

ments, and then, on being challenged, fails to stand up to them, an intelligent public will have little difficulty in sizing up the situation. (2) He makes no further pretence that the exemption of Germany from the present operation of the decree was due to 'Kaiser Wilhelm and his warriors.' On the contrary, he himself shows that some few other districts, with no particularly formidable warriors behind them, are placed on precisely the same footing as Germany in this respect. (3) He has made no attempt—and can make no attempt—to deny that in this decree the Pope was legislating for his own spiritual children, and that any outsiders who bring themselves within its scope do so freely and voluntarily, of their own motion, and entirely against the Pope's desire in the matter. (4) He very wisely makes no effort to defend the indescribable absurdity of Presbyterian ministers perambulating the country—for Mr. Wood has addressed several meetings in Canterbury on the subject—crying for Government 'protection' against a decree which already has no legal force and whose scope, so far as New Zealand is concerned, is to regulate the conditions of marriage of a handful of Catholics. To have clearly established the Catholic position on these four points—beyond even Mr. Wood's powers of contradiction—is itself sufficient, from my side of the question, to have made this controversy worth while.

\*

Apart from the reference to the McCann case, the only other point in Mr. Wood's letter relevant to *Ne Temere* is his comments on the fact that in Germany and one or two smaller districts the same conditions are not, as yet, required for the celebration of a valid marriage as are imposed in the rest of Catholic Christendom. He is astonished (or affects to be astonished) that a Catholic disciplinary decree on marriage should in any way vary, for special reasons or to suit special circumstances, and with his wonted fairness and temperateness he describes such variation as 'morally monstrous' and as making 'the moral law of God regarding marriage a matter of geography and climate.' It should be obvious to a very ordinary intelligence that if the Church has the right to legislate at all she has the right to determine when, where, and under what conditions, her legislation shall take effect. It should be almost equally obvious that the moral law of God is in no way varied or sought to be varied by the *Ne Temere* decree. The moral law of God regarding marriage declares that a valid marriage contract is binding in conscience. But the Divine Law nowhere lays down the external forms and conditions—e.g., the character and number of the witnesses, the minimum age of the parties, the formula to be employed, etc.—which are requisite to make the contract valid. These have been left to a properly constituted authority—and, for Catholics, that authority is the Catholic Church. It is these and these alone—i.e., the external forms and conditions requisite to make the contract valid for Catholics—which are regulated by *Ne Temere*, the 'moral law of God regarding marriage' remaining unaffected.

\*

But the point to which I wish to specially draw attention in this letter is the fact that the 'morally monstrous' juggling with 'the law of God regarding marriage,' with which he has so vehemently charged the Catholic Church is the very thing of which the Church of which Mr. Wood is a minister has been conspicuously guilty. In the varying legislation of the Presbyterian Church regarding marriage with a deceased wife's sister we have a peculiarly glaring example, not of a mere disciplinary decree, but of a making and unmaking, promulgating and revoking, of 'the law of God.' The *Westminster Confession of Faith* (Chap. xxiv., s. 4) not only condemns such marriages as invalid, but adds—'nor can such incestuous marriages ever be made lawful by any law of man, or consent of parties, so as those persons may live together as man and wife.' That was 'the law of God' for Presbyterians throughout New Zealand up till the year 1883. In that year, however, as the result of an overture from the Timaru Presbytery, and out of regard to the scruples of 'those office-bearers and members who had entered

into the prohibited relationship or contemplated doing so,' the Northern Presbyterian Church—as it was commonly called—decided not to adhere to what it had hitherto laid down as 'the law of God' on the subject, but to 'leave the whole matter an open question.' Thus, one fine day in 1883, marriages which before had been not only invalid but 'incestuous,' suddenly ceased, by Presbyterian legislation, to be contrary to 'the law of God,' and became true and honorable marriages. But this only applied to marriages north of the Waitaki. The Presbyterian Church of Otago still adhered to 'the law of God' as set forth in the *Westminster Confession*; and we had the 'morally monstrous' condition of affairs—to apply Mr. Wood's expression—in which while a marriage with a deceased wife's sister celebrated in Timaru was a perfectly true and valid and honorable marriage, the very same union celebrated in Oamaru was not only invalid but 'incestuous,' the parties living in concubinage, and the children being, in Mr. Wood's gentle phrase, 'bastards.' This continued for a number of years, until at length the Presbyterian Church of Otago fell into line with the Northern Church; so that to-day unions which up till 1883 had been sternly forbidden as odious, and 'incestuous,' and no marriages at all, are now throughout Presbyterian New Zealand true and honorable marriages. Nor is this all. The *Confession of Faith* enactment is still the law of the Presbyterian Churches in Scotland—though ministers have been relieved from fears of legal process should they officiate at such marriages—so that we have what Mr. Wood would call the 'morally monstrous' spectacle of marriages which the Presbyterian Church regards as good and valid in New Zealand, being condemned by that same church as invalid and abominable and 'incestuous' in Scotland.

\*

It will be interesting to see what defence your correspondent will make against this very serious indictment. In the meantime, perhaps, I may be permitted to remind him of the strong denunciation which has been pronounced by very high authority against those who virulently declaim against the mote which they are so ready to see in their brother's eye, whilst they blindfold themselves to the beam that is in their own. It is the right and the duty of the Presbyterian minister—as of the Catholic priest—to impress upon his people the danger and unwisdom and general misery of mixed marriages. In view, however, of the facts I have just outlined, those ministers who have any sense of consistency should feel themselves forever estopped from any further denunciation of *Ne Temere*—at least in respect to seeming anomalies of 'geography and climate.'—I am, etc.,

EDITOR N.Z. TABLET.

December 2.

## ABOUT THE NE TEMERE DECREE

By X.

### VII.

The Conditions on which Dispensations for Mixed Marriages are Granted.

The Church is opposed to mixed marriages because they spoil her ideal of marriage, and make impossible that intimate union between husband and wife which is the most perfect symbol of the union of Christ with His Church. Husband and wife who are united in all other things but are divided in the religious sentiments that spring from faith are divorced in that which is most essential to the children of God. 'Where two or three are assembled in My name,' says Christ, 'there am I in the midst of them.' But if the non-Catholic party worship God at all, and it will generally be not at all, it will be under a roof where a Catholic will not kneel, and in a language which a Catholic will not understand.

Thus they bring to the sacramental contract an inharmonious faith, and by consequence an unequal