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**SHALL I
MARRY A
NON-CATHOLIC?**

By the Rev.

JAMES A. MAGNER



AEQ 9484

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Former Editor of the Question Box
and Marriage Questions of
the Extension Magazine

No. 131

Eleventh Edition 52,000

Published In the U. S. by
September 11, 1946
OUR SUNDAY VISITOR PRESS
HUNTINGTON, INDIANA



Imprimatur:

✠ JOHN FRANCIS NOLL, D.D.,
Bishop of Fort Wayne

Nihil Obstat:

REV. T. E. DILLON
Censor Librorum

Deacidified

SHALL I MARRY

A NON-CATHOLIC?

HUNDREDS of letters from Catholics who wish to marry or have already married non-Catholics have come to me, and related problems have been brought to my attention, over a period of years. They reveal such a world of perplexing problems, of hopes, and regrets, that I have decided to take this opportunity to consider some of the more important points of the question of mixed marriage as it really exists. This pamphlet is prompted by a desire to help Catholic young men and women solve what may be the most critical problem in their lives.

Marriage, while appealing to the most romantic instincts, is something which requires good clear thinking to be a success. Perhaps there is no situation that calls for this more than when two persons who are falling or have fallen in love begin to realize that they are of radically different religious faiths. That this is a practical difficulty is evident from the fact that Catholics form less than one-sixth of the population of the United States. That means a Catholic boy or girl has only one chance in six of meeting a Catholic

who is eligible for marriage, although this figure will assume different proportions in different communities and sections of the country.

I think that the majority of Catholics who consider the possibility of marriage would prefer to marry one of their own, if they could get partners that measure up to their ideals. This at least in theory. From a practical standpoint, however, love develops from a variety of personal human qualities and circumstances in which differences of religion play a very small initial role. Common interests, good looks, appealing talents, sympathy for another's hard luck, a catchy manner, or a subtle combination of all these may be enough to set off the spark. The emotional element develops rapidly. Unless the couple are on their guard, this question of religious differences may appear as a mere technicality to which they can answer, "But we are in love!"

The difficulty, however, is not so easily settled as that. The Catholic Church forbids mixed marriages by general law. If the non-Catholic does not become a convert, a dispensation must be secured, when possible, and he or she must pledge certain important concessions, which will definitely stamp the family as Catholic. The only alternative is to call off the match so far as Catholic

marriage is concerned. It is easy to state these solutions of the problem. To carry them out is quite another matter. Where the courtship has gone on for some time and the couple seem matched in all save religion, the importance of the religious issue seems to diminish. And where the non-Catholic refuses to comply with the requirements of the Church, the Catholic has only one choice out of two—either to break up the courtship or to abandon the Catholic Faith and be married outside the Church.

Is this ruling of the Church too strict for Catholics? Is it an injustice to non-Catholics? In June, 1929, the *Forum* published an article called "What It means to Marry a Catholic," written by a non-Catholic woman who did. Her first observation was this: "The wisest ruling the Roman Catholic Church ever made is that of forbidding the marriage of a Catholic with a non-Catholic. If it could enforce this decree, many tragedies would be averted. Every year, under the emotional agitation loosely called love, thousands of Catholics apply for and receive a dispensation from the law, and the same number of non-Catholics enter into the marriage contract with those whose conception of marriage is totally different from theirs."

Is Conversion Advisable?

ONE of the most obvious courses suggested as a way out of the difficulty is the conversion of the non-Catholic to the Catholic Faith. Many Catholics are timid about asking the other to take instructions or even to consider the possibility of entering the Church. They say that this is a purely personal matter, which should be left entirely to the judgment and desire of the non-Catholic. A person who becomes a Catholic just to get married, it is affirmed, cannot make a good Catholic. As a rule, the non-Catholic is unwilling to begin instruction or assume the responsibilities of becoming a Catholic unless there is a definite assurance of marriage. The prospect of taking instructions in a strange faith is not exactly a pleasant one, and such a step may cut him or her off from family and friends.

Of course, no one should be forced into the Church. Such procedure is against all the principles of Faith and will end simply in the repudiation of the belief and the obligations which membership in the Church requires. A person who becomes a Catholic just to get married is bound to be dissatisfied with the arrangement. Such "conversion" does not effect the desired unity of Faith and religious viewpoint.

At the same time, if a Catholic really loves a non-Catholic, there can be no higher blessing to wish the latter than the gift of sincere Catholic Faith. A non-Catholic man in love with a Catholic girl cannot help attributing some of her personal loveliness and charm to the religion which has had so important a part in forming her character. A Catholic man in love with a non-Catholic girl, and endowed with a minimum of foresight, can hardly fail to realize the value of having his wife a Catholic, for bringing up the children understandingly in that Faith. The time to effect the conversion, if a sincere conversion is possible, is before marriage, not after.

The non-Catholic, in any event, should be obliged to take a course in Catholic belief, even though conversion is not the aim or the result. Only in this way can he or she learn what is expected from the spouse of a Catholic. If the obligations of Catholic marriage are going to be too arduous, the time to learn this is before, not after, the knot has been tied. Some dioceses require six periods of instruction before a dispensation for a mixed marriage will be granted. This regulation is certainly to the best interests and for the protection of both the Catholic and non-Catholic parties.

Agreements And Promises

IN the case of a genuine mixed marriage, that is, when the non-Catholic does not become a convert, a dispensation must be applied for. Before this can be granted, the non-Catholic is required to sign certain agreements and promises. The first agreement is to adhere to the Catholic doctrine of marriage as a permanent contract. The non-Catholic then promises to grant, first, free exercise of the Catholic party's religion, and, second, education of all the children, both boys and girls, born of this union, according to the tenets of the Catholic Faith. For practical purposes, this means education in a Catholic school, where possible.

Furthermore, promise must be given that no other marriage ceremony shall take place before or after the ceremony by the Catholic priest. To this promise is sometimes added the agreement that the attitude of the Catholic Church towards birth control will be observed. The Catholic party signs a corresponding agreement and promises to work for the conversion of the non-Catholic, especially by prayer, example, and frequentation of the sacraments. These promises must be given in writing and duly attested by the priest. Mere good will or

verbal assent is not enough. They are then forwarded to the bishop, together with the application for dispensation.

This is not a mere formality. The priest may not testify to these promises unless he can give a definite assurance to the fact that the couple have been sufficiently acquainted with their meaning and are sincere in entering the agreement and in intending to carry out the promises faithfully. Nevertheless, these promises do not solve all the difficulties. Often they are signed in the flush of love, without realization of the practical difficulties that lie ahead. In this mood, some people are willing to sign almost anything. Unless the instructions have been vigorously insisted upon, the non-Catholic may later bitterly regret his or her action and blame the Catholic or the Catholic Church.

Catholic Education

ONE of the earliest and most frequent evidences of disillusion arises from the promise to rear all the children in the Catholic Faith. Most non-Catholics have no particular objection to the Catholic's remaining a Catholic. But very often it seems unjust to some that children should not be permitted to be brought up in the respective religions of the father and mother, or left free to choose their religion for themselves. Many persons who have had comparatively little difficulty in bringing themselves to sign the promises feel that they have been made the unwitting victims of an intellectual and religious tyranny, when it comes time for the children to make their acts of Catholic Faith.

When the idea of Catholic schooling is added, the situation often becomes unbearable. Some non-Catholic parents live in fear that the children, under the influence of religious education, may decide to become priests or nuns. In the *Forum* article, referred to above, the non-Catholic mother declared: "There is not space for me to state the many reasons why to have my child become a monk or nun would seem to me more terrible than its death." Nevertheless she had signed the promises to bring up the

children in the Catholic Faith, and upon her, in large part, devolved the painful duty of teaching them their Catholic prayers, of hearing their catechism lessons, and inculcating in them a spirit of understanding and love for the Catholic Church.

Even when these objections are not advanced, a practical difficulty of the most serious consequences arises when the children see one parent going to one church and another to another church or to none at all. Differences of religious faith are not to be compared with differences of temperament or of economic, political, or social opinions that may exist between man and wife. These latter differences do not touch the fundamental principles of life or the allegiances that shape one's conscience in relation to eternity. Religious differences of this kind do, and the confusion and sadness that must result in the minds of the children who behold this example of different religious belief in their parents is incalculable.

Birth Control

THE question of birth control is hardly less important than that of education. It has become one of the major issues of the day, projected by its advocates as a problem demanding national attention. Against all odds, the Catholic Church has clung fast to her condemnation of race-suicide and contraceptive practices, branding the latter as unnatural and mortally sinful. This is far more vital than most young couples realize at the outset. If a couple do not see eye to eye on it, their married life is bound to be extremely unhappy. The overwhelming probability is that in a mixed marriage they will not find themselves in agreement on this subject.

The position taken by an increasing number of non-Catholic sects, in response to popular demand, is convincing evidence of the almost universal acceptance of contraception outside the Catholic Church as a legitimate means of limiting the size of families. In April, 1931, Presbyterian authorities drew up a report to the effect that "economic conditions and a worthy standard of living clearly make it wrong to bring children into the world without an adequate provision for their nurture and a proper consideration for the health of the moth-

er." This statement might well be endorsed by Catholic authorities, were it not for the fact that it was followed by a statement tolerating contraceptives if employed "in fidelity to the highest spiritual ideals of the Christian home." The Catholic Church teaches that it is impossible to employ such methods in fidelity to spiritual ideals of Christianity. According to the Papal Encyclical *Casti Conubii*, of January 3, 1931, "those who in exercising the conjugal act deliberately frustrate its natural power and purpose sin against nature and commit a deed which is shameful and intrinsically vicious."

Over against this are the reports of the Federal Council of Churches of Christ, Inc., the Lambeth Conference of Anglican Bishops, the American Universalist Church, and the Central Conference of Jewish Rabbis, among many other similar groups, which favor contraception. And in general, they take their cue from common practice and viewpoint. A Catholic husband or wife may urge adherence to the principles of mutual restraint and periodic abstinence, which the Church allows as a moral procedure for a reasonable limitation of family growth. The chances are, however, that a non-Catholic, even after signing the promises will have the greatest difficulty in trying to reconcile his

or her ideas with a Catholic principle which demands great personal sacrifices and is generally characterized as tyrannous and physically cruel.

The practical difficulty often results in a threat of the non-Catholic to leave the Catholic, cut off economic support, or get a divorce, unless the Catholic party comes around to the other's viewpoint. Needless to say this puts especially a Catholic wife at a decided disadvantage. Thousands of Catholics in mixed marriages are submitting to this compromise, deprived of the sacraments, or are fixing their consciences in a vain effort to escape the feeling of hypocrisy. It may be argued that this difficulty can arise even in Catholic marriages; but in these there is always some moral hold upon the offending party, such as the influence of early training, confession, sermons, or the friendship and encouragement of Catholic example.

Divorce

THE question of divorce introduces another important consideration in mixed marriages. Non-Catholics who wish to marry Catholics are definitely instructed that they cannot contract a valid marriage unless they regard the union as permanently enduring—"for better, for worse, for richer, for poorer, in sickness and in health, until death do us part." A trial marriage, made as an experiment or with the condition that it can be dissolved by divorce in case all does not turn out well, is invalid.

The supposition is that non-Catholics marrying Catholics intend to enter a permanent contract, not merely an arrangement whose endurance will depend on the success of the venture. Nevertheless, the Catholic in such a case is still under a tremendous disadvantage. Civil law sanctions divorce and remarriage, and the grounds on which divorce is granted are becoming increasingly easy and general. A report of the Protestant Episcopal Church in 1931, recommended that ministers be allowed to marry divorced persons, regardless of "guilt" or adultery. This is indicative of the general trend of non-Catholic thought on the subject. However generously a non-Catholic may go into marriage with

a Catholic, he can always have recourse to a divorce court in case difficulties arise. Society will not condemn him if a second marriage follows. The average young couple in a mixed marriage contemplate no such action. In fact, they exclude it. All the same, experience shows that it is a common tragic occurrence.

Cause For Dispensations

THESE observations indicate to some extent why the Catholic Church is so opposed to the idea of mixed marriage. The granting of a dispensation is not a mere formality, nor is the signing of the promises sufficient. The priest in charge of the case must not merely attest moral certainty that the promise will be fulfilled but also advance a real canonical reason which warrants the granting of the dispensation. A number of reasons are assigned by the Church as sufficient in themselves, such as a well founded hope or promise of conversion, the removal of grave scandal or serious temptation, real danger of marriage outside the Church, or of apostacy if the dispensation is denied, and revalidation of a marriage contracted outside the Church. Other reasons are given as supplementary but not sufficient in themselves, as advanced age in the woman, family burdens of a widow or widower, publicity and full preparation already completed, for the marriage.

It is important to note that a real and sufficient canonical reason must be present for granting a dispensation. If one is not mentioned, or if the one mentioned is false, the dispensation itself is null and void. Often a couple

imagine that all they have to do is walk into a rectory and demand a dispensation. If questions are asked, they feel insulted, and the Catholic begins to make apologies to the non-Catholic for the rude and suspecting attitude of the clergy. They expect the Church to turn itself upside down for their case. Marriage, they feel, is a personal matter. It should be sufficient for them, they seem to think, to present themselves and be married on five minute's notice. But later, if the marriage turns out unhappily, they expect the Church to do another handspring to get them out of it. If their case is slow or denied, they complain that the only reason they were refused is that they did not have enough money.

Kinds Of Dispensations

THERE are two types of dispensations granted for mixed marriages. The first is known as that of mixed religion. It is given when the non-Catholic is proved to be validly baptized. This dispensation is required by law, but if for some reason it was not obtained or was obtained under false pretenses, the marriage is valid unless other obstacles stand in its way.

The second type is granted if the non-Catholic was never baptized or was baptized in a way which is evidently invalid. This is known as the dispensation for disparity of cult. A special distinction is made, if the un-baptized non-Catholic is Jewish, not only by birth but also by religion. If after due investigation it cannot be established whether the non-Catholic was validly baptized, a dispensation is given for mixed religion and also for disparity of cult, by way of precaution. The importance of this precaution lies in the fact that a disparity of cult dispensation is required for an unbaptized person, not only to permit the marriage to take place, but also to make it a genuine, valid marriage. If this dispensation was not obtained when necessary, or if it was obtained under false pretenses, or on in-

sufficient grounds, the marriage itself is invalid.

A different procedure is followed when one of the couple is a fallen-away or non-practicing Catholic. All persons born of Catholic parents and baptized as Catholics, are considered Catholics by the Church and are held to the Church's laws on marriage. This is true even though they were never brought up as Catholics. If they do not take instructions and become practical Catholics before the marriage, they are normally required to sign the same promises as all non-Catholics. No dispensation is required for the marriage, although permission of the bishop is necessary, but one is required for permission to dispense with the publication of the banns. This type of marriage normally takes place privately in the rectory. Children born of mixed marriages, who have been baptized Catholics but never brought up in the Church, are not held to the Catholic ceremony on marriage except when marrying Catholics.

If the fallen-away or non-practicing Catholic has joined the Masons or another forbidden society or sect, the case must be referred to the bishop for special consideration, unless, of course, the person gives up this affiliation completely and returns to the Church. This differs from the case of Masons who

never were Catholics. They are considered simply as non-Catholics under one of the two headings of mixed religion or disparity of cult. If later they come into the Church, they may, under certain conditions, which remove scandal and all social affiliation, be permitted to retain their insurance policies, if their loss would be a great hardship. This concession is not granted to fallen-away Catholics who return to the Church after having joined the Masons.

The Ceremony

BECAUSE mixed marriage is forbidden by a general law of the Church and permitted only by way of exception where there are special dangers or unusual circumstances, the parties concerned are not granted the solemnity of a Catholic marriage. In the first place, the banns of marriage are not read. The marriage must be performed by a priest with two witnesses, but it does not take place in the church, without permission of the bishop, nor is the nuptial blessing given.

This is by no means intended as an insult to the non-Catholic. One who does not profess the Catholic Faith can hardly expect to receive its special privileges. A Catholic who contracts a marriage which is tolerated as an exception to the general law cannot reasonably demand the special blessings assigned to a regular Catholic marriage. At the same time, it may be noted that marriage is a sacrament for baptized persons even though it lacks the solemnity of the Catholic ceremony.

In some countries, the civil law requires a civil ceremony previous to the religious marriage. The Church tolerates this, where it is enforced, as a civil formality, but does not regard it as a

valid marriage except for those who are not held by the laws of the Church. In the United States, Catholics who go through the civil ceremony before a justice of the peace are guilty of mortal sin.

As mentioned before, marriage as a religious ceremony by a non-Catholic minister, either before or after the Catholic marriage, is absolutely forbidden. Catholics who permit this, even while protesting that they do not believe in it, are excommunicated. Non-Catholics who have close affiliations with their own churches cannot understand why if they permit a Catholic ceremony, the Catholic should not compromise by allowing a Protestant ceremony to take place also.

From the non-Catholic viewpoint, which regards one religion as good as another, or all as equally in the dark, this refusal is narrow-minded and intolerant. The Catholic has another view on the matter. He believes that his Church was founded by Christ and that it is the only Church founded by Christ. To go through the religious ceremony of another creed, even to please the person he loves most, must be regarded as traitorous to his Faith and grievously sinful. Based on their respective principles, the contradictory outlook of both Catholic and non-Catholic on this matter are equally logical.

Family Troubles

THIS difficulty is fundamental and is bound to reappear whenever the issue of religion arises in domestic life later on. "When man and wife," as one observer says, "cannot accept the finality of the Church's commands with equal resignation, trouble invariably follows." Trouble of this kind is not limited to the couple themselves. It is going to arise also from the parents and relatives. There are many points on which Catholics, in virtue of principle, cannot yield. In practice, however, the non-Catholic elements forced to give way often present a far more hostile front. It is usually difficult for non-Catholic parents to see their children marrying Catholics, giving in to Catholic demands and raising the grandchildren in the Catholic Faith which their forefathers have traditionally abominated.

The situation becomes even more painful if one of the couple dies, leaving a family to be raised. The non-Catholic is still under the obligation of raising the children in a Faith which he cannot bring himself to adopt. If the Catholic remains, he or she cannot very well turn to the non-Catholic parents-in-law to help in support of the children with any degree of sympathy. These hazards are

by no means certain in any particular case, but they are sufficiently common to merit careful consideration.

To all these observations, many persons, including some who have contracted mixed marriages, may answer that they know of many mixed marriages that have turned out happily. Non-Catholic parents sometimes show the greatest possible sympathy for the Catholic Faith and give the finest example to the children, even accompanying the family to church. Some outstanding vocations to the priesthood and the religious life have come from marriages such as these. At the same time, one can point to many Catholic marriages which have been most unhappy, in which one of the parents has actually adopted a hostile attitude towards the laws of the Church in which he or she professes faith.

There is no gainsaying these facts. Nevertheless, even in these "ideal" mixed marriages there is always an element of secret sorrow. The wife adoring the Real Presence of Christ in the Mass cannot but feel strangely apart from the husband who sits at her side with no real understanding of faith in that sacred mystery. The Catholic children who genuinely love their religion must always feel a secret pity for their unbelieving parent and ardently cry out to God in every prayer for that gift of Faith which

will make their family one, not merely in affection, but also in profound belief. Those tender allusions to religious belief or practice, characteristic of the Catholic family, must always be hushed or passed over humorously for fear of embarrassing the non-Catholic party or raising useless doubts and disputes.

For every "ideal" mixed marriage there are hundreds that are far from ideal for either the Catholic or the non-Catholic. The common experience of priests is that a saddening percentage of these marriages end in loss of Faith for the Catholics involved and a compromise in the rearing of the children that results in having the girls raised in one Church and the boys in another, or all lost to the Catholic Faith. It is no exaggeration to say that one of the largest sources of leakage in the Catholic Church is mixed marriage.

It is difficult to lay the blame for this situation on any particular group or set of circumstances. Increased parochial and inter-parochial facilities for social acquaintance between Catholic young people, keener realization through organized study of what marriage means, and a more sympathetic vigilance on the part of parents can all help to reduce the evil. At best, marriage involves a host of formidable problems. The chances of happiness and success are far greater from

the beginning if husband and wife share the same religious faith.

Discussion Aids

1. What factor contributes greatly to the large number of mixed marriages in the United States?
2. Why is the question of religious differences not a mere technicality?
3. Whom would the majority of Catholics prefer to marry?
4. What is the most obvious solution of the problem?
5. Would real love be indifferent towards the lack of Faith in the prospective life partner?
6. Should a sincere conversion be effected before or after marriage?
7. What is a genuine mixed marriage?
8. What agreements and promises are required of the non-Catholic? Of the Catholic?
9. What is the obligation of the priest in securing a dispensation?
10. What practical difficulties arise in the education of children of a mixed marriage?
11. Why is it highly probable that a couple in a mixed marriage will not be in agreement on the question of birth control?

12. Why is agreement on this question important to marital happiness?
13. Is a trial marriage valid? Why?
14. Why is a Catholic at a disadvantage if a mixed marriage does not prove successful?
15. Is the signing of promises sufficient?
16. What else is necessary for a dispensation?
17. How many types of dispensations are granted?
18. When is each granted?
19. What procedure is followed when one party is a fallen-away Catholic?
20. Is the nuptial blessing given at a mixed marriage?
21. Can Catholics permit marriage as a religious ceremony by a non-Catholic minister either before or after the Catholic marriage?
22. Why is compromise on the ceremony impossible for the Catholic?
23. Is an "ideal" mixed marriage a completely happy one for the Catholic party?
24. What is one of the largest sources of leakage in the Catholic Church?
25. How can this leakage be stopped?

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