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## SHOULD THE CHURCH CONTINUE TO VILIFY POLYGAMY? SEARCHING FOR A RENEWED PASTORAL APPROACH IN *AMORIS LAETITIA*

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### Abstract

This essay argues for a renewed pastoral approach for polygamy in the African church. Two facts motivate this argument: the failure of the church strategy in changing attitudes, and the dubious connection between polygamy and the impossibility of faith. The author is convinced *Amoris Laetitia* provides an opportunity for a refreshed start. The article will see how the principle of mercy and the call to discernment can inform the pastoral approach of local churches in Africa. The first section of the essay situates polygamy and its meaning in the traditional and contemporary African societies. The following section looks at the recent posture of the Church towards polygamy. The church's approach to polygamy is limited to the reception of sacraments and related canonical issues. Moreover, its attitude shows a strong male-bias noticeable in the solution of sending away wives without even consulting them. This is why the author advocates for a holistic pastoral approach that goes beyond the focus on the reception of sacraments. Polygamous families need also pastoral care, and should also be attended to. The author calls the church to incarnate its call to compassion toward polygamous families.

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## 1. Introduction

My focus is on African polygamy. The present essay is not an apology for polygamy, but rather a critical evaluation of teachings and pastoral attitudes toward polygamous families. My goal is to propose a different pastoral approach to the issue inspired by the spirit of *Amoris Laetitia*. My starting point is the failure of decades or centuries of Christian negative discourse on polygamy to deter baptized Christians from embracing it, or unbaptized polygamists to abandon it. The practice of barring polygamous spouses from sacramental reception has not provided an incentive for many to renounce the practice.

I will offer a review of the Church's teaching before *Amoris Laetitia* (henceforth AL) on the issue looking at both its strength and limitations. What will surface is that most of the approaches show strong male-bias. Then, I will move to AL in which polygamy is barely mentioned (n. 53) in the section of Chapter 2 devoted to challenges. I will see how the principles of mercy and discernment can enlighten African local churches in the case of polygamy.

## 2. On Polygamy

Polygamy is a form of plural marriage that refers to two different forms, namely, polyandry (a situation where a woman is simultaneously married to more than one husband) and polygyny (a situation where a man is simultaneously married to more than one woman).<sup>1</sup> Since I am concerned with the latter, in this paper I will refer interchangeably to polygyny and polygamy. It is estimated that out of 742 ethnic groups, more than 578 regard polygyny as a preferred form of marriage.<sup>2</sup> According to estimations, the numbers of women in polygamous marriages in rural areas are respectively 50% in the Sahel, 40% in other West African countries like Cameroon and Cote d'Ivoire, and 30% in Eastern and Southern Africa.<sup>3</sup> In urban settings, less than 10% of unions are polygamous.<sup>4</sup> This shows that polygyny is more common in rural areas than in urban areas.

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<sup>1</sup>Martha Bailey and Amy J. Kaufman, *Polygamy in the Monogamous World: Multicultural Challenges for Western Law and Policy*, Santa Barbara, Calif: Praeger, 2010, 4; Michel Legrain, *L'Eglise Catholique et Le Mariage En Occident et En Afrique Tome 3: Inquiétude Des Catholiques En Afrique*, Paris: L'Harmattan, 2009, 221.

<sup>2</sup>Legrain, *L'Eglise Catholique et Le Mariage En Occident et En Afrique*, 221.

<sup>3</sup>Legrain, *L'Eglise Catholique et Le Mariage En Occident et En Afrique*, 239-240.

<sup>4</sup>Legrain, *L'Eglise Catholique et Le Mariage En Occident et En Afrique*, 240.

Many African countries enjoy legal pluralism where positive laws – a colonial legacy – cohabitates with customary law. Customary law can be defined as “the indigenous customs of traditional communities,”<sup>5</sup> and is essentially oral and discerned through practices. Customary law regulates issues around family, marriage, and property.<sup>6</sup> This distinction between positive and customary law is important, because even in places where positive law bans polygamy (like in Cote d’Ivoire), polygamous marriages are still celebrated under customary law.

To ascertain the motivations of polygamy, one needs to distinguish pre-colonial/traditional from contemporary Africa, and between high (for traditional rulers) and popular (for ordinary citizens) polygyny.<sup>7</sup> Traditional reasons supporting polygyny evolve around fecundity, male’s aggrandizement, economic efficiency and physiological reasons. The main reasons are: (1) the extension of the husband’s social network; (2) having a large progeny; (3) wives as a sign of wealth and success; (4) availability of a sexual partner especially during the taboo periods such as menstruation, pregnancy and nursing; (5) the practice of levirate, that is, marrying one’s brother or relative widow; (6) necessity for non-centralized communities to ensure the defence of their territory; and (7) availability of a workforce for agricultural work and various rural activities.<sup>8</sup> Some scholars contest the validity of the economic argument.<sup>9</sup>

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<sup>5</sup>Vera N. Ngassa, “Exploring Women’s Rights within the Cameroonian Legal System: Where Do Customary Practices of Bride-Price Fit In?,” in *Issues in Women’s Land Rights in Cameroon*, ed. Lotsmart N. Fonjong, Bamenda: Langaa Research & Publishing CIG, 2012, 70.

<sup>6</sup>R. Gordon Woodman, “A Survey of Customary Laws in Africa in Search of Lessons for the Future,” in *The Future of African Customary Law*, ed. Jeanmarie Fenrich, Paolo Galizzi, and Tracy E. Higgins, Cambridge; New York; Cape Town; Madrid; Melbourne: Cambridge University Press, 2011, 26.

<sup>7</sup>In the popular polygyny, men can have up to ten wives, while in the high polygyny, kings and chiefs can count up to hundreds of wives. See Catherine Coquery-Vidrovitch, *Les Africaines histoire des femmes d’Afrique subsaharienne du XIXe au XXe siècle*, Paris: la Découverte, 2013, 20–22.

<sup>8</sup>Laurenti Magesa, *African Religion: The Moral Traditions of Abundant Life*, Maryknoll, NY: Orbis Books, 1997, 136, 140–41; Musimbi Kanyoro, “Polygamy: A Dilemma for the Church in Africa,” in *Culture, Women and Theology*, ed. John S. Pobee, Dehli: ISPCK, 1994, 172–73; Joseph K. Kahiga, “Polygamy: A Pastoral Challenge to the Church in Africa,” *AFER* 49, 1–2 (2007) 124; Joseph W. Ssenyonoga, “Polygyny and Resource Allocation in the Lake Victoria Basin,” in *African Families and the Crisis of Social Change*, ed. Thomas S. Weisner, Candice Bradley, and Philip Kilbride, Westport, Connecticut; London: Bergin & Garvey, 1997, 272, 277; Legrain,

For women in traditional agrarian societies, the only way to attain a respectable social status was through marriage and motherhood.<sup>10</sup> So, a polygynous marriage was always better than none. Sometimes, women would request their husband to marry again in order to alleviate their burdensome workload.<sup>11</sup> In addition, in most traditional societies, divorce was non-existent.<sup>12</sup> Separation was only temporary and rarely definitive.

One specific feature of polygyny is the hierarchical relationship not only between the husband and his wives, but also among the wives – in case there were more than two wives.<sup>13</sup> The first wife had a higher status, which translated in terms of responsibility and decision-making.

In contemporary Africa, polygyny has been gradually transformed due to increasing urbanization. However, the valorization of marriage and fertility has remained its main driving force. The new reasons are (1) the demographic argument (the surplus of women), (2) keeping a nagging wife in check, (3) the need for various sexual partners, (4) and the wife's barrenness.<sup>14</sup> The necessity for a workforce (especially for those living in urban areas) and the strategic argument have become irrelevant. Leviratic marriage still exists, but its practice has been slowed down by the influence of Christianity, Westernized education, and the spread of HIV/AIDS.<sup>15</sup>

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*L'Eglise Catholique et Le Mariage En Occident et En Afrique*, 235; David Maillu, *Our Kind of Polygamy*, Nairobi: Heinemann Kenya, 1988, 2-9, 12-13.

<sup>9</sup>For Titi Nwell the socio-economic argument does not make sense in an environment where farming was universal, and thus, there was no one to whom to sell the farm's products; Pierre Titi Nwell, "Le Statut Social de La Femme Dans Les Mythes Basaa D'origine," in *Femmes Du Cameroun: Mères Pacifiques, Femmes Rebelles*, ed. Jean-Claude Barbier, Bondy (France): Paris: Orstom ; Karthala, 1985, 33; for others, the socio-economic argument does not apply in the case of high polygyny, see Coquery-Vidrovitch, *Les Africaines*, 21-20; Claude Tardits, "Aimer, Manger et Danser: Propos Sur La Grande Polygynie," in *Femmes Du Cameroun: Mères Pacifiques, Femmes Rebelles*, ed. Jean-Claude Barbier, Bondy (France) : Paris: Orstom ; Karthala, 1985, 130.

<sup>10</sup>Emmanuel Okonkwo, *Marriage in the Christian and Igbo Traditional Context: Towards an Inculturation*, European University Studies. Series XXIII, Theology, vol. 762, Frankfurt am Main ; New York: P. Lang, 2003, 17.

<sup>11</sup>Coquery-Vidrovitch, *Les Africaines*, 29; Magesa, *African Religion*, 138.

<sup>12</sup>Kahiga, "Polygamy," 132.

<sup>13</sup>Magesa, *African Religion*, 139-40; Ssenyonga, "Polygyny and Resource Allocation."

<sup>14</sup>Maillu, *Our Kind of Polygamy*, 2-9; Kanyoro, "Polygamy," 172-74; Magesa, *African Religion*, 139.

<sup>15</sup>Ssenyonga, "Polygyny and Resource Allocation," 279.

In the meantime, new forms of polygyny have appeared. African cities saw the emergence of the “deuxième bureau” (second office) phenomenon, which describes the marital-like relationship of a woman with a legally monogamous man with no legal, customary or public sanction. It is called “anonymous”<sup>16</sup> or “secret” polygyny. This situation puts this common-law wife in a situation worse than the sanctioned polygamy, since she has no legal status. The men involved are often part of the urban bourgeoisie (senior managers and executives, and successful businessmen).

Contrary to certain beliefs, polygamy is not only the lot of poor and illiterate women. Educated and financially independent women also sometimes accept to enter into polygynous unions.<sup>17</sup> Some women who knowingly enter into polygyny justify it by the scarcity of good men.

Polygyny is conceived from men’s perspective and it prioritizes men’s needs.<sup>18</sup> In a traditional agrarian setting it is justified, but with societal changes (urbanization, introduction of modern technology, alphabetization, equal respect, emphasis on love), it is barely justifiable. A situation where a woman has to share her husband with others, and where the husband has to divide his attention and care between many wives is barely conducive for healthy relations.

### 3. The Church and African Polygamy

The hostility of 19<sup>th</sup> century on Christian European missionaries against polygamy is legendary. They understood polygamy as a decadent and lustful practice, and fail to see it as a lifetime commitment.<sup>19</sup> Among other reasons given against polygamy there were (1) the increasing scarcity of available women for marriage, (2) the outbidding of bride price as a result of the former situation; (3) the decrease of birth rate; and (4) immorality (husbands giving their wives for prostitution).<sup>20</sup> Even though, these reasons barely reflected the reality, they reveal the mindset of missionaries towards polygyny. Polygamy was perceived as an obstacle to evangelization, and an impediment for the reception of baptism, or any sacrament of the church.<sup>21</sup>

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<sup>16</sup>Kahiga, “Polygamy,” 121.

<sup>17</sup>Legrain, *L’Eglise Catholique et Le Mariage En Occident et En Afrique*, 238.

<sup>18</sup>Kanyoro, “Polygamy,” 176.

<sup>19</sup>Okonkwo, *Marriage in the Christian and Igbo Traditional Context*, 15.

<sup>20</sup>Legrain, *L’Eglise Catholique et Le Mariage En Occident et En Afrique*, 228.

<sup>21</sup>Okonkwo, *Marriage in the Christian and Igbo Traditional Context*, 16.

The official position of the church is condensed in the *Catechism of the Catholic Church* (1992), which summarizes the positions of *Gaudium et Spes*, no. 47 and *Familiaris Consortio*, no. 19. Polygamy is an offense committed against the dignity of matrimony (§ 2387), and is contrary to the equal personal dignity of man and woman (§ 1645). Polygamy opposes the plan of God and the communion in marriage in which a husband and a wife give themselves in a total, unique and exclusive love.<sup>22</sup> This hostility explains why the only option for a polygynist interested in becoming Christian, is to divorce his wives at the exception of one. However, the polygynist is mandated to “honor the obligations contracted in regard to his former wives and his children” (*Catechism* § 2387).

Polygamy does not surface in the two apostolic exhortations of the African synods of 1994 and 2009. One needs to recognize that the early pronouncements against African polygyny have been done by people who knew very little about it, and spoke from their own ethnocentric prejudice.<sup>23</sup>

At this point, one cannot fail to notice the gender-biased approach of the magisterium in the solutions suggested. Most of the suggestions are made from the perspective of the husband. The welfare of the wives is out of the picture. They do not even have to be consulted in case of divorce. At the end they suffer the most should they be sent away. “They would fit anywhere in society, with little or no hope of remarriage.”<sup>24</sup> In addition, in many cases the wives of polygynists – be it the first or the subsequent – never suspected the intentions of the husband or that he was already married.<sup>25</sup> There are also the sad cases of women given to marriage from their mothers’ wombs or as infants.<sup>26</sup>

Sending away women who are validly and honestly married to a man so that the latter may be baptized is like adding insult to injury. Taking the defence of the man against his wives betrays the insight of Jesus’ teaching on marriage that rejected divorce in order to protect

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<sup>22</sup>John Paul II, *Familiaris Consortio*, Vatican: Libreria Editrice Vaticana, 1981, 19, [http://www.vatican.va/holy\\_father/john\\_paul\\_ii/apost\\_exhortations/documents/hf\\_jp-ii\\_exh\\_19811122\\_familiaris-consortio\\_en.html](http://www.vatican.va/holy_father/john_paul_ii/apost_exhortations/documents/hf_jp-ii_exh_19811122_familiaris-consortio_en.html). (Hereafter FC).

<sup>23</sup>An example on this ignorance coupled with arrogance can be observed in the following article, Francisco Javier Urrutia, “Can Polygamy Be Compatible with Christianity?,” *AFER* 23, 5 (1981) 284, 287.

<sup>24</sup>Urrutia, “Can Polygamy Be Compatible with Christianity?,” 179.

<sup>25</sup>Urrutia, “Can Polygamy Be Compatible with Christianity?,” 177.

<sup>26</sup>Urrutia, “Can Polygamy Be Compatible with Christianity?,” 177.

the woman's right to remain in her marriage (Mt 19:3-9).<sup>27</sup> A wife can never be treated as a cumbersome liability that can be discarded at will. Is it consistent to Christian faith to send away unilaterally a faithful wife who has done nothing wrong on the only motive that she is one too many? Besides, this generates more suffering and creates more social instability.

On another matter, the argument of equal dignity of man and woman is always against polygyny. It makes one wonder whether women have "always been treated as equals and not as inferiors, in monogamous societies."<sup>28</sup> The encyclical *Casti Connubii* (1930) clearly emphasizes the subjection and willing obedience of the wife to her husband.<sup>29</sup> In addition, it recognizes that in matters touching to family and domestic life "there must be a certain inequality."<sup>30</sup> Moreover, abuses of women and children are not characteristic or limited to polygyny.

Some have suggested other pastoral solutions as a reaction: baptism for all spouses or only for the wives, keeping all wives but having sex only with one. But these solutions are either confusing or discriminatory.<sup>31</sup> Eugene Hillman goes further and questions the rationale that connects polygyny and the reception of baptism.<sup>32</sup>

#### 4. What Does the Bible Say about Polygyny?

Conveying all the complexities of biblical treatment of polygamy will necessitate a whole essay. Hence, I can just mention a few points. Nowhere in the Bible is there a single word of condemnation of polygamy, or the affirmation that monogamy is the preferred type of marriage.<sup>33</sup> Passages like Gen 2:24 and Eph 5:21-33 are advanced in

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<sup>27</sup>From here onward see Legrain, *L'Eglise Catholique et Le Mariage En Occident et En Afrique*, 244.

<sup>28</sup>Eugene Hillman, *Polygamy Reconsidered: African Plural Marriage and the Christian Churches*, Maryknoll, N.Y: Orbis Books, 1975, 183.

<sup>29</sup>Pius XI, *On Christian Marriage, Encyclical Casti Connubii* (1930), 26-27, [http://www.vatican.va/holy\\_father/pius\\_xi/encyclicals/documents/hf\\_p-xi\\_enc\\_31121930\\_casti-connubii\\_en.html](http://www.vatican.va/holy_father/pius_xi/encyclicals/documents/hf_p-xi_enc_31121930_casti-connubii_en.html).

<sup>30</sup>Pius XI, *Casti Connubii*, 76.

<sup>31</sup>For further detail on these solutions see Legrain, *L'Eglise Catholique et Le Mariage En Occident et En Afrique*, 255; N. Engelbert Kofon, *Polygyny in Pre-Christian Bafut and New Moral Theological Perspectives*, European University Studies. Series XXIII, Theology, vol. 453 = Bd. 453 = vol. 453, Frankfurt am Main ; New York: P. Lang, 1992, 157-94; Benezeri Kitembo, Laurenti Magesa, and Aylward Shorter, *African Christian Marriage*, London: G. Chapman, 1977, 88-93.

<sup>32</sup>Hillman, *Polygamy Reconsidered*, 204-5.

<sup>33</sup>Kanyoro, "Polygamy," 179.

support of monogamy. The first couple and the union of Christ with the Church are taken as proofs that monogamy is the ideal form of marriage and part of the original project of God.<sup>34</sup> There are at least two key issues with this understanding. First, it is a literalist reading of the Bible.<sup>35</sup> Alternative readings suggest that Gen 1-2 is an affirmation of the divine origin and the heterosexual character of marriage,<sup>36</sup> and that Eph 5:21-33 affirms primarily the reciprocity existing between husband and wife. Second, those who use the metaphor of Christ and the church as proof of monogamy are mistaken at some levels. First, as a metaphor it operates as paradigm and does not establish an equivalence where the husband is Christ and the wife is the church. In addition, within Pauline literature, the Church is portrayed as a corporate personality and a plurality of persons (1 Cor 12:27).<sup>37</sup> Then, this image is borrowed to the Old Testament with God being the husband of Israel (see Hosea, Jeremiah, Ezekiel).<sup>38</sup> Not only in the context of the Old Testament, polygamy was the norm, but the critics of polygyny never mention those passages that “picture Yahweh also as the husband of more than one wife at the same time” (Jer 3:6-10; 31:31-32; Ezek 23:2-4).<sup>39</sup>

In addition, the Old Testament presents us polygynists like Abraham and David as paradigms of faith,<sup>40</sup> showing that the practice of polygyny is not an obstacle for belief and relationship with the true God. The traditional argument is that the polygyny practiced by the patriarchs, judges and kings in the Old Testament was a dispensation.<sup>41</sup> This argument appears to be weak. First, this last word does not appear even once in reference to polygamy. Second, nowhere in the New Testament polygyny is explicitly rebuked to give this kind of argument, what we have is a resounding silence from

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<sup>34</sup>Legrain, *L’Eglise Catholique et Le Mariage En Occident et En Afrique*, 225–26, 246; Hillman, *Polygamy Reconsidered*, 149–50.

<sup>35</sup>Hillman, *Polygamy Reconsidered*, 150, 168. Literalist should not be confused with the literal reading of traditional *lectio divinae* or modern exegesis. The latter seeks to go to the original meaning or to discern the intention of the sacred author. Literalist reading is less nuanced.

<sup>36</sup>Legrain, *L’Eglise Catholique et Le Mariage En Occident et En Afrique*, 225.

<sup>37</sup>Legrain, *L’Eglise Catholique et Le Mariage En Occident et En Afrique*, 225.

<sup>38</sup>Kanyoro, “Polygamy,” 183.

<sup>39</sup>Hillman, *Polygamy Reconsidered*, 147.

<sup>40</sup>Legrain, *L’Eglise Catholique et Le Mariage En Occident et En Afrique*, 225; Daniel Nimcir Wambutda, “Monogamy or Polygamy in Africa: A Biblical Investigation,” *West African Religion* 18 (1979) 76.

<sup>41</sup>Urrutia, “Can Polygamy Be Compatible with Christianity?,” 277.



early Christian authors.<sup>42</sup> The often quoted passages of 1 Tim 3:2, 12 and Titus 1:6 demand monogamy from the leaders of the Church. This could mean that polygamy was fine for everyone else in the same way that in the Eastern churches bishops are celibates while priests are married. Given that the passage itself is interpreted in various ways, nothing conclusive can be drawn here, and certainly not a condemnation of polygyny.<sup>43</sup>

This study is not exhaustive and many other passages and interpretations could be offered to support one point or the other. However, whatever value one puts on polygamy, nowhere it is viewed as obstacle to faith.

### **5. Using *Amoris Laetitia* for a new Pastoral Approach**

The language of condemnation has not slowed down the phenomenon of polygamy, and a refreshed approach is needed. Although AL does not as such address the issue, it contains elements that can help the discernment of local churches in Africa. I shall proceed in two ways. First, I will ground my pastoral approach in mercy advocated in AL and second, I will present ways of proceeding suggested by AL.

Before moving forward, it is important to note that there have been attempts by local churches to renew their pastoral treatment of polygyny. The 1981 directory of family and marriage ministry of the Catholic Cameroonian bishops explicitly deals with the case of polygyny under the “particular situations” rubric.<sup>44</sup> The bishops distinguish various circumstances pushing people to polygyny. In their pastoral approach, they suggest a gender-based approach. Only the first wife – in the case she did not cooperate in her husband’s project – is to be admitted to the sacraments. The bishops suggest that the sacraments are not the only means of salvation that Christ left to human beings.<sup>45</sup> Through charitable work the polygynous husband can redeem himself, but should not play a major role in the local parish’s life. The bishops reaffirm the necessity not to reject

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<sup>42</sup>This silence is strange, because polygyny was practiced by Jews in Jesus’ days, see Kanyoro, “Polygamy,” 180–81.

<sup>43</sup>Hillman, *Polygamy Reconsidered*, 167.

<sup>44</sup>Conférence Episcopale du Cameroun, ed., *L’enseignement Social Des Évêques Du Cameroun 1955-2005: Lettres Pastorales et Messages, Communiqués et Déclarations, Approche Analytique*, Yaoundé: AMA-CENC, 2005, 85–86.

<sup>45</sup>Conférence Episcopale du Cameroun, ed., *L’enseignement Social Des Évêques Du Cameroun 1955-2005*, 85.

polygynous families but to welcome and accompany them. However, they do not suggest any concrete norms.

The 2004 pastoral guide of Christian marriage offers various polygynous situations, but is only concerned with the celebration of the sacrament of marriage and its canonical validity.<sup>46</sup> The bishops of neighbouring Chad have gone a step further in their 2000 directory by suggesting steps for polygynous husbands, and second and third wives for the reception of baptism.<sup>47</sup>

Note, however, that these approaches are limited to the reception of sacraments as if all Christian life was only defined by it and limited to it. Even when the bishops suggest something outside of the sacraments, it is limited to charitable actions, as if the polygynous families should not benefit from a real pastoral outreach. If there are pastoral actions toward prisoners, drug addicts and others, I think that the African church needs to concretize its call on compassion and understanding through a robust pastoral engagement of polygynous families.

### 5.1. Grounds for Pastoral Action

Pope Francis makes it clear that “not all discussions of doctrinal, moral or pastoral issues need to be settled by interventions from the magisterium,” and that “[e]ach country or region... can seek solutions better suited to its culture and sensitive to its local traditions and local needs.”<sup>48</sup> In addition, AL as an exhortation remains limited in its scope and cannot be expected to produce “a new set of general rules, canonical in nature and applicable to all cases” (AL, 300). The church should avoid thinking in “black and white” (AL, 305), which romanticizes monogamy and demonizes polygyny. In a special way AL offers “an invitation to mercy and pastoral discernment of those situations that fall short of what the Lord demand of us” (AL, 6). And for the magisterium as discussed earlier, polygyny falls short of the goal. Polygamy is listed among the challenges to marriage, and it is the only time that AL explicitly mentions it (AL, 53). Elsewhere Francis says that some forms of marriage contradict it partially, and polygamy fits among that since the church considers that it lacks the

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<sup>46</sup>Conférence Episcopale du Cameroun, ed., *L'enseignement Social Des Évêques Du Cameroun 1955-2005*, 256–60, 273–82.

<sup>47</sup>Legrain, *L'Eglise Catholique et Le Mariage En Occident et En Afrique*, 251.

<sup>48</sup>Francis, *Amoris Laetitia*, Vatican: Libreria Editrice Vaticana, 2016, 3, [https://w2.vatican.va/content/dam/francesco/pdf/apost\\_exhortations/documents/papa-francesco\\_esortazione-ap\\_20160319\\_amoris-laetitia\\_en.pdf](https://w2.vatican.va/content/dam/francesco/pdf/apost_exhortations/documents/papa-francesco_esortazione-ap_20160319_amoris-laetitia_en.pdf). (Hereafter, AL).

unitive characteristic (AL, 292). However, Francis considers that the church should not “disregard the constructive elements in those situations” (AL, 292) that do not square with its teaching. For instance, in polygamy, one should recognize the emphasis of procreation, indissolubility and covenantal marriage as positive elements. Although Francis does not list polygyny among the irregular situations, as we have seen earlier some local churches in Africa do, and hence whatever AL says of these situations may apply in the case of polygyny. Moreover, the church is like a “field hospital” (AL, 291) dealing with all kinds of sick people, and one cannot imagine that polygynous households fall outside of that scope. The Lord Jesus himself clearly states that he did not come for the righteous but for sinners, and that it is the sick who need the physician’s help (Mk 2:17).

The church’s practice is grounded on mercy. AL reminds that the practice of the church is not perpetual condemnation (AL, 295). There is a warning to avoid amalgamating and generalizing judgments that fail to take into consideration the particularity of each situation (AL, 296). Everyone taking part in the life of the church is concerned by the appeal to mercy, even in polygynous families (AL, 297). “It is a matter of reaching out to everyone, of needing to help each person find his or her proper way of participating in the ecclesial community” (AL, 297). The balm of mercy reaches believers as well as those outside of the church (AL, 309). In virtue of the fact that Christians show mercy, because God showed them mercy first (AL, 310), mercy needs to be accompanied by the virtues of humility and patience. “The Gospel itself tells us not to judge nor to condemn” (AL, 306).

## **5.2. Some Guidelines for Pastoral Action**

A key reminder is that the application of mercy to exceptional situations does not water down the ideal, or as Francis puts, it does not mean “dimming the life of the fuller ideal, or proposing less than Jesus offers to the human being” (AL, 307). It is not a way to normalize “irregular” situations. This enlightens the discernment that is carried out and draws the line between genuine compassion and outright complacency.

AL follows in the footsteps of Pope St John Paul II and recommends the “law of gradualness” (AL, 295). The latter, also called “step-by-step advance” (FC, 34) is a subjective principle, and is a permanent and continuous process that entails personal growth and

continuous conversion (FC, 9, 66). This law recognizes that human beings are dynamic and capable of growth, and that people are different and at various stages of personal and spiritual growth. This progress is not linear, but it acknowledges the presence of sin in people's lives (FC, 34). As we grow in self-understanding and in understanding of others, the same is true in our apprehension of the revealed mystery of God in our lives.

Another principle to consider as a consequence of gradualness is the degree of responsibility of the parties involved. Indeed, "since 'the degree of responsibility is not equal in all cases', the consequences or effects of a rule need not necessarily always be the same" (AL, 300). In acknowledging that the degree of responsibility varies across individuals, AL suggests that mitigating factors should be taken into account (AL, 301). These factors limit the ability of the person to make sound judgment or exercise virtue (AL, 301). The fact that someone knows the rule is not enough, because he/she may not grasp its full implications, or may find himself/herself in a concrete situation that prevents him/her to act in a way consistent with the rule (AL, 301). This could be for instance the case of a baptized Christian reverting to polygyny, despite knowing the church opposition to polygyny. Someone may possess the theological virtues and fail to exercise virtue as pointed by Aquinas (AL, 301). Among the factors and circumstances that mitigate personal responsibility, there are: "ignorance, inadvertence, duress, fear, habit, inordinate attachments, and other psychological and social factors," and "affective immaturity, force of acquired habit, conditions of anxiety" (AL, 302). Hence, "a negative judgment about an objective situation does not imply a judgment about the imputability or culpability of the person involved" (AL, 302). In other words, it is important to distinguish the practice (polygyny) from the people involved in it. This demands from pastoral agents and ministers constant discernment and a move away from ready-made answers and solutions. Concerning polygyny, one should be able to distinguish between the types of polygyny (high, ordinary), baptized and unbaptized polygynous spouses, their age, location, background, status and other relevant circumstances. Discernment coupled with compassion keeps one from "aggravation or unduly harsh or hasty judgments" (AL, 308).

In addition, AL invites the community to integrate (AL, 312). This attitude, which goes together with understanding, forgiveness,

accompaniment and hope (AL, 312), must go beyond the “half-way policy,”<sup>49</sup> which does not formally reject or fully welcome polygynous spouses. More than opening their hearts, the Christian communities are “to enter into the reality of other people’s lives” (AL, 308). Polygynous families made of Christians or of catechumens must live according to Christian values such as charity, truth and equal respect of everyone’s dignity. Parents should be sensitized on responsible parenthood, and to give their children the proper care they deserve and not discriminate. They also need to take part in the activities of the parish and their small Christian communities. It is important to maintain a gender-based approach that targets women’s needs that are overlooked in polygyny.

AL has a limited approach since it does not suggest a pastoral strategy addressing the causes of irregular family situations. The image of the field hospital evokes a response to an exceptional situation or an emergency, while most of the situations concerned (divorced and remarried, polygamy) are common phenomena depending on societies. There is a need to act ahead so as to curb these situations. The church response should go beyond simply assessing the effects, and also tackle the root causes.<sup>50</sup> Marriage and childbearing are important for men and for women. However, the attitude of African society by making it “the ultimate goal and fulfillment,”<sup>51</sup> puts unnecessary pressure on women especially to get married at all costs. There is a sense of failure on a woman who is both unmarried and childless in African communities. A necessary reassessment of attitudes toward celibacy and childlessness is needed.

More important, one cannot deny that polygyny is rooted in an environment where gender stereotypes and prejudices against women abound.<sup>52</sup> It is not enough to preach about the equality of men and women; the church should also preach by example through the appointment of women in key pastoral positions in local churches, and by integrating them into the elaboration of teachings on the family. A sound pastoral program on polygyny cannot be made without giving voice to women’s perspectives.<sup>53</sup>

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<sup>49</sup>Hillman, *Polygamy Reconsidered*, 204–5.

<sup>50</sup>Kanyoro, “Polygamy,” 175.

<sup>51</sup>Kanyoro, “Polygamy,” 175.

<sup>52</sup>Kahiga, “Polygamy,” 141–42.

<sup>53</sup>Legrain, *L’Eglise Catholique et Le Mariage En Occident et En Afrique*, 249.

## 6. Conclusion

Even the critics of polygyny can agree that the church's negative discourse and strategy against polygamy have failed.<sup>54</sup> Polygamy is alive and well in today's Africa and is not going to disappear soon. The Bible does not condemn it and to the contrary, it presents us polygamists like Abraham and David as models of faith. This demonstrates not only that polygamy is not an obstacle to faith, but also that it is not the evil that has been often depicted. The African polygyny has nothing to do with the harem type of polygyny. I argued for more comprehensive and positive approaches that are not limited to the reception of sacraments. Regardless of what one thinks about polygyny, there is a need of pastoral care aimed at polygynous families, and also a necessity to integrate those in the life of the local Christian community. That strategy needs to be more gender sensitive and recognize that many women end up as unwilling participants in polygamous marriages. AL by grounding its pastoral practice on mercy, discernment and gradualness helps address the question at hand. The goal here is not to give a seal of approval of the practice of polygyny, but to exhort pastoral agents to distinguish between the practice – that the church disapproves – and the people involved in it who still need the care of the church. This means paying attention to particular cases and circumstances, and avoiding blanket condemnation. It is about welcoming people, and helping them grow. However, AL's scope is limited to the individuals already in complicated situations and a holistic pastoral approach needs also to tackle the root causes of those complicated situations like polygamy. This approach looks at the society at large, and must question the value put on marriage and fertility – beside the issue of gender dignity and equality –, the main causes that drive polygyny in Africa. A holistic strategy needs to help people understand marriage and childbirth as vocations and gifts from God, and not ends in themselves. Moreover, a pastoral strategy aimed at polygamous families cannot exist without pastoral ministry for the single-parent families, the involuntary celibates and childless people.

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<sup>54</sup>Kanyoro, "Polygamy," 186; Urrutia, "Can Polygamy Be Compatible with Christianity?," 290.