

Connell, Francis J.
-The Catholic doctrine...

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The Catholic Doctrine of Matrimony

By the

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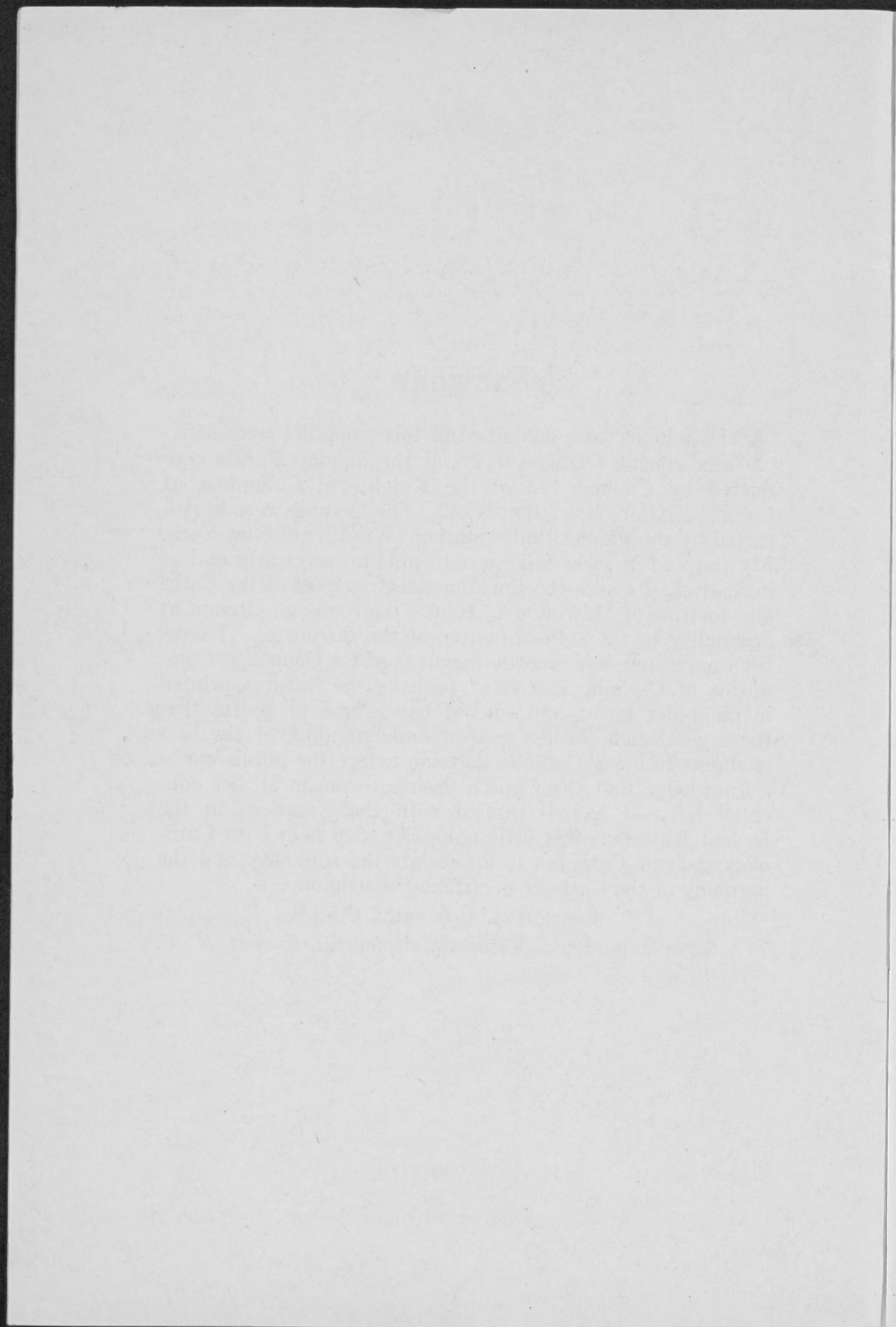
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FOREWORD

THE four lectures contained in this pamphlet were delivered during October, 1929, at the Sunday Forum conducted by Council 126 of the Knights of Columbus, at Columbus Club, Brooklyn, N. Y. The lectures were broadcasted by the Paulist Radio Station (WLWL) of New York. My purpose in these talks was to present, as clearly and as logically as I could, the fundamental principles of the Catholic doctrine of Matrimony. Hence, there was no attempt at originality in the subject-matter of the discourses. I have been requested, however, by members of the Council's "Committee of Catholic Interests" to have the lectures printed in pamphlet form; and since I have come to realize that these gentlemen possess a keen understanding of the best mediums to bring Catholic doctrine before the public eye—a knowledge that the Church desires to see in all her educated laity—I have complied with their request, in the fervent hope that this little pamphlet may help both Catholics and non-Catholics to appreciate the sublimity and the harmony of the Catholic doctrine of matrimony.

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INTRODUCTION

IT is a prominent characteristic of the Catholic religion that its code of morality extends to every phase and to every contingency of human existence. Whatever be a person's political, social or business status, however complicated be the circumstances of the situation in which he may be placed, he can always find in the authorized teaching of the Catholic Church a solution of the ethical problems that confront him. It may be a solution that is repugnant to his natural inclinations, it may be a solution that the modern world ridicules as antiquated and impractical. Yet, whatever men may think or say, they must acknowledge it to be a solution that is clearly and fearlessly and consistently propounded by the Church that is the oldest and most experienced interpreter of Christian law, and that possesses a wider spiritual influence than any other religious organization in the world.

The moral teaching of the Catholic Church concerning marriage is very extensive and detailed. The reason of this is patent. Marriage is the basis of the family; and the part taken by the family in the material and spiritual development of humanity is of immeasurable importance. It is literally true that both the individual and the State depend for their very existence on the family. Accordingly, the Catholic Church deems it her duty to be especially precise and clear in the code of moral principles and laws she proposes for the regulation of marriage. The Catholic doctrine of matrimony is by no means new—its essential features have been taught by the Church from the beginning of her existence. But this doctrine claims a special interest at the present day, because the subject of marriage occupies so prominent a place in the multitude of sociological theories that are being so garishly featured today in newspaper and magazine, particularly in our own land. My purpose, therefore, in this pamphlet is to explain and to defend the fundamental principles of the Catholic Church concerning matrimony in a manner intelligible to all my readers; for I sincerely believe that, since the question of marriage is being so extensively discussed, it behooves every person, of even mediocre education, whether Catholic or non-Catholic, to

be acquainted with the fundamental matrimonial tenets of so universal and so influential an organization as the Catholic Church.

I trust that my Catholic readers, although they are familiar with the moral code of their Church, will nevertheless carefully scrutinize the arguments adduced in its defense—not, indeed, in a spirit of doubt or of skepticism, but with a view to appreciating the reasonableness of our doctrines and to refuting objections brought against them. Those who are not Catholics will, I hope, peruse these pages with an unbiased mind; for I feel sure that any one who examines without prejudice or passion our teachings on matrimony, though he may not admit them, will at least concede that they are deduced with irrefragable logic from what we Catholics hold to be the basic principles of the natural law and of the Christian Revelation.

I. The Nature of Matrimony

B*Y marriage or matrimony* is meant: first, the contract by which a man and a woman pledge to each other the rights, and mutually bind themselves by the obligations, of sexual relationship and of cohabitation; secondly, the stable union consequent on this contract.

That sexual relations are lawful only between those who have entered into some form of marital contract, is a universally accepted principle of ethics. Yet, there are some modern sociologists—or so-called sociologists—who question this principle and proclaim that, at least under certain circumstances, sexual intercourse outside of the state of matrimony, is perfectly lawful. To this school belong Judge Ben Lindsay, who advocates “trial marriages,” and Bertrand Russell, who is even more radical in his book, “Marriage and Morals.” The arguments adduced by the protagonists of extra-marital sexual relations are presented in a manner calculated to impress the average person, who forgets that one can prove anything provided he is allowed to start with an unproved assumption of his own choice.

PURPOSE OF SEXUAL RELATIONS

Now, the theory I have just mentioned starts with the assumption that the principal end of sexual relationship is the pleasure it affords to the individuals involved. That this is an utterly false premise must be evident to every thinking person. The effect to which sexual intercourse by its very nature is adapted makes it evident that the power which guides this universe—whether that power be denominated Nature or God—has directed this relationship between man and woman to the propagation and the preservation of the human race. The accompanying gratification is but a means to this end—an enticement to men and women to cooperate toward the common good of humanity. Therefore, the mode in which sexual relations are to be exercised must be accommodated to the preservation of the human race. Now, the preservation of the race demands not only that children be born, but also that they be cared for until they can make their own way in the world, which task is

incumbent on those who have effected their procreation. Therefore, those who undertake to procreate must form a stable, domestic society. From this necessarily follows the general principle that only those are permitted to exercise the act that by its nature tends to procreation, who have mutually agreed to make their conjugal relation and cohabitation permanent and exclusive. Thus, by the law of nature, the matrimonial contract is a necessary prerequisite to the legitimate exercise of sexual functions.

PRIMITIVE MAN

This reasoning is substantiated by the universal acceptance of marriage as an essential factor of human society. A few years ago it was a favorite dictum of materialistic scientists that the contract of marriage was unknown to primitive man, that complete promiscuity of sexual associations prevailed in the early epochs of the human race. But nowadays this view is generally rejected; modern students of anthropology and ethnology are convinced—even apart from the testimony of revelation—that as long as men have existed on earth some manner of stability in the conjugal relations has been observed. Furthermore, these scholars assure us, the normal form of wedlock, even among the least cultured tribes, has been the union of *one* man and *one* woman, and not—as is sometimes stated—polygamy (“Encyclopedia Americana,” *sub voce* “Family” and “Marriage”).

MARRIAGE HONORABLE AND LAWFUL

That marriage is something lawful and honorable would seem to be so apparent as to require no proof. Marriage is based on the diversity of the sexes established by the all-wise Creator; its primary purpose is a very laudable end, the preservation of the human race by the procreation and education of offspring; it is normally a manifestation of the noblest emotion of the human heart—love. Yet there have been some, like the Manichaeans of the fourth century and the Albigensians of the thirteenth century, who regarded the matrimonial state as ignoble and even as sinful. They arrived at this peculiar view by premising that everything corporeal, including the human body, was produced by the powers of darkness, and consequently is intrinsically evil.

The Catholic Church promptly condemned these pernicious errors, and declared that all things in the visible universe have been created by God, and, hence, that the use of the sexual faculties for the purpose intended by the Almighty cannot be degrading or sinful, when the manner in which they are employed is conformable to the Divine will.

MARRIAGE SACRED

Besides being lawful and honorable, marriage is, according to the teaching of the Catholic Church, a *sacred* institution. Through matrimony husband and wife cooperate with the Creator in bringing into existence and in educating human beings destined for an eternity of happiness in Heaven. Accordingly, from the very beginning of the race the Almighty has exhibited a special providence over the matrimonial state. When He created the first man and woman He blessed them, not merely as individuals but also as husband and wife (Genesis i. 28). Under the Old Law He showed His solicitude for the conjugal society by promising special blessings on the marital unions of the Patriarchs, and by promulgating an extensive code of matrimonial laws for the Chosen People (Genesis xxvi. 4; Leviticus xviii.). When the Son of God appeared on earth in human form He gave an impressive sanction to the matrimonial contract by attending the marriage-feast at Cana and there working His first public miracle (John ii. 1-12).

MARRIAGE A SACRAMENT

The Catholic Church further holds that the marriage of baptized persons, besides being a lawful and sacred contract, is also one of the seven Sacraments of the New Law, established by Jesus Christ. In support of this claim, theologians adduce a beautiful passage from St. Paul's Epistle to the Ephesians (v. 23-33), in which the Apostle compares the union between Christian husband and wife to the union existing between Christ and His Church. This striking analogy implies that just as the conjunction of the Divine Redeemer with the Church is an unailing source of supernatural blessings for mankind, so the matrimonial contract is productive of Divine graces for husband and wife—or, in other words, is a Sacrament. This interpretation is sub-

stantiated by the early ecclesiastical writers, who extol the sanctifying power of Christian matrimony, and do not hesitate to compare it, as a means of grace, with Baptism and with Holy Orders. The Eastern Orthodox (so-called) Churches, some of which broke away from the Catholic Church as early as the fifth century, enumerate matrimony among the Sacraments—an incontestable proof that this doctrine was prevalent even in the very first centuries of the Christian era.

Such, in brief, are the principal grounds on which the Catholic Church bases her teaching that the contract of marriage was elevated by Christ to the dignity of a Sacrament. The fact that there is no explicit account in the New Testament of the institution of this Sacrament by Our Saviour in no wise militates against this Catholic doctrine; for, as St. John tells us in his Gospel (xxi. 25), many things that Jesus did are not related in the Bible. Some theologians think that Christ made marriage a Sacrament when He was present at the nuptial feast at Cana; others are of the view that He did this during the forty days that He spent on earth after His resurrection (Acts i. 3).

It must be remembered that we are speaking now of the marriage of *baptized* persons only; for the reception of the Sacrament of Baptism is a necessary prerequisite for the valid reception of any other Sacrament. Consequently, the marriage of unbaptized persons—for example, of those professing the Jewish religion—while it is an honorable and sacred contract, endowed with the blessing of the Almighty, is not a Sacrament.

THE CONTRACT IS THE SACRAMENT

The Catholic doctrine of the sacramental nature of matrimony is to be understood, not in the sense that the Sacrament is *superadded* to the contract, but in the sense that the contract itself *is* the Sacrament. In other words, the very act of consent by which two baptized persons enter the matrimonial state has been rendered efficacious by Christ to confer on the contracting parties the Divine benediction and the graces they need for the proper fulfilment of their conjugal duties. Hence, whenever two baptized persons contract a valid marriage they receive the Sacrament of Christian matrimony, even though they are not

cognizant of the fact. For it is by a *Divine* decree that the contract and the Sacrament are identical; and so, by making the contract, the espousing parties necessarily receive the Sacrament.

Since the contract and the Sacrament of matrimony are one, it follows that the same individuals who make the contract also administer the Sacrament. It is true, in the case of a Catholic marriage (that is, when at least one of the parties is a Catholic), the Church ordinarily insists on the presence of an authorized priest as a necessary requisite for validity. But his position is only that of an official witness; the ministers of the sacramental rite are the two contracting parties, each of whom, by expressing matrimonial consent, confers on the other the Sacrament of matrimony.

CHURCH'S LEGISLATIVE POWER

Another corollary of the identity of contract and Sacrament is the doctrine that the authority to legislate for, and to pass judgment on, the marriages of baptized persons resides in the Catholic Church. It stands to reason that matrimony, since it has so important a bearing on the common good, must be subject to the jurisdiction of some public authority. Now, since the marriage of baptized persons is a Sacrament, and since the Catholic Church possesses a Divinely granted authority over the administration of all the Sacraments, it follows that the Catholic Church has the right to make laws and to pass judgment in regard to whatever pertains to the validity and to the licitness of the marriage of baptized persons, both as a Sacrament and as a contract.

By virtue of this authority, the Church has declared or established a number of matrimonial *impediments*. That is, she has ruled that certain circumstances constitute a hindrance to the proper contracting of marriage. Some of these impediments are merely *prohibitive*, i. e., they render the contract and Sacrament of marriage unlawful but not invalid; as, for example, a private vow of celibacy. Others are *diriment* impediments, i. e., they render marriage, both as a contract and as a Sacrament, null and void in the eyes of the Church; as is the case when the consent of one or of both of the parties has been induced by grave and unjustly inflicted fear.

The Catholic Church is often charged with arrogance in claiming and in exercising authority over marriage. Yet, it must be admitted that the Church is supremely consistent in this matter; for the Catholic principles that the marriage of baptized persons is a Sacrament, and that the Catholic Church, as the one true Church of Christ, has authority over the Sacraments, lead with irresistible logic to the conclusion that jurisdiction over the marriage of all baptized persons resides in the Catholic Church. Moreover, the restrictions imposed by the Church in this matter are not unreasonable. Some of the matrimonial impediments are simply the dictates of the natural law—as, for example, the impediment of physical impotence. Others are so conformable to the physical or psychical factors of matrimony that they have been adopted by the civil law, conjointly with the Church. For example, the impediment of blood-relationship, which in the Church extends to second cousins, is found in the statutes of many of our States, at least as far as first cousins. Finally, it must not be forgotten that the Church can and will give a dispensation from the impediments she has established when there is a just cause for doing so.

CHURCH UPHOLDS FREEDOM

Recognizing that for the majority of mankind the way to happiness, both temporal and eternal, is the state of wedlock, the Church maintains the inalienable right of every individual to contract marriage, provided he is physically and mentally qualified, and has not, by his own free will bound himself to a life of celibacy. The Church is especially opposed to undue parental coercion regarding marriage. She teaches that the decisions whether to marry or not to marry, and whom to marry, rest ultimately with the individual concerned, rather than with his or her parents. In the sixteenth century one of the kings of France requested the ecclesiastical authorities to establish a diriment impediment for marriages contracted without the consent of the parents of bride and groom, but the Council of Trent, which was then in session, refused to grant this petition.

If it be true that the moral standards of a society can be measured by the esteem in which that society holds marriage, then the Catholic Church must be accredited with a very high rating. For the Catholic Church takes as the

basis of her teaching and legislation concerning matrimony the doctrine that Christian marriage has been exalted by Christ to the dignity of a Sacrament. And in this we see the reason why our Church enhances the marriage rite with solemn and beautiful ceremonies, because in the union of the twain whom love has inspired to walk the pathway of life hand in hand the Church beholds a definite and living representation of the sacred bond that unites her inseparably to her Divine Spouse, Jesus Christ.

II. The Unity and the Indissolubility of Matrimony

According to the Catholic theology, matrimony is endowed with two essential qualities: unity and indissolubility. The former of these qualities requires little explanation or vindication. By ascribing unity to the essence of matrimony, we mean that *monogamy*, or the conjugal union of *one* man and *one* woman, is the only form of marriage that is conformable to the moral law established by Almighty God. It requires no lengthy process of reasoning to perceive that polygamy—whether it be polygyny (a plurality of wives wedded to one husband), or polyandry (a plurality of husbands wedded to one wife)—tends to subvert the domestic peace and to divide the conjugal love that are factors of such vital import to the marital state. Polygamy, therefore, is forbidden by the natural law. Of the two forms of polygamy, the more baneful is polyandry, since the conjugal association of one woman with several men is harmful even to the first element of the primary object of matrimony, the procreation of offspring.

UNITY OF MATRIMONY

At the very dawn of creation the Almighty proclaimed the unity of matrimony, by promulgating for the entire human race through the lips of our common father Adam the fundamental principle of marital relationship: "They shall be two in one flesh" (Genesis ii. 24). Only *two*, therefore—one man and one woman—by God's decree are to constitute the conjugal society; and we learn from the pages of the Old Testament that this law was generally observed in

primitive times by the descendants of Adam. After the Deluge, however, in order to accelerate the propagation of the human race, the Almighty made a temporary exception to this law, and permitted both to Jews and to Gentiles the practice of polygamy—or, to be more exact, polygyny the union of one man with several wives. (No dispensation has ever been granted by God for polyandry, the marital union of one woman with several men. Theologians dispute whether God could grant such a dispensation; since polyandry is so subversive of the primary end of matrimony.) Thus, when Abraham, Jacob, David and other prominent men of the Old Testament took to themselves a number of wives, they were guilty of no sin.

But when the New Law was established by the Incarnate Son of God, the dispensation for polygyny ceased. Christ made it very clear that the principle of "two in one flesh" was to prevail again without any mitigation for all mankind (Matthew xix. 4-6). As a matter of fact, the natural law in this matter is so obvious that all civilized nations, even those whose governmental policies are non-Christian or anti-Christian, prohibit polygamy. In countries under the sway of Mohammedanism plurality of wives is still permitted; but these nations can hardly be called fully civilized. Among uncivilized tribes polygamy is sometimes found; yet explorers in Africa and Australia assure us that not a few of the most barbarous peoples regard monogamy as the only lawful form of wedlock. Our own government tolerated polygamy among the Mormons of Utah for about fifty years; and it was not until 1890 that effective legal measures were employed to abolish it.

INDISSOLUBILITY OF MATRIMONY

The second essential quality of matrimony—indissolubility—requires a more detailed treatment and defense; for the Catholic Church is well-nigh alone among Christian communions today in proclaiming that there is absolutely no instance when the bond of a consummated Christian marriage can be sundered by divorce. The Church is unmercifully scored for her unyielding stand on this point; yet, undeterred by angry protest and by vitriolic sarcasm, she continues to teach without any modification the same doctrine of the indissolubility of the marriage tie that she has

taught since her institution by Jesus Christ. What this doctrine is in detail, and what are the grounds on which it is based, I shall endeavor to expound.

In the first place, the Catholic Church teaches that the *separation* of husband and wife, either for a time or permanently, *without the right of either to contract another marriage*, is sometimes permissible. For example, when a married person has been clearly proved guilty of conjugal infidelity, the husband or wife of such a one is allowed to separate from the delinquent partner. Catholics should not separate permanently, however, until judgment has been passed on the case by the competent ecclesiastical tribunal. As a general rule, the Church is opposed to matrimonial separations; and even when grievous wrong has been done by husband or wife, the Church urges the guilty one to repent and the innocent one to forgive.

But a dissolution of the marital union that confers on either party or on both the right to marry again—a *divorce*, as we ordinarily term it—is, according to Catholic teaching, forbidden by the natural law and by the positive law of God.

EDUCATION A PRIMARY OBJECT

The primary object of matrimony comprises not only the procreation but also the *education* or the “bringing up” of children. Human reason and the instinct of parenthood dictate that the task of father and mother is not completed until they have seen to it that those whom they have brought into the world have been physically, mentally and spiritually equipped for the battle of life. This is a task that demands the united and diligent efforts of both parents; it is a task that cannot be accomplished in a few weeks or in a few months, but requires many laborious years for its proper fulfilment. Therefore, from this standpoint, the natural law prescribes that husband and wife remain together until all their children have been fully reared. Now, under normal conditions, the married couple are well advanced in years when this task has been completed; and surely nature intends their partnership to remain undissolved then, as the evening of life draws near, after they have shared joy and sorrow for many years, and when they stand in so great need of each other’s consoling companionship. Hence, even apart from Revelation, the natural law, which is within the scope

of man's reasoning faculty, imposes permanence on the matrimonial bond—primarily, for the sake of the offspring to whose existence and well-being matrimony is principally directed; secondarily, to give assurance to the contracting parties of each other's life-long affection and assistance.

EVILS OF DIVORCE

I have greater sympathy for the child of divorced parents than I have for the little one who has been deprived by death of both father and mother. The orphan, it is true, must make his way in life, destitute of parental love and care. But the child of a dismembered marriage faces the world with the handicap of a positive impetus to evil that he has received from the bad example of one or of both of those whom nature intended to be the chief guides of his early years. Judge Petit of Illinois is authority for the statement that fifty per cent of the boys arrested for misdemeanors in Chicago and of the girls that go wrong are the children of divorced parents (*America*, Vol. X, p. 592).

The prospect of a possible divorce—even though it be conceived as a remote possibility only—robs the association of husband and wife of much of the peace and the joy and the security that the Creator intended as the natural atmosphere of wedlock; it provides a powerful incentive to conjugal infidelity; it opens the way to distrust and suspicion; it tends to reduce matrimony from the sublime dignity of a sacred pact of undying love to the level of a business partnership.

When a loyal, dutiful wife is divorced by her husband simply because another has taken his fancy—and such divorces are by no means rare—he inflicts on her womanly dignity the greatest possible insult. Woman is meant to be the queen of the household, especially among Christians, who see the noblest ideal of womanhood realized in Mary, the Virgin Mother of God. But such a divorce drags a wife and mother down from her exalted throne and makes her the slave of man's whim and pleasure. Such a divorce means that a man can partake of a woman's love as he partakes of a fruit, which he tastes, and then casts away when he is sated. To a good woman the shame of this is worse than death, for when a noble, chaste woman pledges her love, she pledges her life.

SPECIOUS EXCESSES

But, it may be argued, cases can occur in which a divorce will entail none of the evil consequences that have just been enumerated. When, for example, a marriage is childless, and one of the parties has been convicted of a serious crime and sent to prison for life—is it not perfectly reasonable that the innocent party should be permitted to obtain a divorce and to remarry? The answer to this objection is furnished by a fundamental principle of legislation, both human and Divine—that general laws, based on conditions as they normally exist, must be observed even by those in whom, by exception, those conditions are not realized. There is doubtless many a man in New York who could carry a loaded pistol in his pocket without being a menace to his neighbors; yet that fact does not dispense him from the law forbidding the carrying of concealed weapons. So, too, the law prohibiting divorce binds even in those exceptional cases where no harm would result from the severance of the marriage tie. The common good of humanity demands that all conform to this law, even though in individual cases the grounds on which the law is based are absent, and its observance entails self-sacrifice. Moreover, if there were even one cause that justified divorce, how many husbands and wives, anxious to rid themselves of the conjugal yoke, would employ dishonest means to bring their case under this exception! For example, in those States where a civil divorce can be obtained on the ground of cruelty, a couple who desire freedom can always connive to produce sufficient proofs that there has been cruelty.

Every reasonable person must admit, therefore, that the natural law prescribes the indissolubility of matrimony. How is this law observed here in the United States? During the year 1928 there were 195,939 divorces granted in our country; and statistics for the past ten years show that every year there is an average increase of about 8,000 over the preceding year. At this rate it will not be long before we outrival Soviet Russia where a divorce desired by both parties can be obtained in five minutes at a cost of \$1.50—and the only stipulation is that no one be divorced and remarried more than three times in a single year!

POSITIVE LAW OF GOD

To the natural law of the indissolubility of matrimony God has added a positive precept, promulgated by the mouth of our first parent, when he declared that a husband must leave father and mother and *cleave* to his wife (Genesis ii. 24). Under the Old Law, it is true, God mitigated in some measure the rule of matrimonial indissolubility, conceding by the lips of the prophet Moses to the men of the Jewish nation the privilege, under certain conditions, of divorcing their wives and marrying again (Deuteronomy xxiv. 1). Doubtless, in making this exception, the Divine Lawgiver took into consideration the difficulty that the Chosen People would have had in observing the highest ideal of the matrimonial state while surrounded by nations that were in an extreme state of moral corruption.

Christ made it very evident that under the New Law this dispensation was to be abrogated and the principle of the indissolubility of the marriage tie was again to prevail. St. Mark in his Gospel thus relates the Saviour's words: "What God hath joined together, let not man put asunder. . . . Whosoever shall put away his wife and marry another committeth adultery against her. And if the wife shall put away her husband and be married to another she committeth adultery" (Mark x. 9-12). These words are so clear as to require no commentary; and they are substantially the same as those related in the Gospel of St. Luke (xvi. 18).

DIFFICULTY FROM ST. MATTHEW

In the Gospel of St. Matthew, however, there is a passage that offers some difficulty. This Evangelist thus narrates the Master's words: "Whosoever shall put away his wife, *except it be for fornication*, and shall marry another committeth adultery" (Matthew xix. 9). At first sight these words might seem to imply that Christ made an exception to the law of indissolubility by allowing divorce to a married person whose partner had been guilty of conjugal infidelity. But a more careful study will show that such an interpretation is untenable. In the first place, if this solitary text is to be interpreted as granting an exception to the law in the case of adultery, how are we to explain the fact

that all the other New Testament texts forbidding divorce make no such exception? Moreover, scriptural scholars all admit that the text of St. Matthew, taken in itself, is ambiguous, and is open to several interpretations. The explanation that appeals most to me is as follows: As was just stated, God permitted divorce under certain circumstances to the men of the Jewish nation. However, among the official teachers of the Jews there was a diversity of opinion as to what grounds were required that a man could be justified in giving his wife a bill of divorce. Some held that there could be many and various reasons; others taught that only when a wife was guilty of conjugal infidelity could she be divorced by her husband. Now, it was regarding this disputed point that the Pharisees consulted Our Divine Saviour, as can be seen from the wording of their question: "Is it lawful for a man to put away his wife for *every* cause?" (xix. 3). And Christ simply answered the question in the sense in which they asked it, and gave approval to the stricter view—that only adultery justified divorce *under the Mosaic Law which was still in force*. Then, immediately afterward, when speaking to His disciples, Christ promulgated His own law of the indissolubility of the matrimonial bond, without any exception even in the case of adultery, and it is these words that are related by Sts. Mark and Luke.

WRITINGS OF THE FATHERS

From the writings of the early Fathers—such as Clement of Alexandria, Origen, St. Augustine, St. Jerome—we learn that the Church from its very beginning believed that consummated Christian marriages can never be dissolved even for the most grievous transgressions against marital fidelity. During the Middle Ages the divorce evil made its appearance in some parts of Europe and Asia Minor, but the majority of Christians, following the guidance of the Roman Pontiff, refused to countenance any mitigation of Christ's law. Not infrequently, Popes have come into conflict on this question with powerful earthly rulers. The refusal of Popes Clement VII and Paul III to grant a divorce to Henry VIII was the occasion of the separation of England from the Catholic Church. Pope Pius VII could have spared himself the harrowing afflictions of imprisonment had he granted Na-

poleon a divorce from his lawful wife, Josephine. But the Popes realized that they had no power to dispense from the solemn mandate pronounced by One who is above Pope and king and emperor: "What God hath joined together, let not man put asunder."

TWO EXCEPTIONS

However, the Catholic Church holds that, not man, but God Himself, the supreme Legislator, who gave a dispensation from the law of indissolubility under certain conditions to the Jewish people, has made two exceptions even under the New Testament. The first is the *Pauline privilege*, so named because it is promulgated by St. Paul in his first Epistle to the Corinthians (Chap. vii.). The case is this. Two unbaptized persons contract a lawful marriage. Later on, one of the two embraces the Christian Faith and receives the Sacrament of Baptism. The other refuses to dwell any longer with the convert to Christianity, or renders the practice of religion very difficult to him or her. In such circumstances, as St. Paul teaches, the baptized party "is not under servitude," i. e., is permitted to contract another marriage (with a Christian), and thus dissolve the previous marital bond.

The other case is that of a Christian marriage that has not been consummated. When adequate proof that there has been no marital intercourse has been adduced, the Pope can dissolve the marriage tie, if there are good reasons for doing so. That this power is vested in the Sovereign Pontiff is testified by the tradition and the practice of the Catholic Church.

As is very evident, these cases are so definitely restricted by Almighty God, and by their very nature are of such rare occurrence, that they constitute no menace to the common good. In fact, so infrequently is the Church called on to exercise her authority in these exceptional cases that many Catholics are unaware of the possibility of such dispensations from the marital bond.

The Church never countenances or grants one of these exceptional divorces without fully satisfying the demands of the civil law. For example, no priest would officiate at the remarriage of a person who had received an ecclesiastical divorce from an unconsummated marriage, until the civil

tribunal had granted a divorce or an annulment from the previous matrimonial bond.

DECLARATION OF NULLITY

Very different from a divorce is a *declaration of nullity*. When the Church is called on to judge whether or not a marriage has been validly contracted, the ecclesiastical courts probe minutely into the matter, and if they find that some diriment impediment existed at the time the marriage was contracted, they give a declaration of nullity. As is clear, this is not a divorce; it is simply an authoritative statement that, in the eyes of the Church, there never was a real marriage between the two persons concerned. Even the fact that the couple lived together as man and wife for many years and were unaware of the impediment, cannot validate a marriage that was null and void from the beginning. A few years ago, the Church was bitterly assailed because the Roman tribunal of the Rota declared the nullity of a marriage contracted twenty-five years previously. Yet, it was conclusively proved that the bride had been induced by threats to express matrimonial consent; hence, the marriage was null and void from the beginning, and years of cohabitation did not make it a real marriage.

"FOR BETTER, FOR WORSE"

Such, in brief, is the position of the Catholic Church on the question of the indissolubility of the matrimonial bond. Our principles are frequently assailed and derided by those who are not of our communion. We Catholics have to listen over and over again to the time-worn arguments for divorce: that the lives of two should not be ruined for the offences of one; that where love has ceased, matrimony is a mockery; that the Creator never intended incompatible characters to be husband and wife, etc. But all the arguments in favor of divorce can be reduced to the cold, unflattering fact that many persons want the comforts and joys of matrimony without its hardships and trials; that many are willing to subordinate the common good of humanity to their own selfishness. And so, we Catholics are very proud of the fact that when a young man and a young woman kneel before our altar and pronounce the solemn words that

make them husband and wife, the pledge that they utter is not a meaningless formula, but is a staunch profession of their faith that for them marriage is to endure for better or worse, for richer or poorer, in sickness and in health, till death do them part.

III. The Sanctity of Matrimony

The section in the Code of Canon Law of the Catholic Church dealing with matrimony begins with the declaration that the marital contract between baptized persons has been elevated by Christ to the dignity of a Sacrament. The purpose of the Church in according such prominence to this doctrine in her official digest of laws is to emphasize the *sanctity* of matrimony. There are, it is true, in marriage elements that pertain to the sphere of the natural and of the material; for marriage is fundamentally a social contract concerned with the procreative powers of man and woman. But according to Catholic teaching it is much more than this; in the eyes of Catholics, matrimony is first and foremost a sacred thing, a Sacrament, a supernatural and grace-giving image of the union existing between Jesus Christ and His earthly Spouse, the Church.

It is because she is so deeply impressed with the sanctity of matrimony, and because she wishes to imbue the Faithful with reverence for this holy contract and union that the Church is so exacting in her matrimonial legislation. There is probably no phase of the Christian life that has been made the subject of more detailed and explicit laws by the Catholic Church than the contract and state of matrimony. It is my purpose in this paper to explain and to vindicate three laws on the observance of which the Catholic Church is most insistent as a safeguard to the sanctity of matrimony. Two of these are of ecclesiastical origin; the third is a dictate of the natural law. I have chosen these three because the persistence of the Church in enforcing them is meeting with much unfavorable criticism at the present day from those who misunderstand the Catholic doctrine of matrimony or who do not appreciate the reasonableness of the Church's attitude.

The first of these laws is that which forbids the marriage of Catholics with persons not of our Faith; the second

is that which specifies the nature of the ceremony to be observed by Catholics in contracting marriage; the third is the Divine law prohibiting what is known as birth control.

MIXED MARRIAGES

The Catholic Church most strictly forbids her members to contract marriage with persons of other religious denominations or with those who profess no religion. An important distinction is made in this ecclesiastical law between those who are baptized and those who are unbaptized. The marriage of a Catholic to a baptized non-Catholic, without the proper dispensation, is unlawful; but, provided there is no diriment impediment and the marriage is contracted before an authorized priest and two witnesses, it is valid. But the marriage of a Catholic with an unbaptized person is null and void unless the Church has granted a special dispensation from this impediment. The practice of legislating against marriages of Catholics with those not of our Faith (*mixed* marriages, as they are called) has prevailed in the Church from the first centuries of the Christian era. Although substantially an ecclesiastical statute, the law forbidding such unions contains an element of Divine legislation; for if a Catholic by marrying one who is not of our religion would jeopardize his own faith or that of his offspring, he would fail not only against the law of the Church but also against the law of God.

REASONABLENESS OF STAND

It is not difficult for a fair-minded person to realize that the Church is most reasonable in prohibiting mixed marriages. In the first place, an ideal marital union cannot exist unless husband and wife are *one* in mind and in heart. When, therefore, they disagree on so important a subject as religion—a subject that exerts so potent an influence on a person's character and habits—there is grave danger that this oneness of mind and of heart will be lacking; that, on the contrary, discord and bitterness will be engendered between husband and wife. From this point of view it can be seen that in forbidding mixed marriages the Catholic Church is upholding a principle that concerns the welfare of non-Catholics as well as of Catholics. If a Protestant young

man were to consult me regarding matrimony, I should advise him, "If you intend to remain an adherent of the Protestant religion, don't marry a Catholic; but wed some young woman who is a member of your own denomination." Similarly, I should counsel a Jew not to marry a Christian, but to seek as his life-partner one of the Jewish faith. Before marriage, young people are apt to minimize the force of this argument; for they see only each other's perfections, and fail to realize that years of association as husband and wife will reveal plenty of dissonant qualities to be harmonized, without having a discordant note from the very beginning caused by diversity of religious belief. It is especially when one of the parties of a mixed marriage is a Catholic, however, that domestic friction is likely to ensue; for the Catholic religion is so radically different from other creeds and so uncompromising in its exactions, that it is almost impossible for a Catholic in such circumstances to remain a practical member of our Church without encountering some opposition on religious questions from his or her partner.

CATHOLIC FAITH ALONE RIGHT

But the principal reason why our Church is so resolute in opposing mixed marriages among her members is because she is firmly convinced that the Catholic Faith alone is the correct embodiment of Divine Revelation and that the Catholic Church alone is the true Church of Jesus Christ. We Catholics can never subscribe to the theory that all religions are equally good and equally pleasing in the sight of God. To us it is a privilege infinitely surpassing all earthly advantages to be members of the one true Church and to possess the one true Faith in its integrity. Conversely, we deem it an immeasurable evil for a Catholic to dissociate himself from his Church or to abandon the practice of his religion. Now, mixed marriages tend to such an evil. The intimate association of a Catholic with one of another or of no creed—even when the latter is fully tolerant of Catholicity—is liable to weaken the religious convictions of the Catholic party, and to render him careless in the practice of his faith, and especially to imbue him with the idea that it makes little or no difference what religion a person professes, so long as he leads a good, honest life. Because such consequences frequently result from mixed marriages, the

Catholic Church cannot but dissuade her members from contracting these unions.

DANGER TO CHILDREN

There is even greater danger that the children of mixed marriages will be lost to the Catholic Church. Seeing that father and mother, both of whom they love and reverence, are of different religions, the children will believe that all creeds are equally good, and thus will be estranged from the Catholic Faith or will become indifferent in its practice. Statistics on this matter taken in one of the European countries a few years ago showed that 58 per cent of the children of mixed marriages had severed their connection with the Catholic Church; and an American bishop is authority for the statement that the proportion of such losses to our Church in this country is 90 per cent.

The Church does at times grant a dispensation from her law, permitting a Catholic to marry one who is not of our Faith. But she does so reluctantly,—oftentimes only to avoid greater evils. Moreover, such a dispensation is never granted unless the non-Catholic solemnly promises not to hinder the Catholic in the practice of religion, and both parties agree to have all the children of their union baptized and brought up as Catholics.

We Catholics are fully aware that to non-Catholics our stand on the subject of mixed marriages seems rigorous and arrogant. Yet, it must be admitted that our attitude is the only one that can consistently be maintained by those who firmly believe that they are in possession of the one true religion, and that all temporal considerations must be subordinated to the spiritual good of souls—yes, even of the soul of one new-born infant.

PRESENCE OF PRIEST AND WITNESSES

The second law of which I shall treat is that which requires that Catholics who contract marriage shall do so in the presence of a duly authorized priest and of two witnesses. This law holds when only one of the contracting parties is a Catholic, as well as when both are members of our Church. Failure to observe this ruling constitutes a diriment impediment, so that a marriage contracted by two

Catholics or by one Catholic and a non-Catholic without the presence of such priest and witnesses—for example, before a civil magistrate or a non-Catholic clergyman—is, in the eyes of the Catholic Church, null and void.

The priest must be *duly authorized*—that is, he must have the right to assist officially at the marriage, either by virtue of his office (as, for example, a pastor), or by deputation from one who possesses such right. If the priest were not properly authorized, the marriage would be null and void. For example, a priest from another diocese could not validly officiate at a marriage here in New York until he had first received the authority to do so, either from the Archbishop or from the Vicar General or from the pastor of the parish in which the marriage is to be celebrated.

EXCEPTIONS

The Church makes exceptions to this rule to provide for extraordinary circumstances. When a duly authorized priest cannot be had, Catholics can nevertheless contract marriage without him in two cases: the first, when one of the contracting parties is in danger of death; the second, when there is no such danger, but it is prudently judged that the services of an authorized priest cannot be obtained within a period of one month. The second case, as is apparent, could easily occur in a sparsely settled region where the ministrations of a priest are rarely had. In either of these two extraordinary circumstances, the espoused parties can contract a valid and lawful marriage by giving and accepting matrimonial consent in the presence of two witnesses. Of course, the matter should afterward be reported to the ecclesiastical authorities. Needless to say, they should also comply with the demands of the civil law, to have their marriage recognized as legal. (If a man and a woman, wishing to marry, were so situated that they could not obtain even witnesses, and it were prudently foreseen that such a condition would prevail for a long time—for example, if the two were marooned on a desert island—they could contract marriage by merely expressing marital consent to each other. In such a case the natural law would prevail over positive legislation. (Cf. Wouters, *De Forma Promissionis et Celebrationis Matrimonii*, p. 42.)

REASON FOR LAW

The strictness of the Church in demanding the presence of a priest at the marriage of Catholics, at least under ordinary circumstances, is not understood by those outside our communion. "Why is it," they ask, "that the Catholic Church does not recognize marriages of its members contracted before a civil magistrate or before a non-Catholic clergyman, especially since you Catholics hold that the contracting parties themselves are the ministers of the Sacrament of matrimony?" We answer that the Church wishes to be officially represented at the nuptials of her children by one of her sacred ministers in order to impress the contracting parties with the sanctity of the matrimonial union, in order to prevent hasty and imprudent marriages, in order to bestow through the priest a special blessing on Catholic wedlock. Accordingly, by virtue of her Divinely granted authority, the Church has made the presence of the priest an essential condition for the validity of both contract and Sacrament whenever two Catholics or a Catholic and a non-Catholic are being married (barring the exceptional cases mentioned above).

From the writers of the early centuries and even from the ancient frescos in the catacombs we learn that it has been customary from the first ages of Christianity to have marriages celebrated under the auspices of the Church, accompanied by the blessing of priest or bishop. When two Catholics are married the Church wishes the ceremony to take place in conjunction with the chief act of Catholic worship, the sacrifice of the Mass; and on such occasion a beautiful prayer, invoking God's choicest blessings on the bride, is recited by the officiating priest.

BIRTH CONTROL

The third law is of Divine, and not merely of ecclesiastical origin; it is a law that binds all married persons, whether Catholic or non-Catholic. Since, however, the Catholic Church more than any other denomination has taken a firm and unequivocal stand on the question involved, this law is regarded by many as equivalent to a precept of the Catholic Church. I refer to the Divine law that forbids what is known as *birth control*.

The term "birth control" is ambiguous. As far as the expression itself is concerned, we could say that birth control is practiced by those who lead a life of celibacy; yet no reasonable person can condemn the voluntary renunciation of the matrimonial state, especially when the motive is to render greater service to God and to one's neighbor. Indeed, the Catholic Church has solemnly declared that the state of celibacy or virginity is more perfect than that of marriage. Again "birth control" among married persons in the sense of "self-control"—in the sense of a mutual agreement to abstain from the use of their marital rights—is in no wise unlawful. Married persons are under no obligations to bring into the world the greatest possible number of children; and there are times when considerations of health or economic reasons counsel marital continence. But "birth control" in the sense that married persons, while making use of their conjugal rights, employ some positive means to prevent the conception of offspring, is vigorously denounced by the Catholic Church as a grievous transgression of God's law.

WHEREIN THE SIN LIES

To use a God-given faculty in such a manner that its primary purpose is frustrated, and that serious harm results both to individuals and to society, is surely a serious violation of the moral law. Now, the primary purpose of the procreative faculty is the propagation of the human race; whatever satisfaction accrues to the individual is intended only as an incentive to men and women to undertake the onerous duties of parenthood. But by birth control the primary purpose of this faculty is frustrated; it is employed, not for the common good of the human race, but simply and solely for the self-gratification of the married couple. Clearly, such a serious perversion of the Divinely established order in a matter of so vital importance is gravely immoral. Moreover, the practice in question tends inevitably to diminish the love and respect of husband and wife for each other, and often leads to separation and divorce. The effect of a wide-spread practice of this vice on society at large is not merely the numerical diminution of the population, but is especially a general spirit of self-indulgence, of moral enervation and of gross sensuality.

CAN EVIL EFFECTS BE PREVENTED?

It may be objected that these evil effects do not follow if married persons practice birth control only from time to time, and are willing to undertake the parenthood of a limited number of children. I answer, that when an act is intrinsically and grievously wrong—as in the present case, when there is question of the perversion of a very important and noble faculty—to commit that act even once is a serious transgression of the moral law. The only legitimate form of birth control is self-control. Let me remark here that the alarming increase of the sin of birth control during recent years in our land is to be attributed not only to those who actually practice this vice, but also to those whose avarice and selfishness lead others to its commission—for example, employers who refuse their employees sufficient wages for the maintenance of their families, and householders who exclude families with children from their apartment houses. I can well understand how a landlord would reasonably debar pet dogs and cats and monkeys—but I cannot see how a house owner can make a hard and fast rule of “No children admitted,” and at the same time profess himself a follower of Him who said: “Suffer the little children to come unto Me, and forbid them not; for of such is the kingdom of Heaven” (Mark x. 14).

Perhaps the weakest plea in favor of birth control is the statement that the restriction of the number of children tends to develop a better and stronger race. As a matter of fact, modern researches indicate that generally the third and subsequent children of a marriage are physically and mentally superior to the first two. Moreover, when a family contains only one or two children, they are more inclined to be selfish and inconsiderate than the children of a large family. Let me cite a few examples to show that the children of large families, especially the younger ones, are by no means handicapped, either physically, mentally, or morally. Beethoven, the musician, was the youngest of twelve children; Benjamin Franklin was the fifteenth of seventeen; St. Ignatius Loyola was the thirteenth child of his parents.

THE MOTIVE BACK OF CHURCH'S LAWS

To sum up: The underlying motive of all Catholic matrimonial legislation is the Church's firm belief that every marriage must be directed to the glory of God and the salvation of immortal souls; that the life of the spirit must dominate over the desires of the flesh; that rights may not be enjoyed unless the obligations and burdens that accompany them be also accepted. The critic who declares that the Catholic Church's stand on marriage is too strict, by that very fact shows that his concept of marriage is too low. If the Church did not reverence the marriages of her critics more than they do themselves; if she did not behold her critics and their wives surrounded with the halo of a Sacrament, or at least of a very sacred contract; if she did not look on the homes of her critics as the nurseries of immortal souls and not merely the dwelling-places of perishable bodies; then, indeed, she might mitigate her matrimonial legislation; and perhaps, with such a mitigation, thousands of those who now heap reproaches on the Catholic Church would gladly hasten to her bosom. But the Catholic Church wants truth rather than thousands, and fidelity to God rather than popularity with men.

IV. The Duty of Matrimony—The Education of Children

America is always interested in young America; and now that young America is flocking to high school and to college by the hundreds of thousands, education has become one of the prominent topics of the times. The shelves of the book stores are lined with weighty tomes on education; the pages of the popular magazines prattle racily about this subject; the columns of the daily papers regularly feature some new fad in the educational field. Objects and methods of education are now being discussed, intelligently and with interest, not only by professional educators but also by the man in the street. Many and divergent are the views advocated and defended, yet there seems to be a general consensus that the system of education now in vogue is capable of con-

siderable improvement, especially in the institutions of higher learning.

EDUCATION AND MATRIMONY

As people are wont to conceive it nowadays, education is not intimately connected with matrimony. We are accustomed to associate the idea of education with school and with college rather than with the marital union or with the family circle. Some of my readers are doubtless wondering, therefore, why I am including a paper on *education* in a pamphlet devoted to the explanation of the doctrine of *matrimony*. I trust that this question will receive a satisfactory answer in the course of this exposition, in which I purpose to discuss from the Catholic standpoint two problems: first, what constitutes true education; secondly, to whom does the duty and right to educate children primarily belong.

The various ideas as to what essentially constitutes true education can be classified under three general heads, which I shall designate respectively as the Spartan view, the modern view, and the Catholic view. I do not mean to imply that these distinctions are clear-cut—for example, there are many modern non-Catholic educators who incline toward the Catholic view. But, generally speaking, every educational system can be classed under one of these three divisions; and the terms I have chosen to designate them are taken from their principal exponents or characteristics.

SPARTAN VIEW

To the ancient Spartans, the chief purpose of education was to develop the human body. A certain amount of intellectual training was imparted; but it was especially to the development of physical endurance, graceful carriage, rippling muscles, fleetness of foot, that the energies of the Spartan youth were devoted. I wonder if we are not witnessing a revival of this system in the present-day cult of the body—and particularly in the prestige that is accorded to athletics in our institutions of learning. In some of our great universities stadiums seem to be of greater importance than studies. At any rate, no Catholic—and in fact, no one at all who really believes that man has a spiritual soul—can endorse the Spartan method as an adequate form of

education. For although the human body is the noblest and the most beautiful work of God in the order of material things, and although right reason dictates that it should be strengthened and preserved in health, especially during youth, by proper nourishment and rest and exercise, yet it is only the instrument and the temporary abode of the immortal soul. Hence, that system inverts the right order which cultivates the body and neglects the soul. Such a system may produce a magnificent animal, but never an educated man. In this connection, let me state that the Catholic Church strenuously disapproves of the doctrine propounded by certain modern writers of materialistic bent who teach that the repression of one's physical impulses impedes his development and self-expression. On the contrary, the Church maintains that the craving of the flesh are often inordinate and illicit, and that they must be repressed in order that the soul may exercise its rightful dominion over the body. It is essential to true education, therefore, that children be taught from the very dawn of reason to control their passions and to subordinate the exercise of their physical faculties to the dictates of the spiritual soul.

MODERN VIEW

Education according to what I have called the modern view consists in the development of the intellect, by the study of literature, and the arts and sciences, with little or no concern, however, for the imparting of religious truths or for the training of the will in morality. I call this system *modern*, because it came into vogue in the sphere of education only around the eighteenth century, principally through the efforts of the atheistic school of French philosophers. It is this system that prevails in our American "non-sectarian" colleges and in our public schools. Education in these institutions means merely the cultivation of the intellect to the exclusion of religious and moral training.

That the Catholic Church in no wise disapproves of the *positive* element of this educational system—the training of the mind—is too evident to require lengthy proof. Nowadays, none but the very ignorant accuse the Church of fostering ignorance among the masses. The great European libraries, rich in manuscripts from the quills of medieval monks; the stately old-world cathedrals that are the wonder

and despair of modern architects; the roll call of Catholic scientists, of the present day as well as of former centuries; the galaxy of Catholic painters, sculptors, authors, musicians—these offer convincing proof that the Catholic Church has ever been the staunch patron of intellectual culture by the study of literature, the arts, and the sciences.

THE CHURCH'S VIEW

But it is the *negative* element of this modern educational system—the exclusion of religious and moral training—that the Church condemns. She holds, in the first place, that in the cultivation of the intellect there must be included, as an essential element of education, a knowledge of God and of man's relations with God by religion. Acquaintance with the laws of nature, with no recognition of Him whose wisdom has established those laws, is but mutilated science. The beauties of art and of music lose much of their meaning unless they are perceived as reflections of the uncreated Beauty. History and psychology and anthropology lead to insoluble mysteries unless the student realizes that man is endowed with a spiritual, immortal soul whose final destiny is eternal union with God, its Creator. The Catholic Church believes, moreover, that besides the knowledge of God that can be acquired by natural reason, true intellectual training must embrace a knowledge of those truths that have been revealed to the human race by Jesus Christ, the Teacher by excellence of mankind.

In the second place, the Catholic Church holds that besides the training of the intellect, true education must also comprise the cultivation of the will—that spiritual faculty that empowers man to choose freely between right and wrong. The child must be trained, not only theoretically, but also practically, to select consistently and firmly what is morally good in preference to what is evil. However keen may be a person's intellectual abilities, however broad his knowledge of things human and Divine, his education is egregiously deficient if he has not been properly trained in the observance of the moral law and in the practice of virtue.

THE WILL

The will, like the intellect, cannot be rightly developed independently of religion. Motives of decorum and of al-

truism may engender a certain degree of natural virtue; but they are poor allies in the fierce onslaughts of temptation that every human being must withstand in the battle of life. How is it possible for a person to render constant and exact obedience to the moral law unless he recognizes a Supreme Lawgiver, whose all-seeing eye penetrates to the very depths of the human heart and whose justice will impartially and infallibly reward good and punish evil? To endeavor to train the young in morality with no references to religious motives is like trying to grow plants without water and sunlight. Since, moreover, the Catholic Church claims to be the authentic interpreter of the moral law of Christ, she insists that the education of the young under her jurisdiction shall include a training in the knowledge and in the practice of the Catholic principles of morality. As aids to this training of the will, the Church counsels her children to raise their hearts frequently to their Heavenly Father in fervent prayer, to cultivate the habit of worship, especially by devout attendance at the Holy Sacrifice of the Mass, and to make regular use of the Sacraments established by Jesus Christ as means of imparting supernatural strength to human souls.

Such is true education as the Catholic Church conceives it—the properly regulated training of the faculties both of soul and of body, but especially of the will, under the influence of religion. And the process of imparting this type of education, the Church believes, should begin as soon as a child is capable of benefiting by its salutary influence. The age at which a child becomes susceptible of lasting impressions is much earlier than is generally supposed. How important it is, therefore, that those whose duty it is to educate children should join to the care of their physical well-being and to the development of their mental powers the guidance of their wills toward the observance of God's law!

THE RIGHT TO EDUCATE

This brings us to our second question: Who have the primary duty and right to educate the young? There is a theory championed by some European governments—for example, Fascist Italy and Soviet Russia—that the task of educating children is primarily a prerogative of the State. I have no doubt but that there are many of our American

citizens who are advocates of the same view. But no Catholic can subscribe to such a theory. According to our principles, the duty and right to educate children belongs, in the first instance, to their parents. The fact that a child's education, and especially his moral guidance, must begin in his earliest years when he is entirely subject to the parental influence and authority, indicates that father and mother are his first and principal educators by the law of nature. Moreover, reason and instinct dictate that those who have brought a human being into the world must bear the responsibility of fitting him physically, mentally and morally to make his way in the world, and especially of directing his steps aright toward the eternal goal for which he has been destined by God.

EDUCATION BELONGS TO MATRIMONY

From this it can be seen why I am including a paper on *education* as one of a series of discussions on *matrimony*. In fact, according to Catholic doctrine, so grave is the obligation of parents to provide their offspring with a suitable education that theologians place *education* on a par with *procreation* as the two elements that constitute the primary object of matrimony. Parents may, it is true, commit to others a portion of this task, especially the intellectual training of their children. But the supervision of this training and the responsibility of seeing to its proper fulfilment remain with the parents. What a sublime privilege—yet, at the same time, what a momentous duty—to care for the immortal souls of those with whom God has blessed their conjugal union—to direct them from the first conscious moments of their existence toward eternal as well as toward temporal happiness! This is a task that claims the undivided attention and the fullest measure of self-sacrificing devotion from both parents. It is a task that, when faithfully performed, impresses the seal of God's special benediction on the matrimonial union.

FUNCTION OF THE STATE

But what part may the State take in the education of the young? Since most parents cannot give their children a formal course of studies in the home, the civil government

may establish public schools for the benefit of its citizens. Moreover, since ignorance is detrimental to the common good, the State may demand by law that all children acquire a certain measure of knowledge. But it is not in the province of the State to compel parents to send their children to public schools, if the parents prefer to provide education for their young in some other suitable way, for example, by private tutors or in private schools. For it must always be remembered that parents possess the primary and inalienable right to educate their children; therefore, it is their prerogative to determine how education shall be imparted.

This principle is not only a dictate of the natural law and a doctrine unanimously held by Catholic theologians but it is also a tenet of the American constitution. In 1923 an effort was made in Oregon to legalize a statute compelling parents to send their children to public schools. The matter was eventually referred to the Supreme Court of the United States; and that august body decided that the theory of liberty which is the basis of our constitution guarantees to parents the right to educate their children in other ways than by the public school. At that time, Dr. Nicholas Murray Butler, President of Columbia University, wrote in reference to the Oregon statute: "It is fundamentally un-American in principle and purpose. . . . It is in no sense the business of the State, in our American political philosophy, to attempt to monopolize education or to prevent the freest choice by parents of the teachers and schools of their children."

RIGHTS OF THE CHURCH

But what are the rights of the Church in reference to education? The Church possesses the primary right to direct the *religious* training of the children of Christian parents. This right she received from Christ Himself, who commissioned the Apostles and, in them, the hierarchy of the Church: "Going therefore, teach ye all nations, . . . teaching them to observe all things whatsoever I have commanded you" (Matthew xxviii. 20). By virtue of this authority, the Church can oblige Christian parents to have their children educated in faith and morals under her auspices; she can supervise their secular studies to see that

they contain nothing erroneous or harmful from the religious standpoint; she can prohibit the attendance of these children at schools that she considers dangerous to their faith and morals. Nay more, for the children of her members the Church can establish schools in which the secular studies are taught together with religion; for although the right to teach that she received from Christ extends directly only to matters of faith and morals, the Church certainly possesses by the natural law the same right as any private individual or society to open a school; and Catholic parents have as much right to send their children to such Catholic schools without any infringement of the State's prerogatives, as any parents have to send their sons and daughters to private schools.

PAROCHIAL-SCHOOL SYSTEM

Such is the legal justification of our parochial-school system, a system that is perfectly conformable both to the law of nature and to the laws of the United States. In this country we Catholics are particularly anxious to provide such schools, because we recognize a serious flaw in the public-school system as we have it—the lack of religious training as an intrinsic element of education. We believe that there can be no complete education when the doctrinal and moral factors of religion are deliberately excluded from the classroom.

Of course, the child may be trained in these matters outside of school; but in such a method religion will appear to him to be merely an accidental adjunct of education, a veneer intended to cover only the surface of life. Now, the very nature of religion demands that it permeate a person's whole life and regulate his every act; and the child cannot be impressed with this idea unless the doctrine and the practice of religion go hand in hand with his secular studies. Considering the variety of religious beliefs represented by the pupils of our public schools, the system now in vogue is probably as good as can be had if all are to be taught together. But we Catholics prefer to use our God-given and American right to build our own parochial schools, where our little ones breathe the atmosphere of religion like the air that surrounds them. These schools are a tremendous financial burden; and they are supported in great measure

by the contributions of those who earn their bread in the sweat of their brow. But our Catholic people gladly make these sacrifices, that the children whom God has entrusted to their care may be trained in truth and goodness according to Catholic principles.

PARENTS' CARE NEEDED

Parents must remember, however, that even the parochial school does not supplant nor adequately fulfil the parental duty of education. The religious training given in the school must be substantiated and supplemented at home by the words and example of father and mother. A child is far more impressed, especially during the years when reason is dawning, by what he sees and hears at home than by what he learns at school. Therefore, the supreme ambition of every father and mother should be so to educate the little ones whom God has given them, that when life's brief day is past, parents and children may be united eternally in the sheltering bosom of their Heavenly Father.

* * * * *

I trust I have given the readers of this pamphlet a simple and clear explanation of the Catholic doctrine of matrimony. To some, I suppose, our teaching on marriage and on the family will appear old-fashioned. This we Catholics regard as a compliment. Our views on family life are very old-fashioned, because they are fashioned on a family that lived of old in the little Eastern village of Nazareth. In the holy conjugal bond of Mary and Joseph, which was ordained to the care of Jesus Christ during the early years of His earthly life, we see realized the highest ideal of matrimony. And we believe that the nearer the Christian family approaches to the type of the Family of Nazareth, the happier will its members be; for even though poverty and hardship be their lot, yet, like Jesus, Mary and Joseph, they will be united with one another and with God by the strong bonds of supernatural love.

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