

Maguire, John R.

About "those"...

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God Cares Who You Marry!

Are Protestants Married?

Should I Divorce Him?

about
"those"
Catholic
Marriage
Laws



Rev. John R. Maguire

*A QUEEN'S WORK
PAMPHLET*

**About
"Those"
Catholic
Marriage Laws**

by

Rev. John R. Maguire

**THE QUEEN'S WORK
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About "Those" Catholic Marriage Laws

Rev. John R. Maguire

MARY WAS no longer just worried: she was downright scared. It had all started the previous month at Garden Club. When Charlie and she had moved to town three years ago, he had decided that it would help his law practice to join the group. Gradually she, too, came to look forward to the meetings, because the members carried on such interesting conversations on the issues of the day.

Last month the conversation somehow or other swung around to the Catholic attitude on marriage. Everyone seemed to have a question or two. Her husband's partner, Howard Black, who, incidentally, served as president of the club, was really inquisitive. Probably his work as a lawyer brought him into so many contacts with marriage tangles.

And right now at this gathering, the same point was being agitated. Unfortunately, Mary was the only Catholic in the house at the time. Her husband Charlie was at that moment out in the back yard examining one of the host's rosebushes. All questions were directed at her.

INSUFFICIENT KNOWLEDGE

Before very long at all, Mary realized that she did not know enough about the subject to answer even a small percentage of the perplexing questions. As an escape, she suggested that they invite her assistant pastor at St. Catherine's, Father Paul

Burns, to the next meeting. He, she said, could answer everyone's questions.

The entire group brightened to the suggestion. The next day Mary called Father and found he could come. Since it was her turn to be hostess, the entire evening would thus work out nicely—or so she had thought then. About a week before the meeting, one after another of her friends phoned to ask if they could bring guests along. It seemed that Mary and Charlie had hit upon quite a popular subject. When she told the first girl it was all right to bring others, she couldn't very well refuse anyone else; so here it was the day before the meeting and she was expecting 50 people instead of the usual 15.

Thirty-five *guests!* That was the reason why she was scared. She didn't worry about the regular members of their Club, because she knew they all understood each other and were used to discussing things in a friendly manner. She didn't know, however, about the guests, many of whom she had never met before.

PROGRAM DECIDED

When she knew her husband would be out of the office, she called to discuss the matter with Howard, the non-Catholic president, who admitted he could see her point. Right then they decided the program: first Father would talk some; then everyone would write out his questions during the break between Father's talk and the question period. Finally, Howard, as chairman of the meeting, would present the questions to Father.

Mary breathed more easily because at least the program was fixed. But she was

still a bit apprehensive, for she had never had any experience with such a project. If she couldn't use the back yard, she had no idea where she would have put everyone. Being a woman she couldn't help but worry about things like that. Fortunately, when the meeting night came, the weather was clear.

Before she knew it, everyone had arrived, the brief business meeting was over and Father was starting his talk. She was thankful that she had been able to bring her little project this far without a hitch. She recalled that when Charlie first heard about it he agreed it was a very good idea, but he was apprehensive about her chances of success.

But, enough of that. She knew she had better quit thinking about other things and concentrate on what Father was saying. She realized she needed his explanations almost as much as the people who were not members of the Church.

AUTHORITY ESTABLISHED

“Before getting into our subject, I think it is very important for you to understand the role that the Church plays in the Christianity of Catholics. As American citizens, we are very proud of our Constitution. We all agree that it is perhaps the greatest document the world has ever known in the field of political science. We realize, however, that the Federal Government would not think of printing up copies of that Constitution for each of us and expect us to live by it. We know that an elaborate system of Federal courts has been set up, to settle disputes between individual citizens, between citizens and their government

and between the Federal and state governments, when they disagree on its meaning.

“Similarly, we believe that a Christian cannot find God’s will merely by reading the Bible—even though we recognize it as the greatest book ever written and as the inspired word of God—because so many people who read the Bible sincerely get contradictory ideas from it. Christ founded His Church even before the first book of the New Testament was written. He willed to bring people His teachings down through the ages until the end of the world and to interpret them when there would be any doubt about their meaning. Thus, when the Church teaches us something—because we believe it is guided by God—it is actually telling us what God wants us to do and not merely giving us the best opinions of the priests or even of the Pope.”

COURTS INTERPRET

Howard interrupted: “As a lawyer, Father, I can see that the situation is similar to the one that we find in our Government. Although we have an excellent Constitution, it doesn’t interpret itself. When we get into a dispute about its meaning, we have a very elaborate system of Federal courts to settle such questions. And we, as American citizens, must abide by the decision or choose to live elsewhere.”

“Yes, Howard, we might think of the Church as the manager of the baseball team, sitting on the bench, telling the players out on the field playing the game what they must do and not do to play properly. The only difference between the Church

and the manager is that all managers make mistakes on occasion but, because of the guidance of God, the Church can never make a mistake when considering those all-important questions—what we must believe and do to gain heaven.

“With that in mind, we can now consider our subject, which is, what the Church teaches Catholics on marriage. We must remember that some of the laws regarding marriage are laws that have been revealed by God in the Scriptures or through His Church, while others concern the points the Church has found she must insist on to protect God’s revelation from being misapplied.

“Marriage is first and foremost a religious matter. Although we readily admit that the State has power to make laws regarding marriage for the public good, we believe that it is primarily governed by Almighty God that, for Christians, Christ has raised it to the dignity of a sacrament. We believe, in fact, that when two baptized people, whether Catholics or non-Catholics, enter a valid marriage, they receive the sacrament; and the bond that exists between them can be severed only by death.

FIRST RULE

“The first rule that we encounter is one that has been made by the Church—it requires that all Catholics marry before a priest and two witnesses; and this priest is not to be just any priest but generally he must be the pastor of the bride or one of his assistants. For a good reason the couple may seek permission to pronounce their vows before another priest or to be

married elsewhere. The law makes special provision for various emergencies, as, for example, when priests are not available, but we are not concerned with those situations here.

CIVIL CEREMONIES

“The attempted marriage of a Catholic before a civil official, a justice of the peace, for example, or a magistrate, etc., or before a minister of another denomination, is not recognized as a marriage *at all* by the Church and thus is no marriage for them before Almighty God. After a civil divorce a Catholic who was involved in such a union would be free to marry again if he obtained a decree of nullity from his Bishop—providing, of course, he had not been previously validly married. One problem about this decree is that some time must be allowed for obtaining it, because there are certain documents that must be obtained and forms to be filled out and signed.

“For people who are not Catholics, and have never been considered by the Church as Catholics, however, this rule does not apply. The fact that such a couple repeated their vows before a justice of the peace rather than a minister is not a determining factor in the validity or invalidity of the marriage.

“I have seen the unfortunate consequences of ignorance in this matter among Catholics. A couple will come into the rectory to set the date for their marriage. Naturally we ask if either has been married before. If one or both reply that the non-Catholic has been married but ‘Only by a justice of the peace’, we must ask

more questions. If that has been the first marriage for both parties and they were baptized Christians—in denominations other than ours—that marriage would have been just as binding as one solemnized before a priest and the only way either party could re-marry would be if his partner dies.

“The Church requires that a couple be married in the parish of the bride for the same reason that we Americans are permitted to cast our vote only in our own precinct. Furthermore, the matters of determining whether people are free to marry, of giving instructions that will help people meet and solve their problems and, finally, of taking care of all the necessary records can best be done in the place where one or both people reside and by a priest who is acquainted personally with the situation. The local parish provides the very life blood of the Catholic Church. The clergy there exercise fatherly care over all the people within its boundaries and certainly the marriage of one of the parishioners is a very important occasion for them, as well as for the people themselves.

GOOD REASON

“If people have a good reason for being married at another place, however, or for having someone of their choice witness their vows, they can seek the permission of the bride’s pastor. But we usually advise people to talk with him before they announce any plans, because the pastor might have a better reason for denying their request.”

Just then Mary interrupted: “Father, I forgot to mention at the beginning that I have paper and pencils available now for

anyone who wants them." Then turning to the group, "If a question pops into your mind, I imagine you would prefer to write it down right away; so you won't forget it."

During Mary's little announcement, Father took advantage of the opportunity to enjoy a glass of water from the pitcher on the table before him. Then he was ready to resume his talk.

"Before going on, I would like to remind you now that we have said first, that Catholics must be married before a priest or they are not married at all and secondly, that the priest usually must be the pastor of the bride or one of his assistants. Now we can get on to another very important question, that is, to the Church's attitude on divorce.

CHURCH OPPOSES DIVORCES

"Unless the marriage was not a valid one and unless it has been declared such by the Church authorities, the Catholic Church is definitely opposed to her members' suing for divorces.

"First of all, we believe that a couple makes their vows before God when they marry; the priest, incidentally, is only an official witness. We believe that they can be expected to have meant what they said when they promised to take their partners for worse as well as for better, for poorer as well as for richer, in sickness as well as in health until death.

"Now, if a person gets the worse, the poorer, and the sickness all rolled into one, he has gotten nothing worse than he has bargained for. He didn't say that he would take his wife as long as he enjoyed her company or even as long as she remained

faithful. While it is possible for conditions like this to have been made, they are contrary to the promises made in the marriage ceremony and thus are unlawful. If wrong conditions can be proved to have existed, the marriage will be declared to be null and void. Decrees of nullity, however, which are issued because of the existence of such conditions at the time of the ceremony, are extremely rare, because it is so difficult to prove that the person intended one thing, when he was saying the exact opposite.

“When trouble comes and one or both parties seek to be released from their marriage bonds, we do not believe that the Judge has the power to dissolve their marriage. The couple made their promises before God, who has revealed to us in scripture: ‘What God has joined together, let not man put asunder.’

“To make a very simple comparison, if our state income tax law were repealed, we would not expect to be exempt from Federal income tax, too. Likewise, just because the civil law permits people to get out of their marriages, we have no reason to believe that Almighty God has changed His laws. For this reason, we tell Catholics that they must not go to a lawyer when they have marriage problems and the word divorce enters their minds but that they must consult a priest whom they think is prudent.

COUNSELLORS WARNED

“Anyone who has any contact with matrimonial difficulties—priests, lawyers, doctors—naturally must try to help the people work out a reconciliation. But there are

some situations that are so far gone that you sometimes wonder if anyone other than the Lord Himself could be successful in working them out.

“In our work we see cases of innocent people doing themselves great harm by running into divorce courts at the first sign of trouble. Fortunately there are many fine lawyers who help people avoid such mistakes, but there are others who are more interested in the fee involved than they are in the welfare of their clients and their families.

“A wife, for instance, is very angry and very hurt that her husband is not supporting her and the children and is running around with someone else. She decides she is going to get a divorce. Since we don't believe she can re-marry as long as he lives, because God's laws won't let her, she is certainly not helping herself there. She knows that the chances are very good that she will never have another husband and yet she is willing to give up completely on the one she has, even though he might be a very young man.

“On the other hand she is probably giving him just what he says he wants. He could never get a divorce, if she would contest a suit he would file, because he has no grounds. But she would seemingly be taking care of this for him, giving him the legal right to enter a union with the person with whom he has been keeping company. The wife has lost the father of her children forever and has also probably lost any chance she has of getting him to help with the support of the family, because, even though you have a court order or decree,

you cannot get money out of a man who won't work and it costs a great deal even to try to collect support money from a man who insists on getting himself lost every few months."

"Excuse me, Father," said Charlie. "Let me see if I have this straight. Unless we are certain a marriage is invalid, we, lawyers, shouldn't take a divorce case involving Catholics unless they have first checked with a priest."

"I think we should go farther than that, Charlie," Father replied. "You should have them check with a priest in any event, to be sure the marriage is invalid. And in the case of marriages solemnized before the priest which are obviously valid, a Catholic lawyer could be guilty of serious sin in helping a person to obtain a divorce without sufficient cause, especially if the person wanted the decree to be permitted to enter a civil marriage. Our rules are exacting, of course. But we, Catholics, stand alone in this matter. No one likes the idea of divorce, regardless of Church affiliation or lack of it. The real problem, though, is the one we face now, which is: if all efforts at reconciliation fail and a divorce has already been secured, can a person re-marry?"

ABANDONED

"Let's take the practical example of a young girl, only 21. She has a baby in her arms. Her husband has abandoned her six weeks before to go to Texas with someone else. She should be interested only in what Almighty God will let her do, not in what the priest or minister says to her. Will God let her re-marry or must

she remain true to this man who hasn't been true to her?

"Before thinking about the answer, let me remind you that I'm sure we all agree that we know what the girl wants. She wants a father for her child and a good husband to take care of her. And, believe me, that is just what the priest would like her to have in many cases, except that there is one very big problem.

"The priest is interested in everyone's marrying the person whom he or she loves. He has had the opportunity to decide what he wants to do with his life and where he wants to spend it, and he certainly feels that everyone else should have that opportunity, too. But he cannot give a person a wife or husband who already has one, regardless of how much he might want to.

UNTIL DEATH

"If the people are validly married, they are husband and wife until death! The fact that they went down and listened to the Judge tell them they are not married before the law, has absolutely nothing to do with Almighty God and His laws. As I mentioned earlier, we would have no reason to conclude that we were exempt from Federal income tax, just because the state tax was repealed.

"I think it is important for you to understand the attitude of the priest in this regard. He doesn't get any pleasure out of making people unhappy. We have people in our parish, for example, who are 're-married' after a divorce. In the type of case about which I am thinking, the parents are sending their children to

the Catholic school and would like to get themselves straightened out. If both parties are Catholics, which happens rather rarely, that means that we would have two people going to the sacraments regularly who are not going at all now. And we would have two more parents who are giving their children the example at home that is so essential in the rearing of good Christians. These are results that would be very desirable from our point of view.

“Then there are the other situations where one of the people is not Catholic and would like very much to join the Church. Where the marriage situation is impossible, where a previous partner would have to die before the existing ‘marriage’ could be validated, we have to tell the person that he cannot be a member of the Church, just as his partner cannot receive the sacraments.

“It is not that we don’t want everyone in the world as members of the Church. In such a matrimonial situation, however, one or both parties has a living wife or husband and they are living in sin as long as they live together as husband and wife. Naturally, if a person is not sorry for his sins—sorrow in this sense means that he will do his best not to commit them again and such a resolution would necessitate separation for these people who cannot be husband and wife before God—he cannot go to confession or be baptized worthily.

IT'S GOD'S LAW

“I think you can readily see that it would seem much easier and better for us priests, personally, if we were able to

okay the second marriage, telling the divorced person that we forgive him and God forgives him for making the mistake of entering his first union. But we cannot violate the laws of God, no matter what good we think will come of such an action.

“I think we can say simply that priests are people who are bound by rules, just like anyone else. They certainly didn’t make all the rules they have to explain to people. I like to think of them as Guardian Angels, people who bring the gifts of Christians up to God, particularly by offering the Sacrifice of the Mass, and bring God’s help down to the people, by that same Mass and by administering the sacraments to them.

“I know that there are many things which I have not covered, but I think we can take care of them during the question period. I feel we can sum up the final point we have been considering by saying that God, who is much more kind and merciful than we are, knew about the unhappy marriages as well as the happy ones when He made His law that only death can sever their bonds.

EARNED REST

“Now, I think you have all earned a rest. You have listened to me attentively. I want to thank you for your kindness and hope that you will have many good questions, so that in answering them I can further clarify your ideas on our subject.”

Mary had attended closely to Father’s talk, but she had also managed to cast an occasional glance at the rest of the audience. She felt sure that Father was telling them just the things they wanted explained

to them and she was encouraged even more when quite a few headed for the "Question Box" Father had brought along, even before they got their refreshments.

After about a half-hour, Howard asked everyone to return to their seats: "I know that you are all anxious to hear Father's answers to your questions and that some of you have to get your baby sitters home before it is too late, so we had better get started."

SOME SUBJECTS UNTOUCHED

Father felt that the program was going as planned. He had purposely left a number of subjects uncovered in his talk to encourage questions, thinking that the people might get even more out of the answers to their own questions than they would out of a talk he would give.

WHICH IS WORSE?

Just then, Howard interrupted his thinking, asking the first question. "Father, is it worse in the eyes of the Church, as you say, for Catholics to get married before a minister than before a justice of the peace?"

"Howard, before answering the question, I think we should clarify something in that statement. There is no such a thing as something's being good or bad in the eyes of the Church. The Church has no eyes. I don't want to seem overly technical, but no Catholic can offend the Church by anything he does. If you remember, I explained in the first part of my talk that the Church was founded by Christ to tell us what He wants us to do to get to heaven. In other words, when the Church

tells her members that they aren't supposed to get married before a justice of the peace or a minister, that means that Almighty God doesn't want them to. As I said, the important thing is to know what God wants and He has given us this wonderful way to be absolutely certain of His will for us.

"Now, to get to the question and its answer—it is a more serious sin for a Catholic to attempt marriage before a minister than it is before a justice of the peace. In the technical language of the Church, the ceremony before a minister carries with it the censure of excommunication and the priest must get special power from the bishop to forgive that sin. It means that the person has gone before someone who we believe is not an authentic representative of Christ, whereas the person going before the justice, who claims to represent no one but the civil government, is merely entering a civil union. Such an act wouldn't have that added guilt. I say *merely*, but that is a very serious sin, too."

"Father, you mentioned the priest's having to get special delegation from the bishop to forgive a person's sin who has gotten married before a minister. Just what does that involve?"

"Well, Howard, that means that he could tell the priest he is going to Confession to him several days before he does so, so the priest can write in to the bishop to get the jurisdiction. The confessor merely asks for faculties to absolve *a* person from the censure of excommunication and cannot mention the person's name. As a second

alternative someone who has committed that sin may go into the confessional and tell the priest about the situation and then Father will ask him to come back the following week for absolution. The latter way has the advantage that the person doesn't have to reveal his identity, even to the priest who hears his confession, but it takes a few days longer than the other way usually. Secrecy is important to some people, though actually it would make little difference to most penitents. At least that has been my experience. The priest and the bishop are both bound to secrecy in either event.

EMERGENCY FACULTY

"Before we go on to the next question, I think we should mention, too, that in cases where the person is in danger of death the Church supplies the priest with emergency faculties, if he cannot contact his bishop immediately to get them."

At that point Charlie interjected: "As a Catholic, I wonder if I could ask a question here? When you spoke of a person's being excommunicated, Father, does that mean he has the right to go to Mass?"

"Yes, it means that he not only has the right but the duty to go to Mass every Sunday and holyday. The fact that he is consistently breaking one of God's Commandments doesn't mean that he can break any of the others without additional guilt."

"Father, I think we had better get on to the next question. Here's one: 'Is a Catholic bound to a marriage before a minister more so than he is bound to one before a justice of the peace?'"

“No, not at all. It is strange how many people, even Catholics, think that a Catholic who goes through a ceremony before a minister is really married but commits a sin in doing so. They think that there is a real marriage because there has been a religious service. The rule actually is that a person who is a Catholic and wants to remain one must marry before a priest and two witnesses. As far as Almighty God is concerned, any ceremony will not be binding, except in those rare cases where a priest is not available, as I mentioned before.

MAY CATHOLICS SUE FOR DIVORCE?

“Next question: Is a Catholic ever allowed to sue for divorce in a civil court?”

“First of all, if the marriage is invalid e.g., one before a minister or justice of the peace, Catholics not only may but should sue for divorce. We must obey the civil laws of our country, and before this law the couple was really married, even though God did not consider them so. They would, consequently, have to get a civil divorce when they parted or certainly before marrying someone else.

SEPARATE MAINTENANCE

“In the case of a valid marriage, rarely would it be advisable for a Catholic to seek a civil divorce. It might be necessary for instance, to enable a person to get custody of children or to distribute property held jointly. This would be true, in general, where there would not be sufficient grounds before the law to sue for separate maintenance but there would be grounds for divorce.

“For Catholics, separate maintenance would naturally be preferred to divorce, where the marriage is a valid one. This is because the former action does not carry with it the civil right to re-marry. Strange as it may seem, however, our laws make it more difficult to obtain the separate maintenance. Lawyer friends of mine tell me that here in Missouri, for instance, in addition to the usual grounds for divorce, there must be both desertion and non-support for separate maintenance.

“I have often thought that it would be wonderful if we could have even more of the co-operation of the civil authorities in our efforts to preserve the marriage bond, since no one approves of divorce, except as a final desperate measure like a war or strike, to the extent that the courts could grant a legal separation, with all the advantages of a divorce and without the big disadvantage of allowing both parties to marry again before the civil law.

“When a person assumes the responsibility of marriage and vows to remain true to his partner for life, it seems no more than right for him to have to live up to his promises.”

UNFAITHFUL AND ABUSIVE

As Father finished his sentence, Howard interrupted: “Father, the thought just occurred to me. You don’t expect people to live with partners who abuse them or who are unfaithful, do you?”

“No, Howard, I was going to get to that. Again, my lawyer friends tell me that it is even necessary to obtain a

divorce where there is repeated infidelity or where there is physical abuse. However, if efforts to effect a reconciliation fail, we try to urge people to live apart without going into court at all. If that cannot be done, different bishops have different rules. Our own Archbishop asks that the people, through their parish priest, obtain permission from his office for a separation 'from bed and board'—to use the technical language—before any civil action is filed. One major Archbishop denies Christian burial to anyone who gets a divorce without permission of his office and another excommunicates Catholics who handle divorce cases involving validly married Catholics without proper permission.

“We try to instruct people to consult a priest whom they think is prudent rather than a lawyer when difficulties are brewing in their homes. The priest will advise talking with a lawyer later on, if that is necessary.”

SELFISHNESS

“One more thing, Father; you spoke of reconciliation. What do you think is the chief obstacle to a reconciliation in the cases you have seen”

“That’s easy, Howard; selfishness! And it is most often evidenced by one of the parties’ refusal, almost always the man’s to come over and talk things out, so work can be begun on the solution of their problems. They fail to solve them themselves but they insist that what goes on in their homes is their own business and refuse to talk to anybody.”

GO TO SACRAMENTS

Just then Mary broke into the conversation: "Father, I would like to break our rule of procedure, if I may, and ask a question myself. If a Catholic has gotten a divorce and it has been a mistake in the eyes of God and the Church to do so, can he or she still go to the sacraments?"

"Yes, Mary, contrary to the impression of many Catholics and, unfortunately, of many who are actually in that position, it can be all right for those people to receive the sacraments. They might have been guilty of sin in suing for the divorce, although most people do so because they don't know of any other way out of their misery. But, even if they did sin by taking the law in their own hands, they can be sorry for that and be forgiven. As you know, a firm purpose of amendment is necessary for forgiveness of sin and I know that the priest would include in that firm purpose required of the person the condition that he try to work for a reconciliation, if that is still possible.

"Let's look at the case of a person who has not been guilty of serious sin as a result of the filing of the suit. As long as he remains true to his partner, even though he is in Alaska and she in New York, he is free to go to the sacraments and be as good a Catholic as he wants to be."

DIVORCE AND DATING

"Father," said Howard, "I think this would be a very good time for us to consider this question I have right here. Someone in our audience wants you to elaborate a little on the matter of divorced people's dating."

“Howard, about the best I can do is to tell you what I tell people I know who are divorced. I tell them—assuming they are *not* free to marry, because their partners are still living and the Church has not declared their marriage null and void—that, if they value their God and their religion, they will not do anything with a person of the opposite sex that they would not be perfectly willing to tell their partners about if they had just returned from a two-week visit with relatives.

“Let me explain. If your wife were away for two weeks and you asked the lady next door, whose husband was on a convention out of town, to a movie—and you were not close enough to the people for your wife to approve—I’m sure you would consider it wrong. You wouldn’t want your wife to know about it. We, Catholics, would say that such a thing could be a mortal sin, even though the people did nothing else wrong while they were together. We have to avoid not only things that are seriously wrong in themselves but things that can easily lead us to do those things. We call these the proximate occasions of sin.”

“In other words, Father, a divorced girl should build her life without men, shouldn’t she?”

“Yes, Mary. Just as it isn’t right for a married person to date a third party, we consider, and God considers, it wrong for people, who have been validly married, as long as they both live. The facts that they are living in separate parts of the city or even different parts of the country, and that a judge has told them that they

are no longer married, has nothing to do with it. They are still husband and wife before God. And that is why we tell them that it can be a serious sin to have even one date.

“Then, too, a person who tries to date, knowing he cannot re-marry, finds himself always feeling sorry for himself and he is never the happy, well-adjusted person he should be. All dating is some kind of preparation for marriage, even though it is very remote. He will also be spending his time with couples who are either happily married or who are very much in love and planning to marry soon. Neither type of companion is good for someone who is divorced because they just make him more discontent with his lot, which we admit is a difficult one.”

MONASTERIES OR CONVENTS OR?

“Father, I didn’t read the rest of the question. The person wants to know if you advise divorced Catholics to enter monasteries or convents. In other words, do they have to bury their heads in the sand for the rest of their lives?”

“No, not at all. There are plenty of people who never marry and who never have any social contact with the opposite sex. If they are happy, it is usually because they have found some way to help other people and to be of service. Thus they need to practice the virtue of Christian charity, rather than to be thinking of themselves all the time. That is a real evil unmarried people have to watch, priests and nuns included. They can be interested in sports and do a great many things well

and with satisfaction, as they would find out if only they would give themselves a chance. I will admit though, that it isn't always easy for a person who has been married to adjust to such a life. But we all know that we must do things that are difficult at some time in our lives. In a situation like this, the parish priest can be of great assistance, because they have had experience with many people in similar situations.

"It all amounts to this. We know that we must work, and with God's grace, for anything we think is worthwhile here on earth. We must, therefore, count on working to achieve the eternal reward of heaven, the most eminently worthwhile thing in the world. We know that it is not easy at times, especially when there are small children involved, but we never have a good reason to break God's law."

PREVIOUSLY MARRIED

There was a moment's pause, and Howard began again:

"Now, Father, we get to a question that I think will interest us all. How is it that some people who have been married before can marry in the Catholic Church, even though their partners have not died?"

"Howard, the most obvious case is the one where a Catholic goes through a ceremony before a minister or justice of the peace. We must obtain a decree of nullity from the bishop's office, but that isn't usually any too much of a problem. Of course, it does take time to gather the necessary documents and to take care of the paper work involved, as I mentioned before. The only exception is complicated.

Notice the many provisions. If the person was not reared Catholic, that is, if he received no instructions and consequently did not go to Confession or receive first Holy Communion or Confirmation, and if one of his parents was not a Catholic *and* if his own marriage took place before January 1, 1948, then the matter calls for study and might be solved. This combination is comparatively rare now, so we can say in general that such people can re-marry.

“Secondly, if it can be proved that the parties did not live together as husband and wife after the ceremony, the marriage can be declared null. In this type of case, the proving is what is difficult.

“Thirdly, if one of the parties to the union was in a valid marriage before entering the contested marriage; or, if either or both parties had never been baptized in any Christian denomination and the one who is interested in marriage before the priest wants to become a Catholic—in these cases, too, if the facts are proved, re-marriage is permitted.

“As I mentioned, the difficulty usually comes in that matter of getting the necessary proof. It almost always takes a very long time, sometimes many years, if it can be secured at all. My way of handling this situation, as a matter of fact, is to tell the young people whom I meet that if they value their God and their religion, they will turn around and run the other way if they meet someone who has been married before. Most all of these cases are difficult at best and many of them cannot be solved at all.”

ANNULMENTS BY CHURCH

“But, Father, doesn't the Church grant annulments sometimes?”

“That is true, Howard, but it is a very rare thing. Anyone, for instance, who has been married before a priest, has almost no chance of marrying again while his partner is still living. It is important to remember the difference between an annulment and a divorce. The latter means that a valid marriage is ended, while the former means that there was a defect in the original marriage contract, that is, that there never was a marriage at all.

“Let me give you an example. If a boy marries a girl before a priest and then finds that she had been married validly previously, their marriage would be annulled.

“I might interject that such a trick is very difficult for Catholics to manage. When someone is married, we send a record of the marriage to the parish where the person was baptized and the information is entered in the baptismal book opposite the bride or groom's name. Then, when subsequent baptismal certificates are issued, that information is added—the name of the spouse and the place and date of the marriage.

“Now, before witnessing a marriage, the priest would require the couple to furnish copies of their baptismal records which are less than three months old. That means that if there is a marriage recorded on one of them, the person must furnish proof of the partner's death before the priest will have anything to do with the marriage.

“There are other grounds for annulments, and we are always glad to check into cases for people who think they have these grounds. We remind them, however, that to get an annulment they must prove a defect in the original marriage contract and not merely that they entered a marriage that subsequently didn't work out through no fault of their own.”

Howard added: “Father, I guess it is the lawyer in me that is coming out again, but I have heard about annulments that have been granted by civil courts to Catholics. Does the Church recognize these?”

“No, Howard, she doesn't. It must be an annulment from a Church court.”

'FIXED UP' MARRIAGES

“One more question, Father. It seems that someone in the audience knows a young couple who ran away and got married and the priest refused to 'fix up' their marriage right away. She wants to know why he did that.”

“When we speak about 'fixing up' a marriage, we mean that the couple repeats their vows before the priest and a previously invalid marriage that was witnessed by a justice of the peace or minister now becomes valid. Bishops sometimes make rules, for the good of the people, that their priests cannot validate such marriages until six months have elapsed, especially if one of the parties is under 21. We had a rule like that in our own Archdiocese during the Second War. In the absence of such a rule, the pastor has the right to require a couple to take some

time to study their religion and their own case, especially if he doesn't think they are ready for marriage."

SUMMARY

"Looks like the end of the questions, Father. Do you have anything to add?"

"Yes, Howard, I would like to summarize very briefly what I have said this evening:

"1. The rule requiring marriage before a priest binds only Catholics and for them marriage before a minister or justice of the peace are equally *invalid*.

"2. Catholics should never sue for divorce when they are in a valid marriage unless they have consulted a prudent priest and have approached a lawyer on his advice, as a last resort under the law of our land.

"3. Almighty God and His Church are interested in people's being happy. They cannot, however, let someone who has been in a Christian marriage take another partner, unless the first one should die. This law has been made by God and will have to be followed until He changes it.

"4. When people marry, they take each other for worse as well as better, in sickness as well as in health, poorer as well as richer until death. When someone gets the *worse*, the *sickness*, and the *poorer* all at once, he gets no less than he has bargained for. He might have to separate from his partner but they are husband and wife until death.

"5. Finally, because a marriage was invalid from the start or was not a union between Christians—where one or both parties were not baptized—it can be that those people could be permitted to enter

a Christian marriage after due investigation. Money or contacts have nothing to do with deciding these cases. We try to help everyone but must apply the laws of Almighty God; otherwise, we are not true to the job we are supposed to be doing and would merely be getting ourselves into serious sin.

“In conclusion, I believe that it is important for all of us to remember that God has made only one set of rules for all His children. Either those Christians who allow or even tolerate re-marriage after divorce are too lax or we are too strict. God’s will in the matter is the important thing and we know of only one way of finding it, by checking with the Church He has founded for that purpose. I thank you for your kind invitation and will promise to pray that God will help all of you to know His will for you in all decisions you are called upon to make regarding your eternal salvation.”

“Thanks to you, Father,” were Howard’s concluding words. “We hope that you can visit us again, because I know I speak for the group when I say we enjoyed your talk and found it very informative.”

Lying in bed that evening, a no longer worried Mary realized that if all Catholics knew what they should about marriage and the problems that might arise in almost anyone’s life, there would be many more who would be solving them successfully.



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