frustrating to Christians of other traditions, but it is an aspect of our ecclesial experience which we value highly. "We are a family of autonomous Churches, varied and flexible, linked by ties of history, tradition, and living fellowship with the See of Canterbury, the focal point of our communion. In the face of God's majesty and love we often feel called to pursue a middle way, not as compromise but as a positive grasp of many-sided truth. We have come to value reason and tolerance and to be comprehensive even at the expense of strict logic. We are prepared to live, both in fellowship and tension, with those who in some points differ from us."<sup>1</sup> And thus I write as an Episcopalian, as a member of one particular Church. It is a

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1- The Lambeth Conference 1968: Resolutions and Reports, London: S.P.C.K., 1968. pp. 141-2.

Church whose attitudes are shaped not only by its inheritance from the Church of England but also by such factors as the frontier experience, a strain of ethical pragmatism, and a history of religious pluralism. It would be surprising indeed if our attitudes toward the religious nurture of the children of ecumenical marriages did not differ, at least in details, from those of our brothers in the Church of England.

Secondly, this is an Episcopalian's response. I say this to emphasize that my training and experience differ in significant ways from those of most of my fellow Episcopalians. For the past six years I have lived my ministry almost entirely in Roman Catholic environments; first as a graduate student and teaching assistant at the Catholic University of America, and more recently as Professor of Canonical Studies at two Roman Catholic seminaries in the Middle West. This has, I am sure, led to a very unAnglican tendency to analyze ecclesiological questions in juridical categories. It has also led to a very real appreciation of the problems faced by Roman Catholic priests as they minister to their people in a country in which ecumenical marriages are very common, and in which approximately 1/3 of all marriages end in divorce. Finally, these experiences have formed in me a deeper appreciation of the ecumenical marriage problematic than is shared by many of my fellow Episcopalians. Despite the fact that my wife and three children are all communicants of the Episcopal Church, both as individuals and as a family we probably worship more frequently at Roman Catholic altars than at Anglican ones. Because of ties of personal friendship and professional responsibility we have all been brought into a very close relationship with another ecclesial community which, like the Episcopal Church, is Eucharistic

of its very nature. Thus my own marriage, while not ecumenical in itself, is lived in an ecumenical context which makes the question posed in the title of this paper a very personal one. With this lengthy, but necessary, preamble behind me, let me provide an Episcopalian's response.

"How important is it to Anglicans that the children of mixed marriages be brought up as members of their own Communion, and why?" An honest answer to this question must begin with a candid recognition of the pluriformity and ecclesiological tension within Anglicanism which is the necessary consequence of the high value we place upon comprehensiveness "even at the expense of strict logic."<sup>2</sup> Dr. Casserley has distinguished living Anglicans into three groups; those who "if Anglicanism did not exist, would probably find their place in one of the great Reformation churches;"<sup>3</sup> those who, in the same circumstances, would find their spiritual home in the Roman Catholic Church; and those who "find both the alternatives, either Romanism or Protestantism utterly unacceptable and in fact too appalling even to contemplate. For this third group Anglicanism is the only possible spiritual home."<sup>4</sup> This description of the Anglican Communion is more than a sociological analysis of "the way things are." While it is true that the fact of Anglican comprehensiveness can, in large measure, be explained by the historical events and theological pressures of the sixteenth

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2- Ibid. p. 142.

3- J. V. Langmead Casserley, Christian Community, London: Longmans, 1960. p. 113.

4- loc. cit.

and seventeenth centuries, the ecclesiological significance of that comprehensiveness is something which Anglicans have only very gradually come to understand. For the Anglican via media, whatever its historical causes and present manifestations, is not a compromise between Evangelical and Catholic ecclesiologies, but rather constitutes a synthesis of what we believe to be complementary gifts of the Holy Spirit. It is characteristic of Anglicanism at its best to be the locus of a dialectic between the Catholic and Evangelical traditions;<sup>5</sup> a Church, in Bishop Cosin's pithy phrase, "Protestant and Reformed according to the Ancient Catholic Church."<sup>6</sup>

The fact of Anglican pluriformity, however we may choose to evaluate it theologically, means that different Anglicans are going to give different answers to the question posed in our title. Members of the first of Dr. Casserley's groups would doubtless feel quite strongly that the children of an Anglican/Roman Catholic ecumenical marriage should be brought up as Anglicans, and would find it less imperative that the children of an Anglican/Presbyterian marriage be reared in the Anglican Communion. Members of the second group would, mutatis mutandis, take a similar attitude. Members of the third group, though far less likely to enter such a marriage, would be insistent that they share their faith with their children by having them baptized and educated in the Anglican

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5- Cf. Leonard Hodgson, "The Doctrine of the Church as Held and Taught in the Church of England," in F. Newton Flew (ed.), The Nature of the Church. London: SCM, 1952.

6- Quoted from Robert J. Page, New Directions in Anglican Theology. New York: Seabury Press, 1965. p. 26.

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Does the fact of Anglican pluriformity then mean that our question is impossible to answer? Does the fact that the Anglican Communion sees itself as a locus of dialectic mean that there can be no specifically Anglican response? I think not. For, despite our differences and tensions, the Anglican understanding of marriage and the family<sup>7</sup> and the Anglican vision of Christian Unity provide materials from which an Anglican response can be fashioned.

The third report of this Commission has noted that "the Anglican would acknowledge a Divine Law for Christians to offer a Christian upbringing to their children, but would question whether any narrower definition than this could be said to have 'Divine' sanction."<sup>8</sup> Within this context, what is meant by "Christian upbringing?" Certainly for an Anglican it means far more than an exposure to "the Creed, the Lord's Prayer, and the Ten Commandments, and all other things which a Christian ought to know and believe to his soul's health." A Christian upbringing is achieved within the life of a Christian community, a Christian Church. Neither the proper performance of the baptismal ritual, nor Christian catechesis, however extensive, constitutes a Christian upbringing. Christian upbringing is the living of the Christian life, in its sacramental and evangelical fullness, within the context of a

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7- Cf. The Lambeth Conference 1958: The Encyclical Letter from the Bishops together with the Resolutions and Reports. London: S.F.C.K., 1958. pp. 2.124 - 2.171.

8- A./R.C.C.M. 11, #12.

particular eucharistic community. For this reason, any solution to the problems raised by ecumenical marriages based on the notion of exposing the child to both Communion and "letting him make his own decision later" is, to an Anglican, wholly unsatisfactory.

If "Christian upbringing" means living the Christian life within a Christian community, then in ecumenical marriages some means must be found to weigh and evaluate the communities involved. For an Anglican, the basis for such an inquiry is found in the various formulations of what has come to be known as the Lambeth Quadrilateral. This four-fold statement is, for Anglicans, both an indication of those gifts of God which we have received as part of the one, holy, catholic, and apostolic Church, and "an indication of what God is calling the whole Church in history earnestly to become."<sup>9</sup> The Quadrilateral, originally developed at the General Convention of the Episcopal Church in 1886, and subsequently approved by the Lambeth Conference of 1888, sets forth what we believe to be constitutive elements of the Church of Christ.

- 1- The Holy Scriptures of the Old and New Testaments as 'containing all things necessary to salvation,' and as being the rule and ultimate standard of faith.
- 2- The Apostles Creed, as the Baptismal Symbol; and the Nicene Creed as the sufficient statement of the Christian faith.
- 3- The two sacraments ordained by Christ Himself -- Baptism and the Supper of the Lord -- ministered with unfailing use of Christ's words of institution, and of the elements ordained by Him

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9- Lambeth 1968, p. 123.

- 4- The Historic Episcopate, locally adapted in the methods of its administration to the varying needs of nations and peoples called of God into the unity of His Church. 10

It would be a mistake to view this brief schema -- Scripture, Creeds, Sacraments, and Ministry -- as a "static formulation of positions in which Anglicans are entrenched."<sup>11</sup> Rather, as the recent reformulations of the Quadrilateral indicate,<sup>12</sup> these elements are seen as indications of God's call to advance toward the fulness of Christian unity. The Quadrilateral has been reformulated in the past, and there is every reason to believe that Anglicans will continue to reformulate it. Yet the shape of the Quadrilateral is a remarkably stable fact of Anglican theology. What we mean by, for example, Apostolic Ministry, may be expressed in new ways; but it cannot be gainsaid that Anglicans consider such a ministry as a constitutive element of Christ's Church.

It would be equally mistaken to view the Quadrilateral as an exercise in quantitative ecclesiology. A Church which has preserved all four elements is not thereby seen as "twice as much a Church" as one which has preserved only two. The function of the Quadrilateral is not to unchurch (by some kind of fractional analysis) those communions which are defective in one or another area, but to point to gifts which we believe we have received at God's hand, gifts which we believe to be constitutive of the fullness of Christian life.

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10- This is the formulation given the Quadrilateral in 1888.

11- Lambeth 1968, p. 125.

12- Ibid. p. 123-5.

The Anglican entering an ecumenical marriage will view the question of the Christian nurture of the expected children from a perspective provided by the Quadrilateral. He will, in the first instance, feel that his children will receive the most adequate Christian upbringing within the Anglican Church. However, a multitude of other considerations, including, but not limited to, such factors as the conscientious convictions of his intended spouse, the geographical area in which he finds himself, and the attitudes and conviction of the families involved, may force a reconsideration. In such circumstances the Anglican will examine the alternative community in the light of the Quadrilateral. In many cases the use of the Quadrilateral as a framework for analysis will not be conscious. Nevertheless, the four areas which it embodies are so central to the Anglican understanding of the Church that they will implicitly underlie the decision-making process. To answer the question "will the alternative community provide an adequate Christian upbringing?" the Anglican will examine the community's life in terms of Scripture, Creeds, Sacraments, and Ministry. If the alternative community is recognizably "Church" as a result of this analysis, the Anglican may, in the light of the totality of the marriage relationship, feel that it is proper for the children to receive their Christian upbringing within its fellowship. If, however, the community is seriously deficient the Anglican will be compelled to insist that the children be baptized and reared as Anglicans.

It is necessary to emphasize the fact that such an analysis is not simply a mechanical process whereby the number of "elements" present in another community are checked off against a master list. It is a complex, though in many cases unconscious,



process whereby the Anglican emphasis on Scripture, Tradition, and Reason are brought to bear on a particular moral decision. It is an unsatisfactory process, but one which for Anglicans is inevitable, given the present disunity of Christ's Church and the fact that Christians of different traditions fall in love and enter ecumenical marriages.

Secondly, it is important to recognize that what is distinctively Anglican about the process described is the process itself, not the conclusions reached. Precisely because the Anglican Church is the locus of an ecclesiological dialectic, individual Anglicans are going to apply the Quadrilateral in very different ways. It is the shape of the Quadrilateral rather than any precise determination of the meaning of individual sections which distinguishes the Anglican response. Perhaps a few examples can clarify this point. Were an Anglican to marry a Jehovah's Witness it is certain that the Anglican would be unable to agree to raise the children as Jehovah's Witnesses. As a Christian community the Jehovah's Witnesses appear to Anglicans to so seriously misuse the Scriptures, so violently distort the Church's interpretation of the Incarnation as taught in the Creeds, and so distort God's gifts of Ministry and Sacrament that the community does not provide a context within which a Christian upbringing is possible. A more complex problem is posed by an Anglican Lutheran marriage. For many Anglicans the lack of an episcopally ordained ministry in the Lutheran Churches would constitute an almost insuperable barrier. For other Anglicans this defect does not appear so grave

as to preclude the presence of a ministry in Apostolic Succession.<sup>13</sup> For the latter, if the totality of circumstances warranted it, the Christian upbringing of the children within the Lutheran Church might appear to be the best possible solution. An equally complex problem is often posed when an Anglican wishes to marry a Roman Catholic. For many Anglicans the Roman Catholic Church's liturgical use of the Scriptures, her deep commitment to the classic creeds, her rich sacramental life, and undoubtedly "valid" ministry are such as to insure that the children born of such an ecumenical marriage would indeed receive adequate and satisfactory Christian nurture within the Roman Communion. Other Anglicans would differ, some perhaps vehemently. For them the Roman Catholic Church has violently distorted the witness of the Scriptures and the Creeds by later dogmatic definitions, has overemphasized the sacramental system so as to obscure the primacy of God's grace received through faith, and has distorted the catholic doctrine of ministry by ascribing to the Bishop of Rome ordinary and immediate episcopal power over all the churches and all the faithful. For these latter Anglicans it would be essential that the children receive their spiritual nurture in the Anglican Church. The point I wish to insist upon is that all these responses are authentically Anglican. They are one, not by virtue of the conclusions reached, but because of the ecclesiological and moral reasoning applied. Anglicans are in substantial agreement as to the essentials of Christian nurture. We differ, sometimes radically, in the degree to which

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13- Report of the International Anglican-Lutheran Conversations, #73-91. Printed in Lutheran-Episcopal Dialogue. (A Forward Movement Maxi Book, no place, no date) pp. 158-163. Cf. Lutherans and Catholics in Dialogue IV (Washington: U.S.C.C., 1970) pp. 7-33.

we find them verified in other Christian Communions, and in how we would wish to give them expression within our own.

The Anglican will insist, however, that the question of the religious upbringing of the children born of an ecumenical marriage must be considered in all its concrete particularity. Just as each human being is unique, so too is each marriage. Each intimate union of unique persons is itself unique. In an ecumenical marriage the decision as to the Christian nurture of the children must be seen in the light of this uniqueness, and must be the responsible and free decision of both parties. Christian parents in an ecumenical marriage have a duty to share their faith with their children. That obligation must, for an Anglican, be fulfilled within an ecclesial community. I have suggested above that the Lambeth Quadrilateral provides the Anglican with a framework within which the decision making process must take place. But the Quadrilateral provides only a framework. The decision itself must take into account countless other factors which are peculiar to this particular marriage. The decision must be made by the two persons involved, with appropriate direction from their pastors.<sup>14</sup> The

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14- One of the most hopeful signs in recent Roman Catholic canonical legislation is the recognition of the desirability of joint pastoral care for ecumenical marriages. Cf. Kevin T. Kelly, "A New Deal for Interchurch Marriages -- Comments on the recent motu proprio," Clergy Review 55 (1970) 634-8. The norms issued by the Roman Catholic hierarchy in the United States state: "In order to aid these couples to come to this deep understanding of their married life together, when possible, their Catholic and other Christian pastors should jointly do all that they can to prepare them for marriage and to provide them and their families with all the aids their ministry can provide." (p. 4) A pressing need in the United States at the present time is to provide the clergy with effective models of "joint pastoral care."

Anglican will insist, however, that precisely because the family is the root unit of society, the freedom of the family must be carefully preserved.<sup>15</sup> For this reason, Anglicans can enthusiastically endorse the words of the Bishops gathered at Vatican II: "The family, since it is a society in its own original right, has the right freely to live its own domestic religious life under the guidance of parents. Parents, moreover, have the right to determine, in accordance with their own religious beliefs, the kind of religious education that their children are to receive."<sup>16</sup> For precisely the same reason Anglicans continue to be unhappy with some elements of the motu proprio Matrimonia Mixta. There can be no doubt that from an Anglican viewpoint the motu proprio constitutes a distinct advance from the 1966 Instruction Matrimonii Sacramentum, to say nothing of the provisions contained in cc. 1060-1064 of the Codex Iuris Canonici. However, for the Anglican, the circumstances surrounding the carefully nuanced promise required of the Roman Catholic partner in n. 4 of the motu proprio still seem to imply an ecclesiology and a theology of the family which are inconsistent with our own tradition. We are aware of and welcome the approach taken by many Roman Catholic theologians to the phrase pro viribus;

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15- "...the heart of family life -- the heart of the marriage which is the cornerstone of the family -- is the responsible freedom of the partners who make the marriage to begin with." Lambeth, 1958 p. 2.145. "Marriage is a vocation as well as an estate of nature; it is an essay in responsible freedom; and we have no more right to expect it to be without its problems than we might expect good citizenship or personal integrity to be painless. Freedom is the condition of every human virtue and of every grace." Lambeth, 1958, p. 2.150.

16- Dignitatis Humanae n. 5.

i.e., that the undertaking pro viribus is situated within the entire dynamic of the marriage relationship, and must take into account all the factors involved in responsible human decision-making.<sup>17</sup> This freedom, however, is frequently obscured in contemporary pastoral practice. The subtleties of canonical interpretation are unknown to many of the parish clergy (both Anglican and Roman Catholic) and, at least in the United States, to many Chancery officials. There is a widespread impression that the Roman Catholic partner must promise to rear all the children as Roman Catholics, and that this promise is a condition sine qua non for the granting of the dispensation.<sup>18</sup> Perhaps a massive effort toward re-education combined with the development of effective forms of joint pastoral care will do much to alleviate the difficulties presently being experienced. I can see no compelling reason, however, why (at least for Anglican/Roman Catholic marriages in the United States) the required promise should not be dropped entirely. The promise, even as substantially reformulated in Matrimonia Mixta, seems to cause more problems than

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17- An excellent treatment of the promise within the entire context of the marriage relationship is: William Daniel, "Mixed Marriages -- The New Promises," Australasian Catholic Record 48 (1971) 196-210. Cf. Kevin T. Kelly, "A New Deal for Interchurch Marriages -- Comments on the recent motu proprio," Clergy Review 55 (1970) 628-30; James L. Hickey, "Christian Ecumenical Marriages: A Major Pastoral Concern," Journal of Ecumenical Studies 7 (1970) 712.

18- Eoin de Bhaldraithe has argued that the promise by the Catholic party to do all in his power to have the children baptized and brought up in the Catholic Church is not a condition sine qua non for the granting of the dispensation (Clergy Review 56 (1971) 399-401). His argument is less than wholly persuasive when he argues that "requirere" means 'to seek again, look for, seek after, search for,' and thus that the English translation 'required' is erroneous. Cf. the entries under "Requiro" in Xaverius Ochoa, Index Verborum cum Documentis Concilii Vaticani Secundi, (Rome: Institutum Iuridicum Claretianum, 1967).

it solves.

A distinct, but related, concern springs from the re-emergence of the cautiones in their old form in the recent Instruction from the Sacred Congregation for the Doctrine of the Faith concerning the dissolution of marriage in favorem fidei.<sup>19</sup> I am sure that many Anglicans share my concern that the theological basis frequently used by Roman Catholic theologians to support the rapid expansion of this privilege in the twentieth century is, at best, ecumenically insensitive.<sup>20</sup> The new Instruction, however, nowhere refers to the privilege as dependent upon the Pope's vicarious power.<sup>21</sup> However, it is both surprising and disquieting to find, in a document dated 6 December, 1973, the cautiones resurrected as a condition sine qua non for the granting of a dissolution in favor of the Faith.<sup>22</sup> One explanation lies in the secrecy with which the Congregation for the Doctrine of the Faith (the one-time Congregation of the Holy Office) has

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- 19- Sacra Congregatio pro Doctrina Fidei, Instructio pro Solutione Matrimonii in Favorem Fidei (Prot. N. 2717/68) 6 December, 1973.
- 20- Jurist 32 (1972) 466-469.
- 22- Ut solutio valide concedatur tres sine quibus non requiruntur condiciones .... (c) ut persona non baptizata vel baptizata extra ecclesiam catholicam libertatem facultatemque parti catholicae relinquat profitendi propriam religionem atque catholice baptizandi educandique filios: quae condicio, cautionis forma, in tuto ponenda est. Cf. Normae Procedurales pro Conficiendo Processu Dissolutionis Vinculi Matrimonialis in Favorem Fidei (Prot. N. 2717/68) Art. 15.
- 21- A careful summary of the development of the Privilege of the Faith in the twentieth century is contained in John Noonan, Power to Dissolve (Cambridge, Massachusetts: Harvard University Press, 1972) pp. 341-404. Cf. William Bassett, "The Role of the Local Bishop in the Sacrament of Marriage," Concilium 87 (1973) 47-60, esp. pp. 48-52.

traditionally surrounded this process;<sup>23</sup> perhaps it was thought that what was unknown could not be a source of astonishment. I prefer to believe that the inclusion of the cautiones is due to an administrative oversight, and will be corrected in the near future.<sup>24</sup>

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23- Noonan, op. cit. p. 377.

24- The Protocol Number attached to the Instruction suggests that it may have been composed prior to the publication of Matrimonia Mixta. Such a determination would have to be made by someone more skilled than I in the style and practice of the Roman Curia.