

CATHOLIC MARRIAGE LAWS: EXPLAINED BY ARCHBISHOP MANNIX

An explanation of the *Ne Temere* Decree was given by his Grace the Archbishop of Melbourne, the Most Rev. Dr. Mannix, at the 8 o'clock Mass at St. Patrick's Cathedral on Sunday morning (says the *Tribune* of May 22), and it should lead to a better understanding of the Catholic position in the community. His Grace said:—

There must be a dearth of new charges against the Church. For the various Protestant bodies, with an unanimity which is striking and suggestive, are returning to the old worked-out grievance of the *Ne Temere* Decree. Even when the Decree was new, it made little change in the previous discipline of the Church. But, yet at this late date, Protestants are once more invited by their spiritual guides to become very angry because about ten years ago the Pope, for reasons that seemed to him sufficient, decreed that, where a Catholic is concerned, marriage, to be valid, must be contracted in the presence of the local parish priest, or the local ordinary, or of a priest delegated by either of these, with two witnesses. It seems quite a reasonable law. Marriage is a Sacrament as well as a contract, and, if the Church is what she claims to be, there is no reason to be surprised or angry when she defines the conditions of the sacramental contract of marriage, just as the State defines the conditions of the civil contract.

No doubt certain persons who have never read the Decree, or do not understand it, speak of it as a direct and deliberate attack upon Protestants. The fact, of course, is that the Decree is directly and expressly intended for Catholics. If the Pope had his wish, that Decree would never touch a Protestant. For, like the heads of the Protestant bodies, the Pope is altogether opposed to mixed marriage, and the *Ne Temere* Decree never affects a Protestant unless in case of a mixed marriage. It regulates all marriages, however, between Catholics. If, for example, two Catholics were to comply with all the requirements of the civil law in a registry office, their marriage, though valid before the civil law, would be invalid before God and His Church. And, if these Catholics wish later to receive the Sacrament of marriage and to live as practical Catholics, they must renew their marriage consent in the usual Catholic form before the local parish priest and witnesses.

But one hears the complaint. Why was not the Pope content with legislating for purely Catholic marriages: why did he not exclude mixed marriages, just as he excluded purely Protestant marriages, from the operation of his Decree? He could have done so, of course, for the matter is a disciplinary one. But,

surely it is a rather extravagant demand to make of the Pope. In order the better to safeguard the contract and the Sacrament of marriage, he thought it wise to insist upon the conditions laid down in the *Ne Temere* Decree, when a Catholic is marrying a Catholic. It is not easy to suggest a reason why he should provide an easier option for a Catholic who, in spite of the warnings of the Church, marries a Protestant. At all events, it is evidently very wide of the truth to say that the *Ne Temere* Decree was aimed at Protestants. Perhaps the Pope hoped that the Decree would discourage mixed marriages. If it has had any effect in that direction, one would expect the heads of the Protestant bodies to be grateful to the Pope for lessening the number of those marriages to which they themselves are altogether opposed, however powerless they may be to prevent them.

Another view of the *Ne Temere* Decree is that it is intended as a wanton and brutal insult to Protestant ministers. Excitable persons grew very wrath to think that the Pope would dare to declare invalid a marriage—a Catholic or a mixed marriage—contracted in the usual way before an Anglican, say, or a Methodist, or a Baptist minister. That, they think, is intolerable. In their anger they forget, perhaps, they do not know, that under the *Ne Temere* Decree no priest, no matter what his ecclesiastical dignity or his civil credentials may be, can assist at the marriage even of two Catholics, unless he be the parish priest or the ordinary of the place where the marriage is contracted or the delegate of the parish priest or the ordinary. Has the Pope, therefore, hurled a wanton and brutal insult at his own priests? A little common sense and mother wit would save much angry resentment.

But the silliest objection to the *Ne Temere* Decree comes from those of hazy thought, and they are many, who assert that the Catholic Church in this Decree defies the law of the land. Now does she? What are the facts here among ourselves? First of all, every one of our priests who assists at a marriage is not merely the representative of the Church, but he is also the legally appointed representative of the State, and he carries out faithfully all the requirements of the civil law, as well as of the ecclesiastical law. There is certainly no defiance of the civil law where the terms of the Decree *Ne Temere* are complied with. Again, if two Catholics, or a Catholic and a Protestant, ignore the *Ne Temere* Decree and resort to a Protestant minister or to a civil registrar, does the Church put itself in defiance of the laws of the State? Not at all. These people are legally married in the eyes of the State; their marriage contract has all the civil effects of any marriage contract, and these facts are not disputed by the Church. Surely, it is a gross misuse of words, therefore, to say that the Church defies the law.

"Holeproof" Silk Hosiery. Famed for beauty and shapeliness and for long wear. Strongly reinforced, with "Holeproof" kisle thread; seamless leg and feet throughout; spliced heels and toes; extra deep double ribbed "Holeproof" kisle tops. Black, white, dark coating, silver, dark tan, mid and dark greys—

7/11 pair

Write for Sample Patterns of Dress Materials and Blousings.

A Warm Welcome awaits these "Doctor" Flannels

Scarce for some time past, but the celebrated, long-looked-for "Doctor" has come with the first cold snap of winter. Order now, for there's bound to be a big demand. . .

"DOCTOR" FLANNELS. All Pure Wool. Soft and cosy. Will not shrink in the wash or irritate in wear. A warm welcome awaits them— White 3/9 3/11 4/11 yd. Natural 3/6 3/11 4/6 5/6 yard Pink at 3/11 yd. Dark Grey 4/11 5/3 yd. COLONIAL FLANNELS, pure wool, sound qualities and good values— 2/6 2/11 3/3 yd. FLANNEL SHEETINGS, a source of restful comfort these cold nights. All wool—in Pink, White, or Natural— 60-inch 6/11 yd. 84-inch 8/6 yd. SHIRTING FLANNELS, including the "Doctor" makes. In Stripes and Plain Greys— 3/3 3/11 4/11 yd.

BEATH'S

CHRISTCHURCH

Beath's are Sole Canterbury Agents for Ladies' Home Journal Patterns. Simplest patterns in the world to use.

F. A. LAWS, The SPORTS HOUSE, 29 Courtenay Place, Wellington. Also at Riddiford Street, Newtown. THE BEST CRICKET MATERIAL can always be obtained at our Premises in COURTNEY PLACE, or at our Branch House in RIDDIFORD ST., NEWTOWN. Sporting Goods of every description stocked by us, together with a varied and choice range of Ladies' Handbags and Travelling Requisites.—'PHONE 4425.