

## Announcements before Marriage

Under the operating decisions, the marriage ceremony is preceded **with announcements**<sup>1</sup> (or: "notifications", "asking in church") which is made after the Liturgy<sup>2</sup> on the three nearest Sundays and other holidays coming between them, (Svod Zakonov [Code of Laws], X vol., 1 part, 26 items). In this announcement the priest, the deacon or the psalm reader declares in public that such persons wish to marry and on behalf of the clergy asks whether anyone knows what lawful obstacles there may be to their wedding<sup>3</sup> (see Instruksiia blagochinnim [Instructions for Deans], § 19). After the announcement, anyone having knowledge of obstacles to the marriage is obliged to let the priest know about that in writing or orally, immediately and in any way before the last of the three announcements are made in the church (Svod Zakonov [Code of Laws], X vol., 1 part, 27 items). If within two months after fulfillment of the last of the three announcements, the marriage is not done, then obstacles to marriage may appear during this time that have not occurred before (for example, relationship owing to the marriage of related persons concerning the announcement which was made), is why it is required that announcements be repeated when the same persons will again express the desire to marry. Without repetition of announcement, the wedding is done only with the permission of the diocesan Hierarch (Rudder chapter 50).

If the groom or the bride belongs to another parish, then the announcement should also be made in that parish church (see Svod Zakonov [Code of Laws], vol. X, part 1, article 26).

If any of those being married belongs to one of the non-Orthodox Christian confessions, then the announcement should also be made in the heterodox parish church of the groom or the bride, and the heterodox ecclesiastic should notify the Orthodox parish priest on the announcement consequences by an official (with the application of the church seal) document, with an explanatory note that no obstacles to the marriage have appeared<sup>4</sup> (Uk. Sv. Syn. [Decrees of the Holy Synod], 8 January 1819). But the marriage of a Roman Catholic person with an Orthodox person may be announced only in the Orthodox Church, and in such cases it is required that Roman Catholic persons entering into marriage with Orthodox persons have presented to the clergy of the Orthodox Church, in which the announcement must be completed instead of the parish premarital certificates of the Roman Catholic priest, the certificate of the local police of their illegitimate status and their ability to enter into marriage<sup>5</sup> (Uk. Sv. Syn. [Decrees of the Holy Synod], June 21, 1891, № 7; Svod Zakonov [Code of Laws], vol. X, part 1, after the supplement of 1893, note 2 for article 67; vol. II, Obshchestvo Uchrezhdenie Guberniia [Society of Provincial Institutions], publ. 1892, article 681, item 32).

The three-week **term** put on the **announcements** can be reduced to a week if between Sundays there are major or local major feasts, on which the attendance of the people will ordinarily be large, in the extreme measure, is not less numerous than on Sundays and on which, therefore, it is permitted to make announcements (see Rudder, chapter 50; Uk. Sv. Syn. [Decrees of the Holy Synod], 15 Aug. 1775, in the Polnoie Sobranie Zakonov [Full Collection of Laws], № 14356). In article 26, part 1, vol. X of the Code of Laws it is directly authorized to

make announcements, except on the three closest Sundays, and in "other, meetings between these other festal, days". But, it is self-understood, that to make the second or third announcement (after Vespers, Matins and the Liturgy) on one Sunday or holiday, means to violate the requirement of the law and to subject oneself to responsibility for this<sup>6</sup>.

The bishop has the right to decide the crowning of marriages even without the preliminary threefold notification in the church<sup>7</sup> (*Prakticheskoe izlozhenie tserkovno-grazhdanzki postanovlenij* [Practical declarations of church-civil rulings], p. 101).

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<sup>1</sup> In the *Svod Zakonov* [Code of Laws] (vol. X, part 1) after the article concerning the notification of the priest by the groom about his desire to marry (see p. 1073 above) follows the article (26), where it says: "under this notification message the announcement is made in the church... and after that the search" is made. Thus **announcements can begin** immediately on the nearest Sunday or holiday, without waiting for the presentation of documents by those being married (see *Samarskiiia Eparkhial'nyiia Vedomosti* [Samara Diocesan News] 1898, 1). If there is doubt in the person being married, then the announcements should not be made earlier than, as after presentation of the marital documents on their person (See *Tserkovniia Vedomosti* [Church News] 1898, 42).

<sup>2</sup> Although the clergy also knows full well that obstacles to the marriage are not present, the triple **announcement is obligatory**, as per the Rudder only the Bishop can permit the wedding without the preliminary threefold announcements (*Tserkovnyi Viestnik* [Church Messenger] 1892, 15; 1898, 33; *Kishinevskiiia Eparkhial'niia Vedomosti* [Kishinev Diocesan News] 1893, 1-2; refer to pp. 1129-1130).

For the fulfillment of marriage without the observance of the ordered announcement and other cautionary rules, when on this there was no particular permission, Orthodox (and non-Orthodox) priests are subject for the first time to more or less strict reprimands; and for the second time, dismissal from a post, with a prohibition to allow them again for the parish. Priests, who have married someone who came temporarily to their parish without the necessary certificates, are subject to the same punishment as if this person is not married (*Ulozhenie o nakazaniikh* [Criminal Code of Laws], article 1577). If a marriage, crowned without the preliminary publicity and without observance of other premarriage precautions, appears illegal, then the clergy is subject to punishment according to articles 188, 189 and 190 of the *Ust. Dukh. Kons.* [*Ustav of the Spiritual Consistory*], depending on which causes the marriage will appear illegal - whether because of insufficient age of those being married or because of relationship and so forth.

Clergy, who married persons who have presented all the necessary documents and certificates for the announcements, made in another parish (in the local or another diocese), but appeared after as relatives in the degree prohibited for marriage, are subject to punishment if the announcements have not also been made in their own church, - thus, of course, it is a condition that those being married are among his parishioners, on the other hand there also may be a question on the responsibility of the clergy for doing the marriage of other parishes (*Tserkovnyi Viestnik* [Church Messenger] 1898, 1).

If the priest dared to do the marriage before which there were no announcements, then the other members of the clergy should declare to the priest that they will not participate in the fulfillment of this marriage in order not only to become responsible for this, but also equally to warn the priest, perhaps, not knowing that he is liable to whatever danger, allowing the significance of marriage. The legality of similar actions of members of the clergy is based on the individually responsible position of all of them in relation to incorrectly and illegally crowned marriages (*Tserkovnyi Viestnik* [Church Messenger] 1897, 35, 50).

<sup>3</sup> According to the Rudder, the announcement is made by the priest (50th chapter). Precisely as well in the "Manual for the priest, how to execute the search", says that the announcement is made, "by the priest standing on the ambo after the Divine Liturgy, just before the dismissal". Thus in same "Manual" the following **form of announcement** is indicated: "Let it be known to you, Orthodox Christians, who are found here in the temple of God, that (name), being single or widowed, and seeking a wife wishes to enter into a legal marriage with (name), a single woman or widow into such marriage. You need to declare whether there are any legal obstacles between these persons as to the fulfillment of their marriage. This is revealed to you for the first time (if it was the first notification), or - for the second time, or - for the third time" (p. 2 on the other hand also p. 3).

The *Svod Zakonov* [Code of Laws], ordering to make the announcements in church, does not specify, who exactly from the members of the clergy and in what form the oral statements should take in the church announcements is why in practice that and the other, ordinarily, depends on the priest as the rector of church, and the uniformity is observed only in the respect that the announcement is certainly made by whomever of the members of the clergy and that in this or that form of this announcement, agree with the merits of case and the written *Instruktsiia blagochinnim* [Instructions for Deans] (see § 19), necessarily publicly appears in

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the church about the persons, having enter into marriage, and it is asked, whether anyone knows what kind of or legal obstacles to the marriage of these persons.

Some say that in other districts there is a custom, owing to which if the entry into marriage is the so-called "covered", then in the church marriage announcement are said so: "such that (name) wishes to marry such maiden with covering". Relative to this it is necessary to notice that if the crowd also marks the sinful maiden with the name "covered", then nobody has the right to stigmatize her with this shameful name in church during the marital announcements.

The "Tserkovnyi Viestnik [Church Messenger]" explains that the legal instructions are not relative to this, whether it follows to divide the **money, entering after the announcements**, among all the clergy or should they go only to the psalm reader reading announcement (Tserkovnyi Viestnik [Church Messenger] 1897, 9).

The occasion of this explanation needs to have in view that there are no legal bases to also take payment for announcements. The custom of collecting this payment is not universal.

<sup>4</sup> This certificate should be indispensable, either written **in Russian** or supplied with a Russian translation legally certified by the local authority (Prakticheskoe izlozhenie tserkovno-grazhdanzki postanovlenij [Practical declarations of church-civil rulings], p. 100; refer to note 2 on p. 1123).

The Simbirsk diocesan authority announced to the priests of the diocese that during **the marriage of Orthodox with Lutherans** they each time address the Simbirsk Lutheran pastor for the fulfillment of the announcement (Simbirskiiia Eparkhial'niia Vedomosti [Simbirsk Diocesan News] 1896, 8).

<sup>5</sup> The local police, at the **delivery** of the remembered **certificates**, are guided by the metrical certificates about the birth of such persons, passports, legitimate books and other residence permits, but at the proved impossibility to present such documents and the indication no less of two authentic witnesses (Uk. Sv. Syn. [Decrees of the Holy Synod], 21 Jun. 1891, № 7).

As the Ministry of Internal Affairs often acknowledges that Roman Catholics even after the publication of the above mentioned legislation turned to the Polish priests for premarriage licenses and from them meet only counteraction to the marriage, but on the other hand, there are known cases when the police also refused to grant the certificate established by the marked law and sent the applicants to the Polish priest, then, carrying such state of affairs to insufficient distribution of knowledge among the population and even the police ranks about the effectiveness of the law, removed the counteraction of the Polish priests to mixed marriages, the Ministry of Internal Affairs has found it necessary to allow the possibility of great publicity of the above-stated legislation among the population concerning the conclusion of marriages of the specified persons (see about certificate of confession from the Polish priest below, in the documents needed at the marriage).

<sup>6</sup> The Samara diocesan authorities explained to the clergy of the diocese that **announcements, made after the All Night Vigil** on the eve of Sunday or festal day and on that very Sunday or feast day **after Matins, both the early and late liturgy**, as relating to merely one day of the three Sundays and holidays, on which the premarital announcements should be made, should be considered as one announcement (Samarskiia Eparkhial'nyia Vedomosti [Samara Diocesan News] 1898, 1; see also Tserkovnyi Viestnik [Church Messenger] 1893, 52).

The clergy, who crowned the legal marriage without announcements but with the indication in the search **of feigned terms of announcements**, are subject to punishment for forgery, according to article 362 of the Ulozhenie o nakazaniikh [Criminal Code of Laws] (Tserkovnyi Viestnik [Church Messenger] 1895, 34).

Declarations of desire to marry probably are sooner crowned and their objections against the **observance of necessary formalities** should always give to the clergy an occasion for possibly taking the greatest care at the crowning of their marriage (Tserkovnyi Viestnik [Church Messenger] 1898, 32).

<sup>7</sup> According to the Rudder (see chapter 50), in the case of solid suspicion of ill-intentioned actions from someone's side, directed to the hindrance of a quite legal marriage, the priest, with Hierarchical permission, can be limited merely **to a solitary announcement** or even to crown the marriage **without an announcement at all** (for more details, see, chapter 50 of the Rudder by A. Pavlov, pp. 75-76).

*S. V. Bulgakov, "Handbook for Church Servers", 2<sup>nd</sup> ed., 1274 pp. (Kharkov, 1900) pp. 1127-1130.  
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