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THE MARRIAGE INSTITUTION IN GHANA AND ECCLESIAL MEMBERSHIP

Moses Asaah Awinongya, SVD[♦]

St Augustin Hochschule, Germany

Introduction

Until the arrival of Islam and Christianity on the soils of Ghana in the 15th Century the social life of the inhabitants and their conception about the universe and the place of the human person in it were directed by the perceptions inherent in the religious practice of the so-called African Traditional Religion.¹ In the traditional society of Ghana religion is considered as an integral part of the very core of daily life. The introduction of other religions and religious practices brought about a mix in the landscape. On one side of the coin, new perspectives and flavour are brought into the religious landscape of the country, thereby widening the horizon of the inhabitants. On the other side of the coin is the tension created through the encounter or clash of cultures. Islam and Christianity came into the country with the cultures of the respective countries of the missionaries thereof. This situation created strain among the religions, which was especially pronounced between the African Traditional Religion and Christianity, since the latter considered anything traditional as fetish and devilish. The indigenous cultures were thus supposed to be abhorred by all those who got converted to the new religion. On their parts the non-Christians regarded those who professed the new

[♦]**Dr Moses Asaah Awinongya SVD** hails from Ghana and is a catholic priest and belongs to the German Province of the Society of the Divine Word. He teaches systematic theology at the Phil.-Theol. Hochschule, St Augustin, Germany. His special area of interest is contextual theology. Email: mosesasaa@yahoo.com

¹Cf. Max Assimeng, *Religion and Social Change in West Africa. An Introduction to the Sociology of Religion*, Accra, 1989, 68.

religion as outcasts. In respect of the Christian religion, the phenomenon could be summarized as follows:

the Church from its earliest days has exercised a dual influence on society; on the one hand it has been a differentiating influence separating men and women from old ways, and on the other it has been an integrating influence bringing men and women together and providing power for unifying society by giving that inner core of unity to life which makes men and women proof against the stresses and changes in human society.²

The life of the adherents of a religion in question is governed by norms particular to it. There are also criteria for the admission of new members and for exclusion. In the African traditional religion membership takes place either through marriage or birth. There is no conversion. The same is not true with Christianity or Islam, whereby membership takes place through baptism or a rite of initiation. The topic under examination in this paper is the issue of belonging to the fold of the Catholic Church with special attention to the Church in Ghana. An integral component of Christian life is witnessing the gospel to all people, irrespective of language, culture, race and social range. Through the proclamation of the Good News of Christ conversion takes place which culminates in baptism. The life of the Church in Ghana indicates that not all who request for the sacrament are accepted for it. This is the case of those men and women who, before knowing Christ were already in polygamous relationships. The Christian understanding of the love of God for his children is analyzed in this paper. Further to that implication of such an action on human dignity is undertaken, paying special attention to the understanding of a person in the Ghanaian cultures.³

Marriage: The Ghanaian vs. Christian Understanding

Marriage plays a very important role in the Ghanaian society. Among other things, it serves as the fundamental ground where social relationships are legitimized and it is also the traditionally sanctioned institution for procreation and the oldest form through which families are built. The bringing forth of children into the world

²This statement was made by L.J. Lewis, who was with the Colonial Department of the University of London Institute for Education. See Max Assimeng, *Religion and Social Change in West Africa*, 96.

³I am intentionally using the word Ghanaian cultures because the country does not have a unified culture. Even if some of the cultural elements look similar, the plural form pays respect to the colourfulness of the cultural landscape.

is the Ghanaian surest way of ensuring the continuity of the family tree. "It is the acceptable social structure for transmitting life, the life that preserves that vital force of humans, families and clans."⁴ A wedlock which does not produce children has no good chances of continuity. For the family of the bridegroom marriage involves an increment in the number of family members and that also means augmentation in the labor force of the family, first of all through the woman who comes in and secondly through the offspring. It is in this respect that children are seen as the true riches of a family head. Polygyny⁵ as a marriage type – a man with more than one wife – finds its grounds in this point.

Another important component of marriage in Ghana is that it has a communitarian character. Even though the interpersonal relationship of the couple cannot be overruled, marriage brings families and communities together and is the surest form of cementing social relations⁶ and ensuring lasting peace between communities and families. The opposite is true: in times of divorce the relationship will be severed. A couple may thus not abrogate a marriage seal without involving the eldest of the families or clans of the partners involved. Whereas animosity between two families could be a reason for two lovers not getting into marriage, the latter could also be a reason for restoration of peace. It is, therefore, not surprising that kings and chiefs sometimes get wives as "gifts" from chiefs of other towns and villages, who use this form as a means of establishing friendship and peace.

In the Ghanaian society marriage has its anchor in God, the giver and sustainer of life. The marriage ceremony thus always has a religious component. The traditional Ghanaian marriage has three

⁴Laurenti Magesa, *African Religion: The Moral Traditions of Abundant Life*, Nairobi, 1998, 110. See also K. Fiedler, *For the Sake of Christian Marriage: Abolish Church Wedding*, in J.L. Cox, ed., *Rites of Passage in Contemporary Africa: Interaction Between Christian and African Traditional Religion*, Cardiff, 1998, 46-63.

⁵Polygyny is used as a form of polygamy. The opposite is polyandry, which is the situation where a woman has more than one husband at a time. The differentiation is made here in order to pay attention to different ways of living out polygamy. A similar differentiation can be found in the first letter of St Paul to the Corinthians, where St Paul refers to a man avoiding polygyny and the woman polyandry: "[...] Yet to avoid immorality every man should have his own wife and every woman her own husband" (1 Cor 7: 2).

⁶Cf. Gerald K. Tanye, *The Church-as-Family and Ethnocentrism in Sub-Sahara Africa*, Münster, 2010, 310 and L. Magesa, *African Religion*, 110.

aspects: personal, communal and divine. Each of these factors is very important. A point worth considering is that, one does not have to go through conversion to be able to marry someone who practices the Traditional African Religion. The determining factors are social relationships between the two families and/ or clans, prevalence of good manners/character in both families and non-existence of certain type diseases.

The Christian marriage is understood as “the intimate partnership of life and sharing of love” between two adults, namely, man and woman, which is based on an “irrevocable personal contract.”⁷ The Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes* of the Second Vatican Council categorically states that the marriage state has been established by God and the laws governing it are also laid down by him.⁸ This statement concretely designates the marriage institution as one with a divine origin.

The acceptable type of marriage is monogamy, which the pastoral constitution describes as a picture which best depicts marriage and family life. The document goes further to enumerate factors which destroy this beautiful picture and one of them is polygamy.

In case one partner is non-baptized, the Catholic Church may permit a marriage between the him/her and the baptized Catholic partner, without the former necessarily getting converted. The difference lies in the religious practice and education of the offspring: the children have to be baptized and brought up in the Catholic Church and faith respectively. In the African Traditional Religion the Catholic partners are allowed to practice their faith, with little or no interference from their non-baptized ones. The difficulty arises when the non-baptized partner is the man. He may need support from the woman when pouring libation. In this case the family can be torn apart. The expectation is that the Catholic partner, who has embraced the new form of life in Jesus, will remain faithful to the new way and not mingle in religious practice of the partner. However, if the man happens to be the one in charge of pouring libation, but does not get support from his Christian partner (in the form of cooking the food for the sacrifice), then he could be obliged by circumstances to marry a second one. This is one situation where religion can be the cause of

⁷Pastoral Constitution on the Church in the Modern World, *Gaudium et Spes* (hereafter GS), 48.

⁸GS, 48.

the disruption in the cohesion and social relationships that hitherto existed in a particular society and culture. The phenomenon could even lead to a divorce.

Marriage and Membership in the Church-Family

Just like every human institution, a religious community also has its boundaries. A person thus either belongs to it, for instance through birth and the associated socialization, through conversion or he does not belong to it. Marriage is also one means of increasing the membership of a religious community. In the traditional Ghanaian family, where life is governed by *belonging to a common ancestral shrine*, there is no conversion and the role of the woman is to help her husband prepare the items necessary for the sacrifice, which will be offered to the ancestors for onward transmission to the Supreme Being. A woman who does not belong to the family can, therefore, not take up this responsibility. The same regulation holds for a non-Christian female partner – she will not be expected to participate in activities pertaining to sacrifices brought to the ancestors. This is because she belongs to another religious tradition and/or family. Two things are observable here: in case the woman does not have her own religious practice before the marriage, she automatically participates in the African traditional religion. If, however, she does, then the freedom is granted to her to go on with the former religion. In any case there is a clear-cut dichotomy: a person can belong to or practice only one religion at a time. An option of one means a forfeit of the other. Who may belong to the Church?

Being a Member of the Church

Generally members of the Church are those who profess their faith in Jesus Christ, the risen Lord and have been initiated into the community through the sacrament of baptism. In response to the question concerning the membership of the community called Church, Pope Pius XII stipulated in his encyclical *Mystici corporis Christi*, that those who are really (*reapse*) members of the Church of Christ are those who have not withdrawn themselves from the unity of the Church.⁹ Church should be interpreted here to mean the Roman Catholic Church. *Mystici corporis Christi* sets out clear boundaries for identity and communal life. However, an implication is embedded in it: the definition has the potential of distorting the

⁹Pius XII, Encyclical letter *Mystici Corporis Christi*, 29th June 1943, 22.

import and content of the apostle creed. At all times one has to bear in mind the difference between *credo in Deum Patrem..., in Jesum Christum... in Spiritum sanctum* from *credo Ecclesiam*. It is a belief in the one true God through Jesus Christ and in the Holy Spirit. This Spirit works through the Church, which is a community of believers in the resurrected Christ and a community of worship. In this context we experience the Church's divine origin and foundation.¹⁰ Whereas the belief in the Holy Triune God is "*credo in ...*" the belief in respect of the church is "*credo ecclesiam*" without "*in*". The differentiation helps put the divine authority higher than the instrument – here the Church – that is being used to fulfil God's mission on earth. In any case, one can only withdraw himself or herself from the Catholic Church, if the person hitherto belonged to it, which is only possible through baptism.

The code of canon law stipulates that only the person who has not yet been baptized, may receive baptism. It is the first initiation into the Church-family and the formal act of belonging to the Church. The stipulation of the canon above indicates that those who profess their faith in Jesus Christ and expressly ask for baptism may be baptized. It could be deduced that refusal to baptize a seeker may not necessarily have to do with lack of conversion on the part of the candidate but rather the denial may be related to political, social and historical developments peculiar to the particular. As a matter of fact, the refusal of a minister of the sacraments to baptize a candidate who sincerely seeks the sacrament is a reversal of the stipulation of *Mystici corporis Christi*, the Church refuses the individual communion with

¹⁰Peter Neuner illustrates this divine origin by analyzing the word in the Germanic languages. He goes further to show the human hand that is also at work in this institution called Church. He says: "Dieser Doppelaspekt: Herkunft von Gott und menschlicher Einrichtung und Gemeinschaft, kommt auch in der Etymologie zum Ausdruck. Die in den germanischen Sprachen verwendeten Begriffe: *Kirche*, englisch *church*, niederländisch *kerk* leiten sich her vom griechischen *kyriakón* bzw. dem volkstümlichen griechischen Wort *kyriaké*: Haus Gottes, Herrenhaus. Hier steht im Zentrum der Aspekt der Tat Gottes, seine Berufung." See P. Neuner, *Die heilige Kirche*, 2002, 9. In the above mentioned form, however, the human aspect is expressed. It is a godly establishment without the work of human hands. A closer look at the word in Italian (*chiesa*), French (*église*) and Spanish (*iglesia*) reveals another component of the concept. From Greek *ekklesia*, which has found its way into Latin (*ecclesia*), the element of Church as assembly, a congregation or community comes into play. The religious element seems to have disappeared from here. For *ecclesia* as such denotes the coming together of the citizens of a state or city, the purpose of which must not be religious in nature.

the Holy Triune God through active participation in the life of the Church. In any case the fact remains that, there are many more people who desire to belong to the Church; who desire to confess that Jesus Christ is Lord; people who would want to go beyond the boundaries of their biological families to build a communion of brothers and sisters with other children of God from other cultures, languages and nations. These people cannot do so because they lived in a particular tradition and practiced a particular religion.

Returning to the ecclesial life in Ghana, a situation is found whereby certain groups of people are categorically excluded from becoming full members of the Church. This is especially the case with persons converting from Islam and the Traditional Religion and hitherto lived in the so-called polygamous marriages:¹¹ this phenomenon applies to both men and women. The present practice of the Church in Ghana is that if the man is not prepared to dismiss the other wives or if the second and third wives are not ready to leave their man then they would not be baptized. Only the first wife may be accepted for baptism without any problem, however, with the consent of her husband. This is irrespective of the stipulation in can. 864 of CIC 1983. These are people who hitherto either belonged to another religion or were simply not baptized. No matter how deep the desire is to receive the sacrament, they won't be allowed to receive it because of the type of marriage they have gone into. No one hinders them from offering the Church communities their services or participating in social and communal activities of the parish nor does anyone refuse to take the Church dues they pay. They may only not be baptized nor be given Christian burial. The Church-family literally refuses new members and that means it refuses re-birth in the Spirit and/or it selects who may be given the rebirth. This practice is against the cherished value of love for life of the Ghanaian traditional family. Will such unbaptized be called brothers and sisters, cousins or visitors in the Church that they dearly wish to be accepted into?

The author of this study is no supporter of polygamy and does not propose that monogamy as a Christian value should be undermined. It is, however, worth considering the marriage form from another perspective. The Christian teaching uses the relationship between

¹¹Moslems and adherents of the African Traditional religion in Ghana may marry more than one wife. The laws of the country allow this practice, thereby making it possible for all the women to inherit the man upon his death.

Christ and his Church as the symbol characterizing Christian marriage. The consequence is that if someone is to join the Church, this principle has to be applied to the letter. It would thus mean that a man in a polygamous relationship has two options: to send the other wives away in order to be baptized or to keep them all but none of them (except the first wife) may be baptized. If he opts for sending the other wives away the families of these women would have to pay back the dowry with the corresponding economic implications. He will also automatically lose the children. Furthermore, since marriage in the traditional Ghanaian society is not between individuals only but rather involves families and clans, a divorce would also mean lasting enmity between them. If this phenomenon should continue, then the critics of the Church come to have their position confirmed, namely, that the Christian religion has brought dissension into the Ghanaian society. The role of the Church is to bring the scattered children of God into the one fold and baptism is the sacrament of initiation into the aforementioned fold.

In *Ecclesia in Africa*, no. 74 Pope John Paul II wrote that there are millions in Africa today who are still not evangelized. Therefore

the Church is faced with the necessary and urgent task of proclaiming the Good News to all, and leading those who hear it to Baptism and the Christian life... For the baptized the great challenge will always be that of leading a Christian life in conformity with the commitments of Baptism, the Sacrament which signifies death to sin and daily resurrection to new life (cf. Rom 6: 4-5).

Baptism, he says,

is not simply a seal of conversion, a kind of external sign of indicating conversion and attesting to it. Rather, it is a Sacrament which signifies and effects rebirth from the Spirit, establishes real and unbreakable bonds with the Blessed Trinity, and makes us members of the Body of Christ, which is the Church. Therefore a journey of conversion that did not culminate in Baptism would stop half-way.

If the statement from Pope John Paul II is to be taken literally and seriously then the Churches in Ghana will have to reconsider the current practice of denying certain members of the society this very important sacrament of initiation. It is possible that Jesus is looking for an opportunity to make these "seekers" find life through him as he did to Zacchaeus. Jesus said to him, "Today salvation has come to this house, because this man too is a son of Abraham, for the Son of man has come to seek out and save what was lost" (Luke 19:9). The

Church participates in the mission of Christ and this includes seeking out the “lost” and leading them to the one who is the Way, the Truth and the Life.

Another aspect worth considering is the perception of polygamy as perpetual sin rather than seeing it as cultural value. If all those in such relationships are living in perpetual sin, it implies automatically that their children are also products of sin. Such a mentality may lead to a misconception of what the Church proclaims, namely, that God loves all people equally and his mercies are without end. Monogamy and polygyny are values of two different cultures – Western and African. In this case ecclesiological discussions would have to take place, paying attention also to this important element in the traditional Ghanaian (or African) family structure. Further to the theological discussions is the development of a pastoral approach that addresses this problem, with the aim of making the Christian message find a home in the hearts of the ordinary people. It is thus a challenge to the bishops in Ghana to seek a particular canon law with a concrete ecclesiological substance for the country – an ecclesiology that embraces all children of God and shows love for life. Some people in polygamous relationships also desire to participate fully in the life of the Church and to experience a completion to their journey of conversion. Unfortunately, they are being refused this opportunity of receiving life in Jesus Christ through the active profession of faith in him. This seems to put a stain on the image of the Church as lover of life.

If baptism is very important to make the conversion a complete one, if it is the Sacrament that signifies and effects rebirth in the Spirit, if it establishes the real and unbreakable bonds with the Holy Trinity, the doors of the Church should be made accessible to all who seek God with sincere heart and will like to be part of the community of believers in Jesus. *Gaudium et Spes* reiterates that the human person owes his existence to God who created him through love. “He cannot live fully according to the truth unless he freely acknowledges that love and entrusts himself to his creator.”¹² The duty of the Church lies in the evangelization of peoples so that they may come to seeking this union with God. The recipients of the gospel message have the task of opening up their hearts and letting the seed of the Good News grow and bear fruits. The divine command reminds that those who believe

¹²GS 19.

in Jesus are to proclaim the good news to all human beings and those who believe are to be baptized in the name of the Father and of the son and of the Holy Spirit (Mt 28:20). The argument in *Ecclesia in Africa* is that baptism as “new life [...] also involves certain breaks from the customs and culture of whatever people in the world, because the Gospel is never an internal product of a particular country but always comes from outside, from on high.”¹³ It goes without saying that the gospel message reveals the true nature of God in us and the purification of the heart is done by the power of the Holy Spirit.

Conclusion

As hinted above, this problem also has a pastoral connotation. Polygyny and monogamy are two values appealing to two respective cultural and religious systems: the Ghanaian traditional culture/religion and the Church/Western culture, respectively. To allow the baptism of the man and of all the wives would mean the acceptance of polygyny in the Church. This could have other implications in canon law and understanding of the sacraments. Not to allow them to be baptized will also mean a denial of their full membership of the family of God, which is discrimination in no uncertain terms and a sign of disrespect of an important element in the traditional Ghanaian family structure and system. It could be argued that the Church should concentrate on bringing the people to believe in the Word of God, rather than attempting to sacramentalize its life. This would, however, amount to a contradiction in terms to the statement made by Pope John Paul II in *Ecclesia in Africa* that baptism brings the cycle of conversion to completion. It would also make baptism lose its importance since it is the sacrament of initiation into the Church. If on the other hand those husbands and the “Not-first-wives” in polygamous families are non-members, the essence of the proclamation of the word of God would be questioned. God is father also to these people too and so they should not be punished because they were not fortunate enough to be born into a certain religious tradition and cultural setting called Christianity. It would also be an exploitation of these people, if the Church accepts their material and human resources but refuses their full participation and membership in the Church.

¹³*Ecclesia in Africa*, 74.

As much as this argument may have weight, the fact remains that the first sacrament of initiation in the Church is baptism and many people are yearning for it.

Baptism is not only an act of initiation but also a sign of repentance. Since through the act of rebirth sins are also forgiven, refusal to baptize those in polygamous relationships is a denial of such people to experience the love and mercy of God at the bosom of the Church. Using the case of "living in perpetual sin" as an argument for the denial of baptism would mean throwing dust into the eyes of the people. It is rather a sheer demonstration of lack of courage to tackle this cultural issue, which has also great theological explosiveness. The consequence of the prevailing sacramental practice is that the statistics of the Church in Ghana represent only a fraction of those who believe in Jesus, attend liturgical celebrations and participate actively in other aspects of the Church's life. It does not include those non-baptized but "active or non-active participants." An important theological issue to consider is the status of these polygamous relationships who are allowed to participate in the social but not in the sacramental life of the Church. We are talking here about two set of issues: being or not being a member of the Church and the circumstances surrounding the particular status. The Church in Ghana has a God-given responsibility to integrate all children of God into one family and to give all human beings the dignity that is due them. To be able to preach with a prophetic voice that all human beings are equal before God and that there are no non-persons, the Church needs to revise its life by listening to the voice of all those who seek communion with God and his Church.