

INSTRUCTIONS: Read each of the following statements carefully, then place an "X" in the box following the word or phrase which best completes the statement. Mark only one box for each statement. Each correct answer is worth five points.

LAW GUIDES LOVE

6

Love Is Public

1. The banns are formal proclamations that are made on _____ successive Sundays at the parish Mass.
two four three five
2. There are two classes of impediments to marriage; they are invalidating and _____
diriment conditional dispensatory impeding
3. _____ is the inability to perform marital intercourse.
impotence frigidity sterility adultery
4. It is generally necessary to ask the _____ permission before a Catholic couple can separate.
pastor's in-laws' bishop's judge's
5. Mixed marriage is a _____ impediment.
prohibitive diriment invalidating impending
6. Matrimony is really the only Sacrament administered with _____ specially composed for it.
music a blessing a poem a Mass
7. There are _____ diriment or invalidating impediments to marriage.
seven eleven thirteen twenty
8. Church laws governing marriage can be found in what is commonly called the _____.
Domesday book Canon Law Code chancery office marriage manual
9. The special sacramental known as the Nuptial Blessing is part of the _____.
Pater Noster wedding contract wedding ceremony Mass itself
10. The Church recognizes as true marriages those unions of two unbaptized persons contracted under _____.
civil law duress oath a tree
11. Before a dispensation from the impediments prohibiting mixed marriages can be granted, _____ conditions must be fulfilled.
two three five six

POSSIBLE SCORE

55

SUB-SCORE I _____

MINUS ERRORS X 5 _____

SUB-SCORE II _____

SUB-SCORE II _____

TOTAL SCORE _____

CUT ON DOTTED LINE

LOVE BETWEEN a man and a maiden seems to be a private matter. Songs, ballads, novels, and short stories all picture love as a glow of warm well-being which is a personal affair between two lovers and "no one else's business." Yet, however much two people think they are sufficient for each other, love is of interest to society. The whole of religious and civil society is involved in the love of this man for this woman, because the kind of love leading to marriage tends eventually to fulfill the words of Christ, "and the two shall become one flesh." (Matthew 15:5.) From this unity comes new human life, new persons to take their places as members of public society, new citizens and neighbors, new members in Christ's Mystical Body, new possible citizens of heaven! Society enters the "privacy" of love with laws.

Other Obligations. Sad experience down through the centuries shows the need for public authority to investigate whether the man and woman, who feel they are in love, are really free from other obligations and obstacles to make a valid marriage and lawful marriage contract. A man may have deserted a living wife in another city. A woman might wish to forget a mate who did not measure up to her dreams. When such facts go unnoticed and a "wedding" takes place, only to have the whole matter discovered later, heartache and sadness are intense. In addition, obligation to support and care for the deserted partner and children prevent the assumption of new obligations. Therefore, society makes certain laws to prevent such unhappiness and social confusion.

Freedom. Society also tries to assure freedom to choose a partner. Legal requirements aim to discover, for example, whether a young man really wishes to marry this girl or only "goes through with it" to escape threats from her father. Maybe this girl has freely chosen to marry this wealthy man, or perhaps her mother has threatened to disown her if she does not. Love can never be "forced," and neither can marriage be forced.

Laws Are Reasonable. In freedom-loving America, there is a peculiar distaste for law. We Americans feel, sometimes uncon-

EXAMINATION

Law Guides Love

INSTRUCTIONS: Read each of the following statements carefully. If a statement is true, mark an "X" in the box at the left labelled "true." If it is false, mark an "X" in the box at the left labelled "false." Each correct answer is worth three points.

- | | | |
|--------------------------|--------------------------|---|
| TRUE
→ | FALSE
→ | |
| <input type="checkbox"/> | <input type="checkbox"/> | 1. A marriage of a Catholic is valid only when consent is given before an authorized priest and two witnesses. |
| <input type="checkbox"/> | <input type="checkbox"/> | 2. Catholics who have not received the Sacrament of Confirmation cannot be admitted to the Sacrament of Matrimony. |
| <input type="checkbox"/> | <input type="checkbox"/> | 3. The man who marries the twin sister of his fiance, due to mistaken identity, is validly married. |
| <input type="checkbox"/> | <input type="checkbox"/> | 4. Prohibitive impediments render a marriage unlawful and sinful, but not invalid. |
| <input type="checkbox"/> | <input type="checkbox"/> | 5. The Church favors marriage between a baptized person and that person's God-parent. |
| <input type="checkbox"/> | <input type="checkbox"/> | 6. The Church allows marriage to be celebrated at any time of the year. |
| <input type="checkbox"/> | <input type="checkbox"/> | 7. Marrying a legally adopted relative constitutes an impediment only in those countries in which civil law makes the same prohibition. |
| <input type="checkbox"/> | <input type="checkbox"/> | 8. Because marriage of baptized persons is a sacrament, the state has no valid power to tell the Church who may or not may receive it. |
| <input type="checkbox"/> | <input type="checkbox"/> | 9. If a groom is in error as to the financial circumstances of his bride, the marriage is invalid. |
| <input type="checkbox"/> | <input type="checkbox"/> | 10. Consanguinity is the impediment which renders a marriage between blood relatives valid. |
| <input type="checkbox"/> | <input type="checkbox"/> | 11. Excommunication severs the Catholics from communion with the Church and all Her graces. |
| <input type="checkbox"/> | <input type="checkbox"/> | 12. Reception of the Sacrament of Matrimony must be preceded by the reception of the Sacrament of Penance. |
| <input type="checkbox"/> | <input type="checkbox"/> | 13. Once blessed, the wedding ring is constituted a permanent sacramental. |
| <input type="checkbox"/> | <input type="checkbox"/> | 14. A man cannot marry his deceased wife's aunt because of the impediment of affinity. |
| <input type="checkbox"/> | <input type="checkbox"/> | 15. The essence of all wedding ceremonies is the mutual marriage consent. |

POSSIBLE SCORE

45

NAME _____

MINUS ERRORS X 3 _____

ADDRESS _____

SUB-SCORE I _____

CITY _____ STATE _____

sciously, that law is a hurdle or wall which keeps us from doing what we have every right to do. We almost imagine God and other lawgivers as saying: "Men seem to be enjoying themselves, let's see what we can stop!" However, law is not meant to stop activity, but to direct it to its goal! It is further directed to make sure that proper activity may be engaged in by all. It protects the common good as well as the individual good. So it is with the religious and civil laws which govern marriage. They are not so much "red tape" to kill love or keep the young lovers apart! They are necessary to make sure their love is real, free, and permanent—all the things they want their love to be. They are also necessary to protect other lovers, and the society which has such a deep stake in the success or failure of their union. Law is there to help make married love *sure!*

Both state and church, therefore, have marriage laws for their members. Each has certain authority entrusted to it by Christ the King, from Whom comes all authority. To the Church He committed all that pertains to the marriage of baptized persons, except merely civil effects. To civil government Christ entrusted the marriages of the unbaptized and the civil effects of the marriages of the baptized. He said: "Render, therefore, to Caesar the things that are Caesar's and to God the things that are God's." (Luke 20:25.)

Right of the Church. The Church's basis for its interest and concern in marriage is that it is a sacrament which unites two baptized persons. Because a sacrament is a religious reality, the Church makes laws for Baptism and Holy Eucharist, and She likewise legislates for the Sacrament of Matrimony. When only one of the parties to the marriage is baptized, that marriage is not a sacrament. Still, the Church has jurisdiction over the sacred affairs of a person who has received the Sacrament of Baptism and consequently over his marriage to an unbaptized person.

Civil government, not the Church, has jurisdiction over marriages of the unbaptized. Hence, the Church recognizes as true marriages those unions of two unbaptized persons which have been contracted under civil law. She recognizes the right of civil society to regulate such unions so long as the civil authority legislates according to the true nature of marriage, because God and not the state has designed natural marriage. Civil government can make

CUT ON THE DOTTED LINE

newlyweds have been united in Holy Communion with Christ and therefore with each other as members of Christ's Mystical Body, to express her motherly good wishes in this prayer:

May the God of Abraham, the God of Isaac, the God of Jacob be with you, and may He fulfill in you His blessing so that you may see your children's children to the third and fourth generation and afterward possess everlasting and boundless life.

Suddenly, all is over. A brief final blessing and the word of congratulation, you turn to march out, hand and hand, to face a new status in society, a new mission in life, a new vocation in which to sanctify yourselves and others. Though your great moment was at most an hour long, it changed you inwardly and outwardly. A whole lifetime of meditation on the wedding ceremony, Nuptial Mass and Blessing, a whole lifetime of daily practice of their lessons will not exhaust their potential in meaning and grace.

Cases for Discussion

Why does the Church keep so many outmoded customs about marriage?

The Church creates such a stir about getting married that you'd almost think She was against it. When Myrtle and I went to her pastor about our marriage, he insisted that the banns had to be read in both our churches though we've lived there most of our lives. To top it off, he wants us to come in for instructions. As if anybody old enough to marry in our day and age didn't know what he was getting into? Why doesn't the Church drop some of these outmoded customs?

Do mental reservations invalidate a marriage?

"Lucille and I should be able to make a go of it," Stanley Jordan commented to Lucille's friend, Lawrence Nelson on the day before the wedding. "But if we don't, I'll get a divorce. I'm not going to ruin her life and mine, too."

Can a premarital agreement modify the marriage contract?

Samuel Jackson married Anne Simmons with the agreement that for the first two or three years of their marriage they would practice artificial birth control. The reason for this decision was that they did not wish to have their liberty curtailed by the care of children. Samuel now wonders whether a marriage contract, modified by such a condition, is actually valid.

reasonable regulations to protect public order, safety, and health. Society may also govern the merely civil effects of the sacramental marriages—for example, the rights of succession to property is a matter for regulation by the state.

Laws of the Church

THE CHURCH has developed an excellent body of marriage laws over the centuries. Some of them merely state the law of God in so many words, while others state a positive ruling of the Church. As they exist today, these laws are found in what is commonly called the Code of Canon Law.

PRELIMINARY STEPS

Before a marriage takes place, the Church requires that certain formalities be observed. They are: the pastor's investigation, giving of instructions, securing the necessary documents, and publication of announcements called the "banns."

The Prenuptial Investigations. The Church carefully investigates the young couple before performing the wedding ceremony. The pastor has a serious obligation to investigate. There is no reason for the young couple to frown on this or to consider it so much "red tape." The whole purpose is to establish their freedom to enter marriage. Therefore, the pastor must check such matters as the age of the partners, religion, freedom from forbidden degrees of relationship, and anything else that might make the marriage either unlawful or null and void.

Nowadays, the priest commonly uses a set form for this investigation. It varies somewhat from diocese to diocese but always consists of a list of questions that are proposed individually to the prospective bride and groom and usually covers the following: 1. The usual points of identification—that is, names of parents, age, and religious background; 2. Facts that would indicate the presence of any impediment to marriage, and 3. An inquiry into each one's understanding of the obligations of married life and their free and unconditioned consent to the essential properties of the marriage contract. The answers are given under oath, signed by each party, and witnessed by the priest. The signed form is

kept in the files of the parish and carefully indexed. All this helps make marriage—and love—permanent.

Prenuptial Instruction. The pastor is required to give the prospective bride and groom instructions to make certain that they know their duties in a truly Catholic marriage. This might call for a fairly long series of instructions. In all cases, the priest is obliged to remind the parties of the seriousness of the contract, the sanctity of Christian marriage, and their obligations toward each other and their children. Since Christian marriage is a sacrament and a deeply religious reality, the priest will also urge the couple to receive the Sacraments of Penance and Holy Eucharist, and to prepare spiritually to the best of their ability.

Required Documents. Unless the baptismal records of the parties concerned are already on record at the church where the marriage takes place, a baptismal certificate, recently (within six months previous to the wedding date) filled out must be obtained for each fiancé. Obviously this holds good only for the Catholic party if the marriage is to be contracted with an unbaptized person.

Catholics who have not as yet received the Sacrament of Confirmation should be confirmed before they are admitted to marriage if this be possible without grave inconvenience. After all, confirmation is the sacrament of spiritual adulthood, and only adults (in every sense) should marry.

Many states require medical certificates and “declaration of intention to marry” (or marriage license). Naturally, the priest will want to make certain these are all in order. At times, still other documents may be needed. Since the couple cannot always tell what certificates they might need, they should approach the pastor where they are to be married at least four weeks (or better six weeks) before the date they have chosen. Frequently, the young couple call in for their wedding date months in advance. If so, they would then ask the priest when to come in with their documents, etc.

The Banns. When both parties to a pending marriage are Catholic, the Church requires that the “banns of marriage” be announced. This is a formal public proclamation that is made on three successive Sundays or Holydays of Obligation at the parish Mass. The announcement must be made both in the Church of the bride and that of the groom.

The Gospel. Christ Himself speaks to the young couple in the Gospel. He directs unity and permanence, “For this cause shall a man leave father and mother, and shall cleave to his wife, and they shall be two in one flesh. Therefore, now they are not two but one flesh. What therefore God hath joined together let no man put asunder.”

The Offertory. In the Offertory of the Mass you give to God bread and wine which as the staff of life means that you give Him your entire married life in Christ. The words of the offertory show your trust and hope in giving this gift of self. “Lord, I put my trust in You! I say: You are my God, and in Your hands lies my future.”

The Secret. Marriage is a true vocation to holiness. Holiness is found in doing the will of God. In the *Secret* prayer, the young couple learns to look for and to follow His will. “We beseech Thee, O Lord, accept the sacrifice now being offered for the sacred purposes of marriage; bring to a blessed conclusion this union which You arranged.”

THE NUPTIAL BLESSING

The special sacramental known as the Nuptial Blessing is part of the Mass itself. This is true even when the Mass of the feast must be offered rather than the Nuptial Mass. In all the liturgy, the only time when the priest interrupts his own and the congregation’s preparation for Holy Communion is during the wedding Mass. After the *Pater Noster*, the priest stops to recite the prayers of the Nuptial Blessing.

The Nuptial Blessing is not given at a mixed marriage. The reason for this is that those who are not of the faith, cannot participate in the sacred rite. Should the non-Catholic become a convert later, then the Nuptial Blessing can and should be received.

Three prayers make up the Nuptial Blessing. After the *Pater Noster* the priest turns toward the bride and groom to recite the first two. One petitions God’s help for them. The second draws a detailed picture of what a wife should be according to God’s design. After the Postcommunion, the third prayer is said. The Church chooses this moment when the sacred bond of marriage has been sealed, as it were, in Christ’s love-sacrifice and when the

NUPTIAL MASS

At every Catholic wedding Christ is present just as He was at the wedding feast of Cana. He wants to be especially present as the Victim in *your* Mass, the Nuptial Mass, and the food of your souls in your nuptial Holy Communion. Every sacrifice you will make in marriage will be a reflection of His sacrifice on the cross renewed at Mass. Your new oneness will be all the deeper as you become one with Him in Holy Communion, and discover that He is *the* Bond of your union.

The Nuptial Mass. Matrimony is really the only sacrament administered with a Mass composed specially for the occasion. Even Holy Orders is administered at the Mass of the day with special prayers added. On the contrary, every changeable part of the Nuptial Mass is a particular prayer for the bridal couple. However, on certain important feasts the Church requires the Mass of the feast rather than a Nuptial Mass. But the couple can ordinarily select a day on which their own Mass is allowed.

The Introit. Taken from the Book of Tobias, the Old Testament "Book of the Good Family," the Introit begins: "May the God of Israel join you together." Here we meet one of the great truths of marriage: *God is its Author.* Marriage is not a mere man-made institution. God is the source of married love. God alone can give it fruitfulness in children. Parents are co-creators with God, "ministers as it were of the Divine Omnipotence."

The Epistle. The New Testament transforms the teaching of the Old. The Epistle, from St. Paul's letter to the Ephesians, states a startling truth—that the union of husband and wife in Christian marriage is a symbol or representation of the sacred union of Christ with His spouse, the Church.

St. Paul says, "Let wives be subject to their husbands as to the Lord." And why? "Because the husband is the head of the wife as Christ is head of the Church." To husbands he commands: Husbands, love your wives just as Christ loved the Church and delivered Himself up for Her that He might sanctify Her." Pope Leo XIII wrote: "Since the husband represents Christ and since the wife represents the Church, let there always be both in him who commands and in her who obeys, a heaven-born love guiding them in their respective duties." (*Christian Marriage.*)

The purpose for publishing the banns is to discover whether the members of the parish know of any real reason why the couple should not be admitted to marriage. Anyone who knows such a reason is obliged in conscience to let the pastor know. No one is exempt from this obligation, not even parents, relatives, or non-Catholics.

THE CONSENT

Essence of Matrimony. The essence of all wedding ceremonies is the mutual marriage consent. This is a lawfully made agreement between groom and bride whereby each surrenders to, and accepts from, the other an exclusive and perpetual right to approach his or her body for the actions leading up to and including sexual intercourse. Very closely connected to this is their mutual right to the companionship implied in sharing life together.

This giving of oneself to the partner is a contract. It is normally a gift made out of love. The legal formula of mutual consent serves to channel the love of the groom to the bride and her love to him. No one, not even God Himself, can supply this consent; it must come from the individual wills of this particular couple.

In order to make a contract, the parties must know what they are contracting for. They must know, at least, that children are begotten by the mutual bodily cooperation of husband and wife. They should certainly know more than this, but this minimum knowledge is absolutely necessary to prevent a bride and groom from consenting to something that is not marriage.

Exclusion of Essentials. If a person enters marriage with an intention contrary to the very substance of the marriage, that "marriage" is null and void. If one partner intended positively not to give the other party the *right* to married intercourse, there would be no marriage. Likewise, if a person entering marriage has an intention which is contrary to any of the essential properties of marriage, that so-called "marriage" is null and void. This would be the case, for example, if one partner *intended* to contract a union that could be dissolved by divorce.

Freedom. Valid consent can be given only by a person who is truly free. An insane person cannot give marriage consent, nor can anyone laboring under unjust threats to his health, finances, or well-being! The fear that one may lose his job, be disinherited,

suffer physical violence, or the like, unless he go through with a marriage, would destroy that person's freedom.

Error. If one of the parties contracting marriage is in error regarding the race, financial circumstances, or the personal integrity of the other, such an error does not invalidate the marriage. Even though the deceived party argues that he would not have contracted the union had he known the truth, the marriage is still valid because he did contract the union. In such a case the words, "for better or worse, for richer or poorer" apply. However, if one is mistaken as to the *identity* of the other person—a man who goes through the wedding with the twin sister of the girl he wished to marry—there is simply no valid marriage. In other words, an error of person, not a quality of the person, alone could invalidate a marriage.

(A highly technical problem comes in here for those who want to know how people who "believe in divorce" can contract a valid marriage. A wrong *notion* in the *intellect* about divorce does not make a particular marriage invalid as long as that notion does not pass over into the *will* and beget the *intention* to enter *this particular* marriage as subject to be dissolved by divorce. All this underscores the meaning of the "perpetual" right included in marriage consent.)

Marriage by Proxy. The Church allows a marriage ceremony to take place through a proxy or representative. This could happen, for example, when the partners are far distant from each other. One of the parties could then depute a third person to represent him or her at the ceremony. The Church lays down very exact requirements for a marriage through a proxy.

The Witnesses. When the bride or the groom is or was a Catholic, marriage consent is valid only on condition that it takes place in the presence of an authorized priest and at least two witnesses. Generally these witnesses must be Catholics since they participate closely in a sacrament.

MARRIAGE IMPEDIMENTS

The term "marriage impediment" means a barrier to the contracting of marriage. Each impediment is meant to safeguard the sacrament and society; it aims to guide love away from marriages that generally prove considerably less holy and happy, or detrimental to society.

meals recalls the Eucharist. Likewise, the wedding ring is a daily reminder of the sacred contract of matrimony. At this moment in the ceremony the priest blesses the wedding ring.

The priest says: "Bless, O Lord, this ring, which we are blessing in Thy Name, so that she who wears it, keeping faith with her husband in unbroken loyalty, may ever remain at peace with Thee, obedient to Thy will, and may live with him always in mutual love. Through Christ our Lord. Amen."

Following the prayer, he sprinkles the ring with holy water. Once blessed, the ring is constituted as a permanent sacramental.

The bridegroom then places it on the third finger of his bride's left hand, saying (after the priest): "In the Name of the Father, and of the Son, and of the Holy Spirit. Take and wear this ring as a pledge of my fidelity."

In many areas each of the spouses is given a ring. This is known as the double ring ceremony. It is more and more coming into common use in this country. The rings are blessed together. The bride says the same words as she places the ring on the groom's finger.

Some idea of the respect that the Church has for the ring as a sacramental can be gathered from the fact that in England the Archbishop of Westminster has granted to husband and wife a 100-day indulgence every time they kiss the bride's wedding ring and say with contrite heart, "Grant, O Lord, that loving Thee we may love each other and live according to Thy will."

CONCLUDING PRAYERS

Bride and groom are now husband and wife. The Church hastens to be the first to give a wedding gift. She immediately begs two blessings and gives five wishes. She gives the traditional Jewish parental blessing in Psalm 127; she begs for unity and true love. She wishes:

May almighty God . . . unite your hearts in the enduring bond of pure love. . . . May you be blessed in your children. . . . May the peace of Christ dwell always in your hearts and in your home; may you have true friends. . . . May you be ready with help and consolation for all those who come to you in need. . . . May you be blessed in your work. . . . May the Lord grant you fullness of years so that you may reap the harvest of a good life . . . may He take you up into His eternal dominions in heaven.

expect the greatest measure of earthly happiness that may be allotted to man in this vale of tears. The rest is in the hands of God. Nor will God be wanting to your needs; He will pledge you the life-long support of His graces in the Holy Sacrament which you are now going to receive.

We have italicized five key points: the purpose of marriage in the continuation of the human race; the mystery of marriage as a miniature mystical Body of Christ; the real security and perfect love which are founded in mutual sacrifice; the most perfect possible temporal happiness toward which you can look, and the fact that God *vows* to be with you to make these hopes a reality.

THE SACRAMENT ITSELF: MUTUAL CONSENT

The solemn moment arrives for the declaration of consent to the marriage. This is the very essence of the sacrament. In the silence of the entire congregation and in the presence of official witnesses, the priest asks groom and bride separately if they wish to take each other in marriage. By their simple answer, "I will," they confer upon each other the sacrament! As though to make their "I will" more explicit, the priest has them repeat consent in a different way, "I, N.N., take you, N.N., for my lawful wife to have and to hold, etc." Only after hearing this repeated consent does the priest simply declare the couple married: "I join you together in marriage, in the name of the Father, and of the Son, and of the Holy Ghost. Amen." By these words he merely gives witness to the fact that by their mutual consent, the groom and bride themselves have administered the Sacrament of Matrimony to each other.

The marriage consent states a free decision of the groom's will, and, in her turn, of the bride's. So we see that matrimony differs from the other sacraments in that Christ here makes use of something as intimate as a freely chosen statement of consent. In baptism, for instance, Christ employs a formula and water. In confirmation, He makes use of a formula and chrism. But in matrimony He takes hold of something as intimate to a bride and groom as a freely chosen statement of personal consent.

THE RING CEREMONY

The Church has many sacramentals to remind us of the power of our life in Christ. Holy Water echoes baptism; grace before

Where baptized persons are concerned, the Church, and She alone, has the right to declare that certain conditions and situations constitute an impediment to a marriage. There are two classes of impediments to marriage: "impeding" or "prohibitive" impediments, and "diriment" or "invalidating" impediments. Prohibitive impediments render a marriage unlawful and sinful, but not invalid. On the other hand, diriment impediments invalidate a union attempted in violation of their prohibitions. When an impediment of any kind is suspected, a sincere person will first investigate that fact before beginning to think of marriage. True, some impediments of both kinds can be dispensed for a good reason, but these bars to marriage were not just dreamed up—they came into being after centuries of experience with the unhappiness and social misery that arises when marriages are contracted with them.

IMPEDING OR PROHIBITIVE IMPEDIMENTS

There are three impeding or prohibitive impediments: mixed marriage, certain vows, and adoption.

Mixed Marriage. The impediment of mixed religion prohibits marriage between a Catholic and a baptized non-Catholic. The Church strongly opposes mixed marriages for serious reasons. She does not look down upon the non-Catholic partner. She simply knows from long experience that mixed marriages frequently result in danger to the faith of the Catholic party, and even more frequently *endanger* the faith of any children born to that union. Again, marriages in which the two parties differ in religion are more likely to turn out unhappy than those in which they agree in their religious belief. Independent surveys show that differences in religion tend to increase marital tensions. At any rate, a partner with different religious ideals is less likely to prove a helpmate. Finally, the Catholic concept of marriage is one of a calling to extend Christ's Mystical Body, the Church, on earth. When two people do not share this vision, full spiritual unity cannot be reached. Therefore, the Church opposes mixed marriages and even urges her children away from the close friendships that end in marriage.

Nevertheless, for very serious reasons, the Church does grant dispensations, and allows the Catholic to contract a mixed marriage. Permission is granted only when three conditions are fulfilled: 1. There must be weighty reasons for the marriage; 2.

The non-Catholic must agree not to interfere with the Catholic partner's practice of faith and morality, and both parties must guarantee to baptize and educate all the children in the Catholic faith alone, and 3. There must exist a moral certainty that these guarantees will be carried out.

Canon law also forbids the couple which has contracted a mixed marriage before a priest to approach a non-Catholic clergyman for another ceremony. For a Catholic to go through a second ceremony would imply a denial of faith. (Cf. MIXING YOUR MARRIAGE.)

Simple Vows. A vow is a promise made to God in order to honor Him, and often also out of love for Him. It is more than an intention or a determination to do something for God. The vows that constitute an impeding impediment to marriage are: a vow of virginity; a vow of perfect chastity (this excludes not merely the first but every act of sexual pleasure); a vow never to marry; a vow to embrace the religious life; and a vow to receive sacred orders. Any of these vows would impede marriage unless properly dispensed.

Legal Adoption. Marrying a legally adopted relative—son or daughter, brother or sister, niece or nephew, or second cousin—constitutes an impediment only in those countries in which civil law makes the same prohibition. In the 50 states it is permissible to contract such a marriage, if the rule of consanguinity does not apply—a legally adopted blood relative cannot contract a marriage within his family. The Commonwealth of Puerto Rico, however, forbids marriage of relatives by legal adoption, and persons subject to its laws have this impediment.

Other Church Regulations. Although there is no impediment prohibiting the marriage of a practicing Catholic with one who has fallen away from his duties, or with one who has joined a society condemned by the Church (the Masons, for example), the Church urges Her members not to enter such marriages. She does not allow a priest to officiate at the wedding until he has submitted the case to the judgment of the bishop. Her reason again flows from her deep awareness of the religious nature of Christian marriage.

DIRIMENT OR INVALIDATING IMPEDIMENTS

There are 13 diriment or invalidating impediments. They are: age, impotence, previous marriage bond, disparity or difference

Dear friends in Christ: As you know, you are about to enter into a union which is most sacred and most serious, a union which was established by God Himself. *By it, He gave to man a share in the greatest work of creation, the work of the continuation of the human race.* And in this way He sanctified human love and enabled man and woman to help each other live as children of God, by sharing a common life under His fatherly care.

Because God Himself is thus its author, marriage is of its very nature a holy institution, requiring of those who enter into it a complete and unreserved giving of self. But Christ our Lord added to the holiness of marriage an even deeper meaning and a higher beauty. He referred to the love of marriage to describe His own love for His Church, that is, for the people of God whom He redeemed by His own blood. And so He gave to Christians a new vision of what married life ought to be, a life of self-sacrificing love like His own. *It is for this reason that His Apostle, St. Paul, clearly states that marriage is now and for all time to be considered a great mystery, intimately bound up with the supernatural union of Christ and the Church, which union is also to be its pattern.*

This union, then, is most serious, because it will bind you together for life in a relationship so close and so intimate that it will profoundly influence your whole future. That future, with its hopes and disappointments, its successes and its failures, its pleasures and its pains, its joys and its sorrows, is hidden from your eyes, you know that these elements are mingled in every life, and are to be expected in your own. And so, not knowing what is before you, you take each other for better or for worse, for richer or for poorer, in sickness and in health, until death.

Truly, then, these words are most serious. It is a beautiful tribute to your undoubted faith in each other, that, recognizing their full import, you are nevertheless so willing and ready to pronounce them. And because these words involve such solemn obligations, *it is most fitting that you rest the security of your wedded life upon the great principle of self-sacrifice.* And so you begin your married life by the voluntary and complete surrender of your individual lives in the interest of that deeper and wider life which you are to have in common. Henceforth you belong entirely to each other; you will be one in mind, one in heart, and one in affections. And whatever sacrifices you may hereafter be required to make to preserve this common life, always make them generously. Sacrifice is usually difficult and irksome. Only love can make it easy; and perfect love can make it a joy. We are willing to give in proportion as we love. *And when love is perfect, the sacrifice is complete.* God so loved the world that He gave His only begotten Son; and the Son so loved us that He gave Himself for our salvation. "Greater love than this no man hath, that a man lay down his life for his friends."

No greater blessing can come to your married life than pure conjugal love, loyal and true to the end. May, then, this love with which you join your hands and hearts today, never fail but grow deeper and stronger as the years go on. *And if true love and the unselfish spirit of perfect sacrifice guide your every action, you can*

But spiritual preparation should go beyond this. Spiritual preparation means more to the marriage than all the preparations of invitations, clothes, flowers, etc. Special prayers should be offered to ask God's help to prepare mind and heart. Everyone does not receive the same degree of sacramental grace. The degree of grace received is proportionate to the intensity of the couple's spiritual dispositions. We have already indicated the wisdom of a general confession, retreats, and the like (cf. COURTSHIP).

This Is Your Day. Your wedding day is so important to the Church that She welcomes you into the holy of holies—the sanctuary. If possible, She wishes also that your sacrificial gift of self in your “I will,” be enshrined with the eternal sacrifice of the God-Man in Holy Mass. It is at Mass that priests are ordained, virginal vows are sealed, kings are anointed, and young couples like you are married. This is the day you “go up to the altar of God,” in a special manner, “to the God who gives joy to your youth.”

You Are the Actors. You are not spectators at the drama of matrimony; you are not passive receivers of a sacrament. You are the leading characters. You are the ministers of this Holy Sacrament of Matrimony. Your giving and receiving of marriage vows is the matter and form of the Sacrament.

There are four parts to the ceremony for administering the sacrament itself: 1. the instruction given by the priest; 2. the all-important consent stated by groom and bride, which is the actual Sacrament of Matrimony; 3. the blessing and bestowing of the ring; and 4. a special blessing by the priest and five prayers for the benefits most desirable to bride and groom.

THE INSTRUCTION

Before he asks for their marriage-consent, the priest speaks to the bridal couple. These words invite them to open their minds and to throw open their wills to the greatest degree of God's matrimonial grace. Because a bride and groom so often feel nervous and excited as they stand in the sanctuary before their families and friends, they frequently do not profit from this instruction. It will mean much to their married happiness down through the years if in the weeks before the wedding they read slowly and ponder the following:

of worship, clerical celibacy, solemn religious profession, abduction, crime, blood relationship or consanguinity, affinity, public propriety (also called public decency), spiritual relationship, and adoption.

Previous Marriage Bond. A new marriage of a person bound by a previous, valid marriage, while the first spouse is still living, is null and void. The impediment directly affects all divorced persons involved in originally valid marriages. Besides invalidity, any attempt at “second marriage” brings many sad consequences. Such a person becomes a public sinner, living in a state of open defiance of the law of God and His Church. Children born of this “marriage,” innocent victims of sin, are illegitimate and adulterine. In the United States, such a person is excommunicated from the Church for attempting another marriage while his separated spouse lives. This excommunication can only be lifted by special recourse to the bishop.

An excommunication severs the Catholic from communion with the Church and all Her graces. However, the excommunicated person remains a Catholic with all the duties of a Catholic. The Church continues to love such a person and wishes to do everything possible to restore him to good standing.

Occasionally, you will hear of some divorced person whose marriage has been declared void by the Church. This means that the Church has declared there *never was* a true marriage. It does not mean that the Church can ever *make* void a valid, sacramental marriage which has been consummated!

A declaration of original nullity or any other “marriage case” may take years of legal procedure to achieve. Certainly, no one should start keeping company with a divorced person in the hope that eventually he will be free to marry after a declaration of nullity. Only half of the cases which get as far as the Roman court (after going through local ecclesiastical tribunals) turn out favorably for the petitioners. The minimum for a decision in a “good case” is about two years.

Age. The impediment of age means that a man cannot enter marriage validly before the completion of his sixteenth year, and a woman before the completion of her fourteenth year. This apparently low requirement exists because the Church must legislate for Catholics all over the world. But the Church does not encourage youthful marriages. She discourages them by demanding

the added consent of parents if the children are under 21 years of age. She wants to prevent regrettably immature decisions. The divorce and separation rate is highest among those couples who married under the age of 21.

Disparity or Difference of Worship. This impediment refers to a marriage between an unbaptized person and a Catholic. If attempted without a dispensation, such a marriage is null and void. Nevertheless, in certain circumstances the Church does grant a dispensation to Her members to contract such a marriage. The conditions are the same here (but a bit more stringent) as in the instance of a mixed marriage.

Impotence. Impotence is the inability to perform marital intercourse. It makes the marriage invalid if it exists prior to the marriage and is perpetual (for example, if it cannot be corrected by surgery or treatment). An impotent person cannot marry because he or she cannot possibly give the marriage consent. Impotence which happens after marriage does not dissolve the marriage contract.

On the contrary, sterility is the inability—despite normal married intercourse—to generate children. For example, a woman with a vagina but without a uterus or *both* ovaries is sterile. She would be able to perform the marriage act, but unable to have children. A sterile person can validly marry because he can give marriage consent and perform what it implies. However, a sterile person is under serious obligation to inform the other party in good time of this inability to conceive or beget a child, if it is known in advance of the marriage.

Relationship. Some of the Church's impediments are based upon relationship to other persons: consanguinity, affinity, spiritual, relationship, and adoption.

Blood Relationship or Consanguinity. This is the impediment which renders a marriage null and void between blood relatives. It forbids marriage for all degrees of blood relationship in direct line (grandfather to granddaughter) and to the third degree in the collateral line.

Brother and sister are related by blood in the first degree, first cousins in the second degree, and second cousins in the third degree.

The reasons for the impediment of consanguinity are the problem of bad heredity resulting from intermarriage of close

CIVIL RIGHTS OF MARRIED PERSONS

We shall not go into details regarding the laws covering civil rights of married persons. In general it can be said that in the United States there has been a growth of legislation placing married women on terms of legal equality with their husbands.

Regarding matters of inheritance and property, it might be noted that they differ in the various states. They are also usually involved and technical. Hence, the married couple should seek competent legal advice when faced with momentous decisions on their property. Above all, they should never buy real estate without consulting a lawyer. The fee may be insignificant in proportion to the risk of getting a defective title, or learning too late that the highly technical fine print in the mortgage or deed of trust means something entirely different from what was thought.

Ceremonies of the Wedding

THE CHURCH allows marriage to be celebrated on any day of the year. Many people have an idea that the celebration of matrimony is forbidden at certain periods. But actually the only thing forbidden at these times is the solemnization of marriage, that is, the Nuptial Mass and the Nuptial Blessing. The Church feels that times of penance are not appropriate for joyous wedding feasts. These "closed seasons," as they are called, are the penitential days from the first Sunday of Advent to Christmas inclusive, and from Ash Wednesday to Easter Sunday inclusive. However, a private wedding without the Nuptial Mass is not forbidden at these times. Also, for good reasons, the bishop can allow even the Nuptial Mass and the solemn blessing in the "closed season" (but festivities that are not in keeping with the penitential spirit of the "closed season" are to be avoided).

ADMINISTRATION OF THE SACRAMENT

The reception of the Sacrament of Matrimony should be preceded by the reception of the Sacrament of Penance. Matrimony is a sacrament of the living. So, to receive it worthily, the state of grace is necessary. Should serious sin sully the soul, a person should get to confession before marriage, or at least make an act of Perfect Contrition.

under a certain age. It is 21 for boys, except in some states; it is 16 in Louisiana. The person who performs the ceremony, knowing that parental consent is legally required, but not obtained, is guilty of a criminal offense, the punishment for which is fine or imprisonment. Misrepresentation as to age, so as to avoid the requirements of the statute, is likewise an offense, whether by the spouses themselves or by others on their behalf.

Blood Relationship or Consanguinity. The consanguinity rules of the states are in general more liberal than those of the Church, and there are the usual differences from state to state. It can be said that in all states marriage is prohibited within the immediate family and in the uncle-niece and aunt-nephew relationship. First cousins are not allowed to marry, except in nineteen states and the District of Columbia. Marriage between first cousins once removed is forbidden in only eight states.

Miscegenation or Marriage Between Races. White persons may not marry Negroes in thirty states and marriage between whites and Orientals is forbidden in fourteen states. Marriage between white people and American Indians is forbidden in Louisiana, Nevada, North and South Carolina, and Virginia. Where miscegenation statutes are in effect, they are the law of the land, and anyone violating them does so at the risk of prosecution. But in the eyes of the Church an interracial marriage is a valid marriage. Recently, legal attacks against the constitutionality of the laws on miscegenation have increased.

Prohibition on Marriage of Certain Persons. Most states prohibit the marriage of insane and feeble-minded persons. This is generally consistent with the practice in the Church, which will not approve the marriage of persons who do not have sufficient mental capacity at the time of the contract to express intelligent consent to a change in their state of life. The Church, however, opposes extending such a prohibition to people less intelligent than average.

Another type of marriage legislation, on the ground of health, is found in a number of states. This is a requirement that all candidates for marriage submit to a blood test. All but seven states and the District of Columbia require such tests. So long as this requirement is not made a condition for valid and licit marriage, the Church has no objection.

relations, and the age-old conviction that in-group marriages are bad for society's growth and development.

Affinity. This is an invalidating impediment, arising from a previous marriage. Under this impediment, a widow could not marry her deceased husband's brother, first cousin, uncle or nephew, nor her son-in-law or stepson. Likewise, it exists between a man and his wife's sister, first cousin, aunt or niece, and also his daughter-in-law and stepdaughter.

Spiritual Relationship. The relationship contracted by a baptized person and the minister (who at times may be a layman) baptizing him or her, and by a baptized person and his or her sponsor, establishes an invalidating impediment to their marriage.

Legal Relationship or Adoption. In the matter of the validity of a marriage between an adopted person and the one who adopted him, the Church follows the law of the state. (Consult what has been said about this under prohibitive impediments.)

Clerical Celibacy. Men in the Holy Orders, including—in the Western Church—priesthood, diaconate, and subdiaconate, cannot validly marry. However, clerics in the Oriental Catholic churches may marry under certain conditions.

Religious Profession. Men or women who have professed solemn religious vows (and simple vows in certain privileged religious institutes) cannot contract valid marriages.

Abduction. Invalid is any attempted marriage by a man who carried off an unwilling woman or who holds her in bondage.

Crime. Marriage between two people is invalidated if: they have committed adultery with an attempt to marry while a previous spouse is alive, or with a promise to marry after the death of that partner; if they have committed adultery and either has caused the death of a lawful spouse, or, if they have actually caused the death of a lawful spouse even without committing adultery. The Church cannot condone such crimes by permitting the "reward" of a valid union which was planned so criminally.

Public Decency. A person in an invalid marriage or living in concubinage cannot validly marry any blood relative of his consort to the second degree in the direct line of relationship.

DISPENSATIONS FROM IMPEDIMENTS

A dispensation must not be looked upon as an ordinary or normal thing. Laws are not made for the purpose of being dis-

pensed with. They are designed to guard the couple and the community from universal dangers. However, at times certain individual cases can prove exceptional. They may not fall under the general purpose behind the law. In which case, a dispensation from certain impediments might be granted. Impediments of divine law, like consanguinity in the first degree, can never be dispensed. Others are granted, but never arbitrarily. Only proportionately grave reasons acceptable to the Church are sufficient. Furthermore, a dispensation is always a free and gracious release from law which the lawgiver grants. The petitioner has no right to the release and cannot demand it.

As in any legal procedure, a certain amount of expense is necessarily incurred in obtaining a dispensation—this includes secretarial work, long distance telephone calls, office expenses, stamps, and notary fees. Any expense involved should in ordinary justice be borne by the parties benefited. Exception is made for the poor who are unable to pay this moderate tax.

Separation. Experience proves it worthwhile to insert a note on separation of husband and wife. How gloomy it seems to mention separation to people preparing to enter marriage! But, for lovers to know clearly the law on separation and yet to marry each other, proves a mature love that wants to give all. "Until death" rings true, literally. Bride and groom assume the generous obligation to live together in family life under the same roof until death. Certain adultery would give an innocent partner the right to separate, though the wisdom in so doing should be considered first. Reasons of business, health, and life might permit them to dwell apart from each other by agreement for a brief time. Otherwise, it is generally necessary to ask the bishop's permission to separate. This points up the fact that marriage is much more than an agreement between two private individuals.

Civil Laws on Marriage

SINCE MARRIAGE of baptized persons has been raised to the dignity of a sacrament, the state has no valid power to tell the Church who may receive this sacrament, nor to fix conditions for its administration. Thus a marriage performed according to the rites of the Church, and valid under Church law, remains

valid, despite any declaration of the state to the contrary. Again, the state would not act justly if it were to prohibit marriage to persons who may receive it under the laws of the Church. However, the state does have the right and duty to legislate the civil effects of marriage and to protect good public order. Civil society depends on good permanent marriages. If anything, civil legislation should be stronger than it is now! Our national divorce muddle, the numerous mothers and children thrown upon our public welfare roles, are a well known disgrace.

THE SITUATION IN THE UNITED STATES

In the United States most marriage legislation is on subjects proper for public supervision. Only rarely does one find some conflict between the laws of Church and those of the state. In general, the civil law considers itself to be the protector of marriage as something necessary for the continued existence of society. Our legal volumes are full of opinions of outstanding judges on the family as the basic unit of society which must be protected by law.

Under our constitutional system marriage is within the jurisdiction of the individual states. The U. S. Congress legislates on marriage only for Federal areas, such as the District of Columbia. While each state has its own laws on the subject, the laws are similar in the over-all picture. However, there are differences in detail, so that it cannot be taken for granted that the law on any one phase of marriage will be identical everywhere.

GOVERNMENT REGULATIONS FOR MARRIAGE

The major legal items that seem to call for consideration here are those dealing with the following subjects: age requirements, consanguinity, intermarriage of races or miscegenation, and prohibition of marriages of diseased persons.

Age Requirements. There are still some states in this country, notably in the south, that hold to the old regulation of the Roman law requiring that girl be 12 years old and a boy 14 for valid marriage. In most of these states, however, the age limits have been raised, 16 and 18 now being the usual requirement.

Another provision in respect to age found in all states is one which requires the consent of parents or guardians for persons