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Keywords: Marriage, sacraments, Czechoslovak Hussite Church, Catholic Church, Church wedding, State wedding, divorce

Introduction

It might seem provocative to speak about the meeting of western and eastern tradition based on the example of the Czechoslovak Hussite Church, because its early history is affected by a split of these traditions.

In order to facilitate the understanding of the actual concept of the sacramentality of marriage in this church, I would like to offer a short overview of its religious evolution, followed by the presentation of current concept of the sacramentality of marriage. The article concludes with open-ended questions connected with the undertaken topic.

1. Short Overview of Religious Evolution of the Czechoslovak Hussite Church

The Czechoslovak Hussite Church belongs neither to Protestant churches nor has a historic connection with the Hussite movement of the 15th century — it has been founded in 1920 by Catholic priests. Its ori-

gin is connected with the movement of reform among Catholic priests as reaction to the religious situation of the Catholic Church affected by the specific form of religious life in the Habsburg Monarchy called Austro-Catholicism at the turn of 19th and 20th centuries. Those priests formed an organisation called Unity of Catholic Clergy in 1902, forbidden by Catholic bishops in 1907 (in connection with a well-known encyclical by Pius X *Pascendi Dominici Gregis*),¹ restored after the First World War and once more forbidden in 1920. Radical group of the Unity led by Karel Farský seceded from the Catholic Church in January 1920 and founded an independent Czechoslovak Church (who took the attributive Hussite in 1971).²

At the beginning, the church tried to obtain the international acknowledgement from the Serbian Orthodox Patriarchate. Three priests were presented for obtaining episcopal consecration in Serbia, and in 1921 only one of them was ordained in Beograd — and elected the Bishop of Olomouc, Matěj Pavlík, who took (as a monk) the name Gorazd. The Patriarchate sent to Czechoslovakia his delegate, bishop Dositej. Mutual contacts were interrupted after the publication of the *Czechoslovak Catechism* (*Československý katechismus*) written by Karel Farský and František Kalous, whose formulations were sometimes not compatible even with the Christian faith. It caused a deep disagreement in the Czechoslovak church, which ended by coerced leaving of the pro-Orthodox group³ and subsequently doctrinal crisis in the Czechoslovak Church.⁴ This crisis has been overcome finally after the Second World War, especially by the *Fundamentals of Faith* officially accepted in 1958, and thus the Czechoslovak Church became a member of the World Council of Churches in 1961.⁵

The church became very close in form to free Evangelical churches — there was a very visible symbol of it in authorisation of women to the charge of parish priest at the end of 1940s. In 1971, the Church took the attributive “Hussite” and it deepened its self-understanding as reformed church of Hussite orientation. The evolution has been emphasized by the first election of a woman to the charge of bishop — Jana Šilerová for the diocese of Olomouc in 1999.

¹ P. MAREK: *Český katolicismus 1890—1914. Kapitoly z dějin českého katolického tábora na přelomu 19. a 20. století*. Olomouc 2003, pp. 388—399.

² Ibidem, pp. 423—484; P. MAREK: *České schisma. Příspěvek k dějinám reformního hnutí katolického duchovenstva v letech 1917—1924*. Rosice 2000, pp. 29—94.

³ And this is why these events are called Orthodox crisis.

⁴ This crisis is sometimes called Unitary crisis.

⁵ J.R. TRETERA: *Konfesní právo a církevní právo*. Praha 1997, pp. 306—307.

2. Actual Understanding of the Sacramentality of Marriage

The Czechoslovak Church still observes all the seven sacraments, among them the sacrament of marriage. On the other hand, the question of concept of sacramentality of marriage was only side theme of the church's theological reflection.

The sacramentality of marriage, according to actual valid documents,⁶ consists of the followings elements:

Essence (*materia*)

- union of one man and one woman for ever;
- consecration by the Holy Spirit for being an image of God and his instrument for transmission of human life and conceiving a family.

Form

- mutual promise of spouses in the Christian community in front of God's face;
- symbolical communion from chalice.

These essential elements are completed by liturgical elements.

Rite

- prayer, readings from the Holy Scripture;
- request for consecration and benediction of the bound;
- solemn declaration of spouses, witnesses and of the priest;
- exchange of wedding rings;
- benediction.

It is evident that such a definition of the sacramentality of marriage is under big influence of Aristotle's *hylomorphism*.

⁶ *Základy víry církve československé husitské* (Fundamentals of the Faith of the Czechoslovak Hussite Church). Available online: <http://www.ccsch.cz/view.php?id=1>. Accessed 24.4.2012. Questions no. 337 and 338; *Agenda: obřadní příručka Církve československé husitské, 1. část* (Agenda: Liturgical Manual of the Czechoslovak Hussite Church, Vol. 1). Praha 2006.

3. Open-Ended Questions Connected with Actual Understanding of the Sacramentality of Marriage

3.1. Ecumenical Connections

The analysis of the valid documents shows very clearly that such a description of the sacramentality of marriage is very narrow: it is completely peculiar to the typical rite of the Czechoslovak Hussite Church itself. The texts do not say anything about the sacramentality of the other marriages.

As a starting point we can (and must) use an analysis of the ecclesiology of the Czechoslovak Hussite Church — the *Fundamentals of Faith* even start with ecclesiological texts. Let us quote some questions from them:

6. What is the God's Church?

The God's Church is formed by justified sinners being in personal communion with God in Jesus Christ and in fraternity of common life in local Christian churches which are ever renovated by the Holy Spirit and by the liturgical communion of the Lord's Supper.

8. Is the God's Church visible in the world?

The God's Church is visible in the world, because it is a communion of visible men in the local churches.

16. What is the expression of disunity of the God's Church?

The disunity of the God's Church finds expression in variety of organised churches (institutions).

17. How many such churches there are?

There are many such churches: Czechoslovak, Protestant, Orthodox, Roman-Catholic and others.

18. Are the organised churches identical with God's Church?

Organised churches are neither singularly nor in their sum identical with God's Church, but the God's Church lives in them as spiritual communion and as fraternity of common life in Christ as in the local Churches.

20. What is an organised church?

Organised church is union of God's Church and church organisation.

21. What is the difference between God's Church and church organisation?

God's Church is communion of living persons in Christ led by the Holy Spirit and animated by love, whereas church organisation covering a part of God's Church is human handwork using church law.

The texts show very clearly the adoption of the Protestant concept of the invisible God's Church and of its many local visible representations.

Therefore, also the Czechoslovak Hussite Church is one of the visible representations of the unique invisible Church.

Thus, it is totally understandable that the Czechoslovak Hussite Church acknowledges sacramental marriages “concluded” in other Christian Churches without having estimated them — at least in practice.⁷ But this approach causes difficulties in the case of churches who use very clear doctrine, which estimates sacramentality and/or validity of marriages in the other churches (e. gr. Catholic, Orthodox).

3.2. Intra-Church Implications

There are in the inner church life several practical areas connected with the concept of sacramentality of marriage.

Question of Sacramentality of “Half-Christian Marriages”

It is possible to state — from the Catholic point of view — that the description of the essence of marriage underlines first of all natural elements of marriage and to a lesser extent supernatural ones. The description of the form of marriage is closely connected to the liturgical practice of the Czechoslovak Hussite Church.

The practice of the Church is driven by a traditional rule: At least one of the spouses has to be a member of the Church. The spouses are considered as ministers of the sacrament. And this practice is connected with common opinion that also the marriage of a member of the Church with non-baptised person is a sacrament, if it is celebrated in the Church in the prescribed form.

This meaning is expressed also in one of non-approved texts *Pastoral Rules Regarding Sacraments* prepared for the 8th Council⁸ by its Committee for Pastoral Work and Education in September 2010: The membership in the Czechoslovak Hussite Church of at least one of the spouses is a condition for entering into the sacrament of marriage.⁹

⁷ We miss an explicit expression of this principle in the official texts of the Czechoslovak Hussite Church. It is possible to find such expression in one of the proposals for the 8th Council *The Czechoslovak Church in Relationship to the Ecumenism. Proposal of the Committee for Ecumenical and Foreign Affairs*, article 5.6 on p. 6. Available online: <http://www.ccsch.cz/snem.php?part=2#part>. Accessed 25.4.2012.

⁸ The 8th Council of the Czechoslovak Hussite Church took place in several sessions in the decade 2001—2010.

⁹ Available online: <http://www.ccsch.cz/snem.php?part=2#part>. Accessed 25.4.2012.

If the spouses themselves administer the sacrament, how is it possible, that a non-baptised person can impart other sacrament than the baptism? We cannot find answer to this question in any text of the Church.

The observance of sacramentality of “half-Christian” marriages poses important questions, too. Is it really a sacrament for the whole couple, or only for the member of the Church? The common meaning affirms the second possibility — but without basis in any text by the Church.

From the point of view of a Catholic, I can affirm that the question of sacramentality of “half-Christian marriages” remains theologically unsolved, the same relates to the state of theological discussion in the Catholic Church in the mid-20th century.

Question of Sacramentality of Marriages Legalised by the Civil Form

The practice of the celebration of marriages in the Czechoslovak Church remained in the tradition of the Catholic Church: The church weddings were taken for granted until the recent years, even in the time of Communist regime since 1950 with the state requirement of obligatory civil weddings. The faithful came regularly after the civil weddings to the church for celebration of sacramental weddings, although there is no formal obligation of this practice in the legislation of the Church.

In the last decades the number of only civil marriages is going to increase also among members of the Church. According to the doctrine and practice of the Church, such marriages are not sacramental. On the other hand, the church usually does not deny the full access to sacraments for those members. Are such marriages really considered valid and lawful? It is not possible to find any text giving the answer to this question.

It is necessary to note that in this area the common practice has surpassed the theory.

Question of Connection between Sacramentality and Indissolubility of Marriage, Especially of Remarried Divorced Members

We cannot find any texts regarding the question of connection between the sacramentality and the indissolubility of marriage in the basic and official texts by the church. But, in fact, there are relatively many broken marriages among the members of the Czechoslovak Hussite Church, and consequently, many remarried divorced members too, even between the clergy. Moreover, there are numerous members who do not conclude any marriage after the break-up of their marriage (only in fact, or also by civil divorce) and live in “free union” with person of the opposite and sometimes even of the same sex. This applies to the clergy, too.

That is why the preparation of the 8th Council included request of resolving this question. We can regret that the approved texts of the council do not

offer answer to it. But, we can consider the tendencies in the non-approved texts *Pastoral Rules Regarding Sacraments* prepared for the 8th Council by its Committee for Pastoral Work and Education in September 2010:¹⁰

In the case of divorced members it is not necessary to obtain dispensation, but to receive the sacrament of penance. In the case of divorced cleric a special pastoral care is necessary before the new weddings, performed by a bishop.

It is necessary to note that in this area the common practice has also surpassed the theory.

Conclusion

The concept of the sacramentality of marriage in the Czechoslovak Hussite Church stems from the Catholic tradition of the early 20th century and is affected by the Protestant ecclesiology adopted by the Czechoslovak Church. Some aspects of the concept are not clearly elaborated and the common practice often outstrips the theory.

¹⁰ *Pastorální pravidla ke svátostem. Návrh pastoračně výchovného výboru VIII. sněmu ČČSH. Zář 2010.* Available online: <http://www.ccsch.cz/snem.php?part=2#part>. Accessed 25.4.2012.

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Pojęcie sakramentalności małżeństwa w Czechosłowackim Kościele Husyckim

Streszczenie

Artykuł rozpoczyna się prezentacją religijnej i naukowej ewolucji Czechosłowackiego Kościoła Husyckiego, który został erygowany przez kapłanów katolickich w 1920 roku. Pokazuje, że koncepcja sakramentalności małżeństwa w tym Kościele pochodzi z tradycji katolickiej początku XX wieku, ale następnie kształtowany był przez eklezjologię protestancką przyjętej w tym kościele. Na podstawie oficjalnych tekstów Kościoła, autor artykułu przedstawia zasady celebracji małżeństwa sakramentalnego ukazując przy tym, że niektóre aspekty tego pojęcia nie są klarownie wypracowane i ogólna praktyka poprzedza tutaj często teorię, a mianowicie: kwestia sakramentalności „pół-chrześcijańskich małżeństw”, kwestia sakramentalności małżeństw zawartych tylko w formie cywil-

nej i stosunek między sakramentalnością i nierozzerwalnością małżeństwa w przypadku ponownych ślubów po rozwodzie.

Słowa kluczowe: Małżeństwo, sakramenty, Czechosłowacki Kościół Husycki, Kościół Katolicki, ślub kościelny, ślub cywilny, rozwód

DAMIÁN NĚMEC

La notion du sacrement dans l'Église tchécoslovaque hussite

Résumé

L'article commence par la présentation de la dramatique évolution religieuse et scientifique de l'Église tchécoslovaque hussite, érigé par des prêtres catholiques en 1920. Il montre que le concept de sacrement du mariage dans cette Église provient de la tradition catholique dans sa forme au début du XXe siècle, mais il a été transformé sous l'influence de l'ecclésiologie plus ou moins protestante, acceptée par cette Église. À partir des textes officiels de cette Église, l'auteur présente les exigences liées à la célébration du sacrement de mariage. Cependant il prouve aussi que certains aspects de cette notion ne sont pas clairement élaborés et que la pratique générale précède relativement souvent l'instruction, à savoir: la question du sacrement des « mariages demi-chrétiens », la question des sacrements des mariages contractés civilement, le rapport entre le sacrement et l'insolubilité du mariage avant tout dans le cas des nouveaux mariages après le divorce.

Mots-clés: mariage, sacrements, Église tchécoslovaque hussite, Église catholique, mariage à l'église, mariage civil, divorce

DAMIÁN NĚMEC

Il concetto della sacramentalità del matrimonio nella Chiesa hussita cecoslovacca

Sommario

L'articolo comincia con la presentazione di una drammatica evoluzione religiosa ed accademica della Chiesa hussita cecoslovacca, fondata nel 1920 dai preti cattolici. Dimostra che il concetto della sacramentalità del matrimonio in quella Chiesa proviene dalla tradizione cattolica dell'inizio del secolo XX, ma è stato in seguito influenzato dall'ecclésiologia più o meno protestante adottata da detta Chiesa. Sulla base dei documenti ufficiali della Chiesa hussita cecoslovacca vengono presentati i suoi requisiti stabiliti per la celebrazione del matrimonio sacramentale. L'articolo dimostra inoltre che alcuni aspetti dello stesso concetto non sono stati elaborati chiaramente e che la pratica generica precede spesso la teoria. Ciò riguarda in particolare la questione della sacramentalità dei «matrimoni per metà-cristiani», della sacramentalità dei matrimoni celebrati solo con rito civile e il rapporto tra la sacramentalità e l'indissolubilità del matrimonio per quanto concerne soprattutto i nuovi matrimoni contratti dopo il divorzio.

Parole chiave: matrimonio, sacramenti, Chiesa hussita cecoslovacca, Chiesa cattolica, matrimonio religioso, matrimonio civile, divorzio