

## **BAPTISM OF A CHILD WITH ONE OF THE SPOUSES (PARENTS) OBJECTING**

### **PROBLEM CHRZTU DZIECKA W SYTUACJI, GDY JEDNO Z MAŁŻONKÓW (RODZICÓW) WYRAŻA SPRZECIW**

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#### **Abstract**

The opposition of one of the parents to the child's baptism is a specific situation in which the conflict within the family concerns the space characteristic of the Church's mission. Therefore, this requires a deeper analysis of the Church's teaching and a combination of several issues.

The Author presents some legal norms regarding baptism from the perspective of the Church's concern for conditions favouring the growth of sacramental grace in the life of the baptised. Baptism, as the gate to the sacraments, includes man in Christ's salvific work gives him access to the fullness of the means of salvation in the Church. Performing baptism means accepting its purpose, consenting to direct the baptised toward the fullness of life of faith. This approach justifies the necessity of pastoral involvement and the requirements for candidates for baptism who have reached the age of seven, as well as for parents asking for baptism for their children.

In connection with the dispute concerning the beliefs of the parents, the Author refers to the regulations for the Catholic upbringing of offspring in mixed marriages. These norms, specifying the duties of the Catholic party, leave room for dialogue with the spouse. The author also presents the condition of a person who, although not baptised, can open herself to God's saving action.

Finally, the topic is approached from the perspective of a child. Her relationship with the parents is reflected in the way she builds a relationship with God. Disruptions in these references can affect both the child's psychological condition and the maturity of her faith in later years. Therefore, in the case of a serious conflict

arising from world view differences, it seems reasonable to suggest to the believing party to postpone baptism until the situation improves or the child is enrolled in catechumenate around the age of discretion. It is also necessary to offer appropriate pastoral assistance. Deepening the parent's faith also has a beneficial effect on the child's attitude.

**Keywords:** catechumenate, licit, minor, religious maturity

### Abstrakt

Sprzeciw jednego z rodziców wobec chrztu dziecka to specyficzna sytuacja, w której konflikt wewnątrz rodziny dotyczy przestrzeni charakterystycznej dla misji Kościoła. Wymaga zatem głębszej analizy nauczania Kościoła i powiązania ze sobą kilku zagadnień.

Autorka przedstawia normy prawne dotyczące udzielenia chrztu z perspektywy troski Kościoła o warunki korzystne dla wzrostu sakramentalnej łaski w życiu ochrzczonego. Chrztę jako bramę sakramentów włącza człowieka w zbawcze dzieło Chrystusa i daje mu w Kościele dostęp do pełni środków zbawienia. Sprawowanie chrztu oznacza akceptację jego celowości, przyzwolenie na ukierunkowanie ochrzczonego ku pełni życia wiary. Takie podejście uzasadnia konieczność zaangażowania duszpasterzy oraz wymagania stawiane kandydatom do chrztu, którzy ukończyli siódmy rok życia, a także rodzicom proszącym o chrztę dla swoich dzieci.

W związku z sytuacją sporu dotyczącego przekonań rodziców autorka nawiązuje do przepisów dotyczących katolickiego wychowania potomstwa w małżeństwach mieszanych. Normy te określając obowiązki strony katolickiej pozostawiają miejsce na dialog ze współmałżonkiem. Prezentuje również kondycję człowieka, który – choć nie jest ochrzczony – może otworzyć się na zbawcze działanie Boga.

Wreszcie podejmuje się ujęcia tematu z perspektywy dziecka. Jego relacje z rodzicami odzwierciedlają się w sposobie budowania więzi z Bogiem. Zakłócenia w tych odniesieniach mogą mieć wpływ zarówno na psychiczną kondycję dziecka, jak i na dojrzałość jego wiary w dalszych latach. Dlatego w przypadku poważnego konfliktu wpływającego z różnic światopoglądowych zasadnym wydaje się zasugerowanie stronie wierzącej odłożenia chrztu do czasu poprawy sytuacji lub zapisania dziecka do katechumenatu około wieku rozeznania. Konieczne jest także zaproponowanie jej odpowiedniej pomocy duszpasterskiej. Pogłębienie wiary rodzica wpływa korzystnie także na postawę dziecka.

**Słowa kluczowe:** katechumenat, godziwy, małoletni, dojrzałość religijna

## Introduction

The specific situation when one spouse objects to the baptism of his or her child, constituting a conflict within the family, is associated with matters related to the mission of the Church. As such, it calls for a great deal of sensitivity on the part of the pastor and his knowledge of the Church's teaching on this sacrament. His proper attitude usually helps to rectify the parents' misconceptions about the role of baptism. A wrong interpretation of the relevant regulations can aggravate anxiety and the dispute between spouses.

A more thorough examination of this subject needs the legislator's message to be extracted from a broader range of documents, so it will be useful to cite some conciliar texts and some canons of the two codes, as well as putting several issues together. The first of these is baptism. Parents often focus on the celebration, downplaying the essence of baptism, or they are simply unaware of it, so baptism will be shown as a gateway to the sacraments, leading one into the dynamics of Christian life.

The second issue pertains to membership in the Church; here, too, one cannot limit oneself to formal membership only. Rather, what matters is the full exercise of the means of salvation that are available in the Church. Such a context will help us to justify the responsibility of parents and pastors of souls for the creation of proper conditions for grace to develop.

Given the dispute over parents' beliefs, we need to recall the provisions regulating the Catholic upbringing of children in mixed marriages. These norms, while defining the duties of pastors and Catholics in general, leave room for dialogue with the spouse. It is possible because the contemporary notion of the Church's salvific exclusivity has shifted the emphasis from formal membership toward Christ's way of operation, who always saves people through the mediation of the Church.

Finally, to be able to define the scope of the child's well-being one should view the parents' dispute over the religious identity of their offspring from the child's perspective. It is particularly important to understand how the child perceives her relationship with the parents and how these references influence her bond with God.

## 1. Requirements for the administration of the sacrament of baptism

In order to ensure that the baptised are properly assisted, the Church indicates how and under what conditions the sacraments of initiation are administered to particular groups of people. Canon 851 of the 1983 Code of Canon Law<sup>1</sup> briefly defines the manner in which adult candidates and parents of children who are to receive the sacrament are to be prepared. In the case of adults, these are: admission to the catechumenate and, as far as possible, guidance towards sacramental initiation through the various steps according to the rite of initiation adapted by the bishops' conference.<sup>2</sup> Canon 865 CIC/83 mentions the same condition regarding an attempt at Christian life in the catechumenate, as well as the necessity of expressing willingness to receive the sacrament and sufficient instruction on the truths of the faith, Christian obligations and the need to repent for one's sins.<sup>3</sup> The Code of Canons of the Eastern Churches has similar guidelines for baptismal formation in the catechumenate, leaving stricter regulations to particular law.<sup>4</sup> Regarding the criteria for the readiness of candidates to receive the sacraments of initiation, Canon 682 § 1 CCEO prescribes: "For a person who is no longer an infant to be baptized, it is required that he or she manifest a desire to receive baptism and be sufficiently instructed in the truths of the faith and be tested in the Christian life; the adult is to be exhorted to have sorrow for personal sins."

Both codes consider the age of seven as the limit between presumed incapacity to direct one's own actions and the presumption of such capacity, and a person below this age is called a minor (*infans*) (Canon 97 § 2 CIC/83, Canon 909 § 2 CCEO). Importantly, in matters related to baptising

<sup>1</sup> *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus* (25.01.1983), AAS 75 (1983), pars II, p. 1-317; English text available at: [https://www.vatican.va/archive/cod-iuris-canonici/cic\\_index\\_en.html](https://www.vatican.va/archive/cod-iuris-canonici/cic_index_en.html) [henceforth: CIC/83].

<sup>2</sup> *Ordo initiationis christianae adultorum* (editio typica), Typis Polyglottis Vaticanis, Città del Vaticano 1972; Polish edition: *Obrzędy chrześcijańskiego wtajemniczenia dorosłych dostosowane do zwyczajów diecezji polskich*, Księgarnia św. Jacka, Katowice 2020 [henceforth: OICA].

<sup>3</sup> More detailed guidelines for the various stages of pre-baptismal formation can be found in the rite referred to in Canon 851 CIC/83.

<sup>4</sup> *Codex Canonum Ecclesiarum Orientalium auctoritate Ioannis Pauli PP. II promulgatus* (18.10.1990), AAS 82 (1990), p. 1045-363; English text available at: [https://www.intratext.com/IXT/ENG1199/\\_PLX.HTM](https://www.intratext.com/IXT/ENG1199/_PLX.HTM) [henceforth: CCEO], Canon 587.

minors who have reached the age of seven, both codes generally apply provisions pertaining to adults. At the same time, the CIC/83 explicitly states this in Canon 852, while in the CCEO it can be inferred from the provisions on age and the use of the designation *filius* in the canons on baptism to refer to minors of different age groups<sup>5</sup> and the term *infans* in the canons on baptism of children. Both codes distinguish between minors who have not completed the fourteenth year of age and those who have reached that age. A minor in the younger age group, through baptism, acquires membership in the Church *sui iuris* of that who is responsible for raising him in the faith.<sup>6</sup>

Initiation of minors involving various steps and rites, lasting up to several years if need be, is recommended by the *Order of Christian Initiation for Children* (OCIC 306-369) recommend. As mentioned above, the rules for adults apply to minors who are over seven, which primarily implies the need for comprehensive preparation for the sacrament and the willingness to receive it. This is in keeping with the condition of candidates who are predisposed by their age to exploring the world. Since the needs of minors are generally taken into account in other, even everyday matters, it is even more necessary in a space where disagreement can invalidate the sacrament. It is worth noting that Canons 98 § 2 CIC/83 and 910 § 2 CCEO declare the possibility of excluding minors from the authority of their guardians by the power of divine law. It seems that the precedence of the minor's religious freedom (as long as he or she has an actual awareness of it) over the parents' right to raise them in keeping with their own world view may exemplify such a situation.

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<sup>5</sup> Canons 29 and 30 CCEO speak of acquisition of membership in the Church *sui iuris* by a minor who has not turned fourteen, whereas Canons 29 and 689 refer to the offspring of parents in different situations. Canon 34 specifies the conditions for changing the church affiliation of a parent with offspring under 14.

<sup>6</sup> Detailed regulations on this can be found in Canons 29 and 30 CCEO, as well as in Canons 111 and 112 CIC/83. The age of fourteen appears in the context of baptism also in Canon 863 CIC/83. It provides that the baptism of adults, or at least persons over the age of 14, should be notified to the diocesan bishop so that, if he considers it appropriate, he will administer the baptism himself. On the one hand, this canon confirms the applicability of the provisions on adult baptism to minors as well; on the other hand, it recognizes that the baptism of a minor under this age does not bear testimony to the faith so seriously as a conversion of an older person.

In the case of infants and children who have not come to the use of reason, the preparation of parents and godparents for baptism should take place in accordance with Canons 851, 2° and 867 § 1 CIC/83 and 686 CCEO. Conditions for the licit administration of baptism are specified in Canons 868 CIC/83 and 681 CCEO.

Both codes indicate that it is the parents' task to make sure that their child is baptised as soon as possible after birth (Canons 867 § 1 CIC/83 and 686 § 1 CCEO). The CCEO highlights the necessity of preserving the legal custom. In contrast, the CIC/83 refers specifically to the first weeks after the child's birth. It follows that the parents are to visit the pastor to request the sacrament and to be properly prepared for it. They can do this before the child is born or shortly after the birth.

Instruction and preparation of the parents and sponsors is entrusted to the pastor (Canons 851, 2° CIC/83 and 686 § 2 CCEO), the CIC/83 allowing him to do it in person or through others. The instruction should focus on the significance of the sacrament and "the obligations attached to it." According to the CCEO, the instruction also applies to the celebration of the sacrament itself. The 1983 Code of Canon Law provides that the formation of parents and sponsors should also include prayer in a community of several families and, when possible, also visitation.

Should the parents reduce their involvement to merely consenting to their child's baptism – thus revealing a motivation contrary to the purpose of the sacrament – and should they categorically refuse to participate in the instruction and prayers or challenge the Church's teaching, the pastor is to consider whether granting baptism under such circumstances would actually be beneficial for the child. This issue becomes even more important when either parent objects to the sacrament because he or she declares that they want to take an active role in formation of their child's world view in accordance with a model other than the Church's. In case of doubt, attention should be paid to provisions regulating licit administration of the sacrament of baptism, which specify the minimum requirements that parents must meet so that the pastor will be allowed to administer baptism.

In order to administer baptism licitly to a child, the CIC/83 requires the consent of the parents or at least one of them, or a person who lawfully substitutes for the parents. The requirement that the legal guardians

give consent is mentioned in identical by the CCEO in identical words.<sup>7</sup> In principle, then, it is sufficient when one person who has the legal custody of the child consents. There is also no mention of a situation where the other parent or guardian objects. It is worth remembering, though, that these canons do not order the pastor to baptise in a controversial situation. This opinion is also shared by other commentators of Canon 868 CIC/83, such as Dario Composta [Composta 2001, 540] and Eloy Tejero [Tejero 2011, 665-69]. It is to be supposed, then, that the requirement to consider the objection of either parent to the baptism of the child is necessary for a child who is not in danger of death to be licitly baptised. This requirement also stems from the natural right of each parent to raise his or her child in accordance with their own beliefs, and because baptising a child against the firm will of either parent will incur the risk of exposing the child to losing her faith once she reaches independence in the use of reason as a result of being raised in the family home.<sup>8</sup>

Invoking the principle of *favor fidei* in the case of baptism of children<sup>9</sup> dates back to a time when salvation was closely associated with membership in the Church, which was able to impose Catholic upbringing on its faithful. This provision, despite alluding to an older law, should nonetheless be construed in light of theology of today, which shifted the emphasis from formal membership in the Church – as indispensable in salvation – to the way of Christ, who always saves man through the community which He founded [Ratzinger 2016, 297]. Another provision regarding a similar situation can be found in Canons 1125 CIC/83 and 814 CCEO. They determine the conditions for mixed marriages. Not resolving the issue of infant baptism in an arbitrary manner, it leaves room for dialogue, which

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<sup>7</sup> The differences between the two Codes concerning the will of the parents can be seen regarding the situation when the child's is in danger of death.

<sup>8</sup> It should be added that similar arguments are used in analysis of the provisions on baptism administered in danger of the child's death. They were commented on by, e.g., Bronisław Zubert [Zubert 1996, 57-63], as well as Aleksandra Brzemia-Bonarek and Szymon Drzyżdzyk [Brzemia-Bonarek and Drzyżdzyk 2015, 183-95] and the canonists they cite.

<sup>9</sup> The Pauline privilege with respect to baptising children against the will of their parents was very widely applied by Benedict XIV. Both earlier and later documents of popes and congregations restricted the possibility of baptising children of unbaptised parents when it was apparent that they would be raised outside the Church [Mucha 2019, 61-75].

fosters a better atmosphere in the family and provides a greater opportunity for the child's religious upbringing without needless tensions.

Canon 681 § 1 CCEO mentions a legitimate hope of raising the child in the faith of the Catholic Church as the primary condition for licit baptism of a child.<sup>10</sup> Canon 868 § 1 CIC/83 mentions "a founded hope" that the child will be raised in the Catholic religion in the second place<sup>11</sup> as a condition for baptism to be administered licitly. For this criterion, the legislator specifies the scope as well as additional rules for dealing with failure to respect it. According to the CIC/83, only the complete (*prorsus*) lack of a founded hope for Catholic upbringing makes baptism illicit. In this situation, baptism should be postponed, as prescribed by particular law, and explain the reason for this decision to the parents.

It is worthy of note that this canon has been aligned in recent years with respective canons of the Eastern Churches in matters pertaining to the children of baptised acatholics. The discrepancy regarding the lack of hope of Catholic upbringing was left unchanged. Unless the proper law of a given Church *sui iuris* further specifies a provision of the Code, a pastor may refuse baptism when he considers that the situation of the child does not leave room for a reasonable hope for his upbringing in the faith of the Catholic Church. He can also take measures to support the family in its efforts to raise the child effectively. Alternatively, he can postpone the baptism if he believes that the circumstances will improve over time.

In the Roman Catholic Church, the Church's proper law can specify in greater detail both the interpretation of the grave lack of a reasonable hope of Catholic upbringing of a child and the course of action to be taken by a pastor who considers that the administration of baptism should be put off. The prescript, however, does not allow the denial or postponement of the sacrament when the lack of reasonable hope is not complete, or leaving both parents, one of them or a legal guardian without an explanation.

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<sup>10</sup> This condition does not apply to children of acatholic Christians, baptised pursuant to Canon 681 § 5 CCEO. These children become members in the Church of their parents on the assumption that they will be raised in their faith. A similar proviso is found in Canon 869 § 1 CIC/83, and paragraph 3 sets forth the specific conditions the validity of baptism.

<sup>11</sup> For baptism to be licit, it is necessary to fulfil both requirements: parental consent and a hope that the child will be brought up in the faith. For this reason, the subject of their different ordering in the two codes will not be discussed more extensively here.



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So, norms of particular law must take into account everything that the Code specifies.

A literal construal of this prescript would therefore define as licit the administration of baptism practically whenever at least one of the guardians (even if contrary to the other) consents to it – not necessarily the will. As the law prescribes, any gaps in Catholic upbringing are to be filled by the child's godparents. It follows, then, that in theory the absence of a legitimate hope is never complete, especially if one considers the grace springing from the sacrament, the responsibilities of pastors and the parish community, and, in Polish reality, school catechesis.

This provision, nevertheless, should be interpreted in the broader context of the legislator's intent. As we read in the Apostolic Constitution *Sacrae disciplinae leges* promulgating the CIC/83 and the introduction to it, its provisions reflect the teaching of the last Council, and must therefore be interpreted and assimilated in accordance with them. The prescript must be interpreted in keeping with other canons that express the legislator's concern for the child's welfare, growth in faith and grace, and salvation. Legal protection also stems from the sacrament of baptism, through which man is personally involved in the saving work of Christ. The licit administration of the sacrament involves acceptance of its effects, purposefulness, consent to the guiding of the baptised person toward the fullness of Christian life. In the case of a child, this implies the hope of an upbringing that will allow the grace received to develop. Now, let us revise the conciliar reflections and conclusions concerning the human condition, his salvation, and the Church, as well as some later documents clarifying them.

## **2. A non-baptised person opening to grace**

The possibility of saving those who dwell beyond the visible boundaries of the Church is not a theological problem in the world of today. The saving exclusivity of the Church springs, rather, from its mediation.<sup>12</sup>

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<sup>12</sup> It is worth noting that the declaration *Dominus Iesus* – in response to some interpretations of the conciliar teachings that extended the understanding of Christ's salvific action – highlighted the truth that the Church (even if its intermediary role would not be endorsed by some) is the only path to attain salvation, not one of many equivalent ways. Congregatio pro Doctrina Fidei, *Declaratio de Iesu Christi atque Ecclesiae unicitate et universalitate salvifica Dominus Iesus* (06.08.2000), AAS 92 (2000), p. 742-65; English text available at:

It is no longer closely associated with full membership.<sup>13</sup> That said, in some cases, the way God and the Church operate can be difficult to define in the language of the law. The pastoral constitution *Gaudium et spes* even describes it as known only to God: “For, since Christ died for all men, and since the ultimate vocation of man is in fact one, and divine, we ought to believe that the Holy Spirit in a manner known only to God offers to every man the possibility of being associated with this paschal mystery.”<sup>14</sup>

Vatican II also points out that it was already in the incarnation and preservation of human nature that the Son of God raised in ourselves to a high dignity and somehow united Himself with every human being (GS 22). No one, then, is banished from the salvific work of Christ so as to be denied the possibility of benefiting from it. Having the nature assumed by the Son of God, one is not merely His creation.

The Constitution *Lumen gentium* interprets the words of Jesus, who calls his disciples *the salt of the earth and the light of the world*, as the obligation of God’s people *vis-à-vis* all humanity. “So it is that that messianic people, although it does not actually include all men, and at times may look like a small flock, is nonetheless a lasting and sure seed of unity, hope and salvation for the whole human race. Established by Christ as a communion of life, charity and truth, it is also used by Him as an instrument

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[https://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20000806\\_dominus-iesus\\_en.html](https://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20000806_dominus-iesus_en.html) [henceforth: DI], no. 21. Reading conciliar texts, one must keep in mind the clarification made by the Congregation.

<sup>13</sup> “In the past, the question of membership was typically closely associated with the issue of salvation. This was correct as long as the teaching on the Church’s salvific exclusivity was understood in a strict, literal sense. As it has been understood that this teaching is not so much about the saved people but rather about the forces that are effective in saving every person, such a close connection can now be dispensed with, as it put an unnecessary burden on the question of membership. As regards the salvation of many, it appears that there has been a slight shift in this area. That not only Catholic Christians save themselves is no longer a problem for us today. Rather, the question is: If the paths to salvation exist also beyond the border posts of the visible Church, then where to find a justification for the, after all, unchangeable necessity and inalienability of the ministry of Catholic Christians?” [Ratzinger 2016, 297].

<sup>14</sup> Sacrosanctum Concilium Oecumenicum Vaticanum II, Constitutio pastoralis de Ecclesia in mundo huius temporis *Gaudium et spes* (07.12.1965), AAS 58 (1966), p. 1025-115; English text available at: [https://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_const\\_19651207\\_gaudium-et-spes\\_en.html](https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651207_gaudium-et-spes_en.html) [henceforth: GS], no. 22.

for the redemption of all, and is sent forth into the whole world as the light of the world and the salt of the earth.”<sup>15</sup> These words demonstrate that the Church’s mission *vis-à-vis* those who remain outside of it: to bear witness to God by persevering in communion and fully opening up to unity, hope and salvation, as well as to transmit these gifts to people who do not know the Gospel.

In his encyclical *Redemptoris missio*, John Paul II described the situation of those who, owing to their upbringing in other religious and cultural traditions, are not able to embrace the teaching of Christ. “For such people salvation in Christ is accessible by virtue of a grace which, while having a mysterious relationship to the Church, does not make them formally part of the Church but enlightens them in a way which is accommodated to their spiritual and material situation. This grace comes from Christ; it is the result of his Sacrifice and is communicated by the Holy Spirit. It enables each person to attain salvation through his or her free cooperation.”<sup>16</sup> The rectitude of man, whether baptised or not, is not in itself the cause of his salvation; rather, it demonstrates his openness to grace and compliance with it. Christ, who is present in His Church is “the one Mediator and the unique way of salvation” (LG 14).

Although unbaptised people can receive grace, the declaration *Dominus Iesus* considers their situation to be objectively very disadvantageous in relation to those who are fully equipped with the means of attaining salvation in the Church and draw from them, living in unity with God and the community. And those baptised who do not use the means given to them, are reminded by the Council’s words on a more severe judgement (DI 22). Also, the constitution *Lumen Gentium* also warns against an overly frivolous treatment of the salvific mediation of the Church. It says: “Whosoever, therefore, knowing that the Catholic Church was made necessary by Christ, would refuse to enter or to remain in it, could not be saved” (LG 14).

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<sup>15</sup> Sacrosanctum Concilium Oecumenicum Vaticanum II, Constitutio dogmatica de Ecclesia *Lumen gentium* (21.11.1964), AAS 57 (1965), p. 5-75; English text available at: [https://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_const\\_19641121\\_lumen-gentium\\_en.html](https://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121_lumen-gentium_en.html) [henceforth: LG], no. 9.

<sup>16</sup> Ioannes Paulus PP. II, Litterae Encyclicae *Redemptoris missio* de perenni vi mandati missionalis (07.12.1990), AAS 83 (1991), p. 249-340; English text at: [https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_07121990\\_redemptoris-missio.html](https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_07121990_redemptoris-missio.html), no. 10.

The universal idea of salvation is related to both the Church's mediation and its mission to proclaim the truth about God to all people. The Church's missionary nature springs from the universal plan of salvation, which involves an urge to invite every person to strive for the fullness to which he or she has been called. The Church shows the dignity of every human being from the perspective of the incarnation, redemption and salvific mediation of the community of believers. The Church's mission is to transmit to man the truth that he was created in love and invited to participate in the glory of God, Who uses various means to help all people foster a relationship with Himself. The Church unites believers in a community which it has entrusted with all the means of salvation and the capability of empowering other people to reach salvation.

### **3. Living in the grace that flows from baptism**

The Church's real presence subsists in the presence of the incarnate Son of God. It is His body, and Christ is its Head: "just as the head and members of a living body, though not identical, are inseparable, so too Christ and the Church can neither be confused nor separated, and constitute a single 'whole Christ'" (DI 16). The Church is therefore the "visible sign of the hidden reality of salvation."<sup>17</sup> The visible aspect is expressed in the Church's institutional character, wherein the work of salvation is made manifest in the Church and given to people. Being fully a member entails union in the two realms – visible and invisible – and the use of "the fullness of the *means of salvation*" (emphasis mine). These are: correct and complete confession of faith, full sacramental life, and ordained ministry in apostolic succession (CCC 830). The fact that those "moved by the Holy Spirit," living in the grace they received through baptism, accept their bond with the faith, the sacraments and ecclesiastical authority, provides them with the fullness of ecclesiastical communion (cf. LG 14).<sup>18</sup>

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<sup>17</sup> *Catechismus Catholicae Ecclesiae*, Libreria Editrice Vaticana, Città del Vaticano 1997; English text available at: [https://www.vatican.va/archive/ENG0015/\\_INDEX.HTM](https://www.vatican.va/archive/ENG0015/_INDEX.HTM) [henceforth: CCC], nos. 774-76.

<sup>18</sup> As Coccopalmerio reminds us, Canons 205 CIC/83 and 8 CCEO, despite omit the phrase *Spiritum Sanctum habentes*, is to be interpreted in keeping with conciliar ecclesiology, particularly with the conciliar text to which they refer [Coccopalmerio 2011, 91-100]. The definition of the Church as founded on the bonds of faith, sacraments and ecclesiastical

Sacraments received with faith actualise unity with God in the Church. They build and renew the intimate relationship between God and man, which cannot be described in the language of law; this language, however, can be used to describe external acts and the legal effects of the various sacraments. The first is baptism, which constitutes a person in the Church as the subject of rights and duties subordinate to pastoral authority. Through baptism people are cleansed of sins and reborn for a new life as children of God (Canons 849 CIC/83 and 675 CCEO). Thanks to this sacrament, a person becomes similar to Christ not only by the fact of having the same nature but also by his or her ability to imitate the Lord and live the mysteries of His life in their daily life. This is why the Catechism states: “The Church does not know of any means other than Baptism that assures entry into eternal beatitude” (CCC 1257).

While giving us an assurance that the sacrament brings grace, the CCC also avers that “God has bound salvation to the sacrament of Baptism, but he himself is not bound by his sacraments” (ibid.). God can therefore save people using other than ordinary means, but always through the Church, even if this mediation is invisible.

It should also be remembered that baptism – which since ancient times has been likened to a gate – introduces the dynamism of grace, leaving us the freedom of other choices and development in the realms into which it has led us. The Code lists the obligations of the baptised, the first of which is to always maintain communion with the Church (Canons 209 CIC/83 and 12 § 1 CCEO), followed by concern for leading a holy life, “the growth of the Church and its continual sanctification” (Canons 210 CIC/83 and 13 CCEO).

Since full membership in the Church is fulfilled by persevering and growing in its both domains – spiritual and institutional – incomplete membership can be linked to a deficiency in one of these spheres.<sup>19</sup> If a person stays outside the institutional domain through no fault of hers but waits for the grace of baptism, having her will involved and acting to keep up her

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authority listed in the canons at hand was proposed by Robert Bellarmin. They refer to the qualities of a person who can be called a Catholic, rather than defining the fullness of ecclesiastical communion.

<sup>19</sup> Gänswain noted that the term *plene in communione* points to the gradability of ecclesiastical communion [Gänswain 1997, 71].

relationship with God in the Church, does not diminish the saving grace.<sup>20</sup> It follows that the attitude of a Catholic who is closed to God's saving action is defined merely by his or her formal affiliation. It is worth mentioning an excerpt from the constitution *Lumen Gentium* that describes the situation of people who, having been baptised, did not choose to build inner unity with God: "He is not saved, however, who, though part of the body of the Church, does not persevere in charity. He remains indeed in the bosom of the Church, but, as it were, only in a 'bodily' manner and not 'in his heart'" (LG 14).

Therefore, when deciding whether to baptise a child or not, it is necessary to take into account both the grace she will receive in this sacrament and the commitment to cooperate with it throughout her life. Baptism opens a person to the development of God's life, so it should be understood and administered in this very perspective. For this purpose, the Church takes various measures to secure the Catholic upbringing of baptised children.

#### **4. Baptism of children in mixed marriages**

Experience teaches that the effectiveness and permanence of the transmission of faith is linked to the parents' religiousness. It follows that children who find themselves in the unique situation of their parents being of different confessions require special pastoral care. Under Canons 1128 CIC/83 and 816 CCEO, both the local ordinary (or hierarch) and other pastors of souls are obliged to take care that the Catholic spouse and children do not lack spiritual assistance in fulfilling their duties.<sup>21</sup> Pastors of souls are also obliged by this prescript to support spouses in their development of conjugal and family life. Indeed, differences of confession can manifest in various areas of life and hinder dialogue.

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<sup>20</sup> "God wills the salvation of everyone through the knowledge of the truth. Salvation is found in the truth. Those who obey the promptings of the Spirit of truth are already on the way of salvation. But the Church, to whom this truth has been entrusted, must go out to meet their desire, so as to bring them the truth. Because she believes in God's universal plan of salvation, the Church must be missionary" (DI 22).

<sup>21</sup> Duties of conscience, as specified by the CCEO. For the topic at hand, differences between the respective canons seem insignificant, so these provisions can be discussed in tandem.

A parent's objection to the child's baptism can be seen as a signal that he or she wants to pass on a world view other than Catholic. Such conditions require no less concern from both the pastor and the bishop, who can make sure that extra religious care is provided for communities of families struggling with differences in religion or values that build wall between spouses, even if they formally belong to the same church.

Although Catholic parents are expected to raise their offspring in the faith, no such assumption is made for mixed marriages. The provisions regulating prenuptial obligations of prospective spouses with different attitudes to faith reflect the Church's position in a situation where several important rights are at conflict: the right/duty to profess one's faith, to raise one's children in it, and the broadly understood freedom to choose one's way of life. The postconciliar regulations drawing on the Decree on Ecumenism and the Declaration on Religious Freedom fully respect the religious freedom of both.<sup>22</sup> They address their desire to marry but also respect the right of both parents to make decisions regarding the religious upbringing of their offspring – for the Catholic spouse, this right entails an obligation.

The Catholic party may be permitted to contract a mixed marriage or granted a dispensation from the impediment of disparity of cult (Canons 1129 CIC/83 and 803 § 3 CCEO), if, in consultation with the future spouse, the party decides to meet the conditions set out in Canons 1125 CIC/83 and 814 CCEO, respectively.

According to the norm stated in these, the Catholic party is obliged to make a sincere promise (*promissio*) to “do all in his or her power so that all offspring are baptised and brought up in the Catholic Church.” The other party must be informed at an appropriate time about the promises that the Catholic party makes, so as to have a full comprehension of the content of the promise and obligation of the Catholic party. The Catholic party undertakes to be fully committed to dialogue regarding the Catholic

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<sup>22</sup> The novelty of the declaration is notable. While in 1963, in his encyclical *Pacem in terris*, John XXIII wrote about the right to act in accordance with a *rightful conscience*, the Council reasoned that the underpinnings of religious freedom lie in the very nature of the person. The subjective disposition of the *rectitude of conscience* does not matter any more. Freedom, therefore, is pertinent to the consciences of all people, also those who do not even seek the truth. The right not to choose any religion should now be considered as one way of realizing *freedom in religious matters* [Jaworski 2002, 409; Mistò 2011, 18-19].

upbringing of offspring, knowing that the future spouse is aware of this commitment. The prescript does not remove the Catholic party's obligation but points to its non-absolute character – it does not require a guarantee of effectiveness or the approval of the other party.<sup>23</sup>

As has been mentioned, in keeping with Canons 1128 CIC/83 and 816 CCEO, the pastor of souls is obliged to assist spouses in their maintenance of marital unity and the education of their offspring. It follows that a norm developed by the Church does not solve the problem but transfers the associated tensions to people who love each other and are personally affected by the rift dividing Churches or by differences of religion. This task is so difficult and destructive for spiritual life that many religions forbid such marriages or establish norms that do not respect the rights of the other party. What is more, spouses striving to raise their offspring in the faith stand in opposition to the beliefs of the other party. While wishing to remain in agreement about their children's upbringing, they risk a conflict of conscience. An inconsistent message regarding such crucial matters also affects the children, who have to cope with a loyalty conflict.

### **5. Impact of difference in parents' religion on children's psyche**

Childhood is a time of increasing independence. This process is enabled by both competences formed over time and the proper milieu that stimulates development. The role that the parents play is the most important, since they give their children a sense of security and introduce them to the world in a way that is adequate to their abilities. Children imitate the attitudes of their mothers and fathers, eventually adopting their hierarchy of values. This period of life is characterised by a strong need for a positive identification with parents. That said, the ability to view a person ambivalently emerges rather late in human development. Therefore, younger children often blame themselves for their caregiver's anger – not necessarily directed at them – while experiencing feelings of guilt and shame [Lewicka 2010, 137].

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<sup>23</sup> Paul VI's motu proprio *Matrimonia mixta* amended the earlier norms that required the non-Catholic party to waive the right to commit to raising children according to their conscience. Paulus PP. VI, Litterae apostolicae motu proprio datae Normae de matrimoniis mixtis statuuntur *Matrimonia mixta* (21.03.1970), AAS 62 (1970), p. 257-63. The Catholic party's commitment to the faith was expressed in a different form.



Apart from imitating parents, another important characteristic of a child is her motivation to identify with them. Proper identification occurs based on a positive emotional relationship. Owing to this process, the values adopted in the family are consolidated in the child's aspirations. Serious conflicts between parents hinder the process of identification, bring about stress in the child and adversely affect her development [Lewicka 2010, 134-35]. In general, parental differences concerning children – as illustrated by arguments over baptism and religious upbringing – upset children's emotional balance [Petts and Knoester 2007, 376].

The family shapes the way faith is lived and teaches how to live values; the parents' religiousness and its maturity largely influence the way children live out their relationship with God [Podczasik 2014, 168]. According to the theory of symbolisation, the images of parents and their symbolism in the culture associated with a particular parenting style become the basis upon which children build their image of God. The theory of projection, on the other hand, posits that children associate God with projections of significant ones, with their specific traits or their opposites [Molenda 2017, 209-10]. Interestingly, this happens not only in environments where faith is discussed. For children younger than 6 this is natural, just as they accept the concepts of omniscience, creation or immortality. This is why some psychologists call children *intuitive theists* [Kiessling and Perner 2014, 1601; Richert and Barrett 2005, 285]. Seeing God anthropomorphically is characteristic of preschool children. At younger age, the schoolchild learns inductive reasoning, refines her understanding of concrete and abstract concepts (e.g., causality, space, time, speed), and her thinking becomes logical [Trempała 2011, 236]. New skills resulting from cognitive development alter the image of God, unless it is consolidated through the use of inappropriate educational methods.<sup>24</sup>

Social research shows a connection between parents' religiousness and the way their children practice their faith. It demonstrates the presence

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<sup>24</sup> Childish religiousness may, later in life, develop into immature forms of religiousness involving an image of a threatening God, a sense of guilt and fear of punishment in the absence of positive religious experiences. Such religiousness does not play a sense-making role in life, it does not help overcome difficulties, but reinforces internal conflicts and stress. It is perceived as a duty or even a burden. The negative impact of immature religiousness can also be manifested in the consolidation of neurotic, immature defence mechanisms [Molenda 2017, 211-12].

of specific factors related to religiousness that improve the well-being of young people<sup>25</sup> and adults, help to stabilise marital relationships and improve contact with children. Religious adults persist in a personal relationship with God and have a greater sense of social integration and cohesion in life. Spouses who share common beliefs are closer to each other and have easier access to conflict-coping mechanisms. Satisfied parents are more likely to support their children and spend more time with them. Religious families form broader communities and help one another [Petts and Knoester 2007, 374-75].

A lack of religious affiliation or confessing a different religion makes this process more complex. Research conducted in Western countries has shown that greater differences between the religions professed by parents negatively affect the family atmosphere and the children's psyche, leading to parenting problems, particularly drug use [ibid., 382]. Various studies also show that children raised by parents who do not share a religion are more likely not to adopt any religion than children raised in religiously homogeneous families [ibid., 375].

Central to the child's well-being, and thus to her maturity and permanence of faith, are a sense of security and stability, as well as her parents' unanimity on issues of importance to the child. If, as a result of serious world view differences, the spouses cannot reach a consensus on the question of baptism, the best solution may be to put it off until the situation improves, or the child reaches the age of discretion.

## Summary

The analysis of the norms concerning preparation for the sacrament of baptism shows the legislator's deep concern to ensure favourable conditions for the growth of sacramental grace in the later life of the baptised person. This is evident both in the requirements for proper adult formation and for the assurance of Catholic upbringing to children. Significantly, the legislator recommends that priests take special care of minors brought up in mixed marriages, as they may take religion to be an issue that

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<sup>25</sup> Smith mentions moral instructions, spiritual experiences, role models, social and leadership skills, coping skills, cultural capital, social capital, relationships within and outside a closed circle [Smith 2003, 19].

separates their parents. It is even more difficult for children if their parents disagree about baptising them – thus determining their religious identity – even if the parents do not realize the importance of this sacrament.

At the same time, it should be noted that the very atmosphere of disagreement can negatively affect the child's development, and her attitude to faith in particular. Therefore, if a parent objects on the grounds of his or her stable beliefs in a way that violates the relationship between close persons, it seems the most reasonable to suggest to the believing party to postpone the celebration of the sacrament and make sure that the family receives appropriate pastoral care. This will help the believing party to practise and grow their faith, which will help the child to develop appropriate attitudes. Baptism should be suggested when the conflict ceases or when the minor person around the age of discretion shows willingness to receive the sacraments of initiation with faith, having undergone preparation that is in keeping with his or her personal situation. This form of individual catechesis should also be addressed to minors baptised in infancy at the request of their parents, who nonetheless did not bring them up in the faith of the Church. In the case of children of parents who believe and practise regularly, catechesis and parish pastoral care are sufficient to make the transmission of faith within the family complete.

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