

# Arcanum

## On Christian Marriage

Pope Leo XIII

February 10, 1880

*To the Patriarchs, Primates, Archbishops, and Bishops of the Catholic World in Grace and Communion with the Apostolic See.*

Arcanum, divinae sapientiae consilium, quod Salvator hominum Iesus Christus in terris erat perfecturus, eo spectavit, ut mundum, quasi vetustate senescentem, Ipse per se et in se divinitus instauraret. Quod splendida et grandi sententia complexus est Paulus Apostolus, cum ad Ephesios ita scriberet: Sacramentum voluntatis suae. . . . instaurare omnia in Christo, quae in caelis et quae in terra sunt (Ad Eph. I, 9. 10).—

Revera cum Christus Dominus mandatum iacere instituit quod dederat illi Pater, continuo novam quamdam formam ac speciem rebus omnibus impertiit, vetustate depulsa. Quae enim vulnera piaculum primi parentis humanae naturae imposuerat, Ipse sanavit: homines universos, natura filios irae, in gratiam cum Deo restituit; diuturnis fatigatus erroribus ad veritatis lumen traduxit; omni impuntate confectos ad omnem virtutem innovavit; redonatisque hereditati beatitudinis sempiternae spem certam fecit, ipsum eorum corpus, mortale et caducum, immortalitatis et gloriae caelestis particeps aliquando futurum. Quo vero tam singu-

The hidden design of the divine wisdom, which Jesus Christ the Saviour of men came to carry out on earth, had this end in view, that, by Himself and in Himself, He should divinely renew the world, which was sinking, as it were, with length of years into decline. The Apostle Paul summed this up in words of dignity and majesty when he wrote to the Ephesians, thus: "That He might make known unto us the mystery of His will . . . to re-establish all things in Christ that are in heaven and on earth."<sup>1</sup>

1 In truth, Christ our Lord, setting Himself to fulfill the commandment which His Father had given Him, straightway imparted a new form and fresh beauty to all things, taking away the effects of their time-worn age. For He healed the wounds which the sin of our first father had inflicted on the human race; He brought all men, by nature children of wrath, into favor with God; He led to the light of truth men wearied out by longstanding errors; He renewed to every virtue those who were weakened by lawlessness of every kind; and, giving them again an inheritance of neverending bliss, He added a sure hope that their mortal and perishable

laria beneficia, quamdiu essent homines, tamdiu in terris permanerent, Ecclesiam constituit vicariam muneris sui, eamque iussit, in futurum prospiciens, si quid esset in hominum societate perturbatum, ordinare; si quid collapsum, restituere.

Quamquam vero divina haec instauratio, quam diximus, praecipue et directo homines attingit in ordine gratiae supernaturali constitutos, tamen pretiosi ac salutares eiusdem fructus in ordinem quoque naturalem largiter permanarunt; quomobrem non mediocrem perfectionem in omnes partes acceperunt eum singuli homines, tum humani generis societas universa. Etenim, christiano rerum ordine semel condito, hominibus singulis feliciter contigit, ut ediscerent atque adsuescerent in paterna Dei providentia conquirere, et spem alere, quae non confundit, caelestium auxiliorum; quibus ex rebus fortitudo, moderatio, constantia, aequabilitas pacati animi, plures denique praeclarae virtutes et egregia facta consequuntur.—

Societati vero domesticae et civili mirum est quantum dignitatis, quantum firmitudinis et honestatis accesserit. Aequior et sanctior effecta principum auctoritas; propensior et facilior populorum obtemperatio; arcior civium coniunctio; tutiora iura dominii. Omnino rebus omnibus, quae in civitate habentur utiles, religio christiana consuluit et providit; ita quidem, ut, auctore s. Augustino, plus ipsa afferre momenti ad bene beateque vivendum non potuisse videatur, si esset parandis vel augendis mortalis vitae commodis et utilitatibus unice nata.

bodies should one day be partakers of immortality and of the glory of heaven. In order that these unparalleled benefits might last as long as men should be found on earth, He entrusted to His Church the continuance of His work; and, looking to future times, He commanded her to set in order whatever might have become deranged in human society, and to restore whatever might have fallen into ruin.

2 Although the divine renewal we have spoken of chiefly and directly affected men as constituted in the supernatural order of grace, nevertheless some of its precious and salutary fruits were also bestowed abundantly in the order of nature. Hence, not only individual men, but also the whole mass of the human race, have in every respect received no small degree of worthiness. For, so soon as Christian order was once established in the world, it became possible for all men, one by one, to learn what God's fatherly providence is, and to dwell in it habitually, thereby fostering that hope of heavenly help which never confoundeth. From all this outflowed fortitude, self-control, constancy, and the evenness of a peaceful mind, together with many high virtues and noble deeds.

3 Wondrous, indeed, was the extent of dignity, steadfastness, and goodness which thus accrued to the State as well as to the family. The authority of rulers became more just and revered; the obedience of the people more ready and unforced; the union of citizens closer; the rights of dominion more secure. In very truth, the Christian religion thought of and provided for all things which are held to be advantageous in a State; so much so, indeed, that, according to St. Augustine, one cannot see how it could have offered greater help in the matter of living well and happily, had it been instituted for the single object of procuring or increasing those things which contributed to the con-

Verum de hoc genere toto non est Nobis propositum modo singula enumerare; volumus autem de convictu domestico eloqui, cuius est in matrimonio principium et fundamentum. Constat inter omnes, Venerabiles Fratres, quae vera sit matrimonii origo.—Quamvis enim fidei christianae vituperatur es perpetuam hac de re doctrinam Ecclesiae fugiant agnoscere, et memoriam omnium gentium, omnium saeculorum delere iamdiu contendant, vim tamen lucemque veritatis nec extinguere nec debilitare potuerunt. Nota omnibus et nemini dubia commemoramus; posteaquam sexto creationis die formavit Deus hominem de limo terrae, et inspiravit in faciem eius spiraculum vitae, sociam illi voluit adiungere, quam de latere viri ipsius dormientis mirabiliter eduxit. Qua in re hoc voluit providentissimus Deus, ut illud par coniugum esset cunctorum hominum naturale principium, ex quo scilicet propagari humanum, genus, et, numquam intermissis probationibus, conservari in omne tempus oporteret. Atque illa viri et mulieris coniunctio, quo sapientissimis Dei consiliis responderet aptius, vel ex eo tempore duas potissimum, easque in primis nobiles, quasi alte impressas et insculptas prae se tulit proprietates, nimirum unitatem et perpetuitatem.—Idque declaratum aperteque confirmatum ex Evangelio perspicimus divina Iesu Christi auctoritate; qui Iudaeis et Apostolis testatus est, matrimonium ex ipsa institutione sui dumtaxat inter duos esse debere, scilicet virum inter et mulierem; ex duobus unam veluti carnem neri; et nuptiale vinculum sic esse Dei voluntate intime vehementerque nexum, ut a quopiam inter homines dissolvi, aut distrahi nequeat. Adhaerebit (homo) uxori suae, et erunt duo in carne una. Itaque iam non sunt duo, sed una caro. Quod ergo Deus coniunxit, homo non separet (Matth. XIX, 5, 6).

veniences or advantages of this mortal life.

4 Still, the purpose We have set before Us is not to recount, in detail, benefits of this kind; Our wish is rather to speak about that family union of which marriage is the beginning and the foundation. The true origin of marriage, venerable brothers, is well known to all. Though revilers of the Christian faith refuse to acknowledge the never-interrupted doctrine of the Church on this subject, and have long striven to destroy the testimony of all nations and of all times, they have nevertheless failed not only to quench the powerful light of truth, but even to lessen it. We record what is to all known, and cannot be doubted by any, that God, on the sixth day of creation, having made man from the slime of the earth, and having breathed into his face the breath of life, gave him a companion, whom He miraculously took from the side of Adam when he was locked in sleep. God thus, in His most far-reaching foresight, decreed that this husband and wife should be the natural beginning of the human race, from whom it might be propagated and preserved by an unfailing fruitfulness throughout all futurity of time. And this union of man and woman, that it might answer more fittingly to the infinite wise counsels of God, even from the beginning manifested chiefly two most excellent properties—deeply sealed, as it were, and signed upon it—namely, unity and perpetuity. From the Gospel we see clearly that this doctrine was declared and openly confirmed by the divine authority of Jesus Christ. He bore witness to the Jews and to His Apostles that marriage, from its institution, should exist between two only, that is, between one man and one woman; that of two they are made, so to say, one flesh; and that the marriage bond is by the will of God so closely and strongly made fast that no man may dissolve it or render it asunder. “For this cause shall a man leave father

Verum, haec coniugii forma, tam excellens atque praestans, sensim corrumpi et interire apud ethnicos populos coepit; et penes ipsum Hebraeorum genus quasi obnubilari atque obscurari visa.—Nam apud hos de ux-  
oribus suscepit consuetudo communis, ut singulis viris habere plus non liceret; post autem, cum ad duritiam cordis (Matth. XIX, 8) eorum indulgenter permisisset Moyses repudiorum potestatem, ad divortium factus est aditus.—

In societate vero ethnicorum vix credibile videatur, quantam corruptelam et demutationem nuptiae contraxerint, quippe quae obiectae fluctibus essent errorum uniuscuiusque populi et cupiditatum turpissimarum. Cunctae plus minus gentes dediscere notionem germanamque originem matrimonii visae sunt; eamque ob causam, de coniugiis passim ferebantur leges, quae esse e republica viderentur, non quas natura postulare. Sollemnes ritus, arbitrio legumlatorum inventi, efficiebant ut honestum uxoris, aut turpe concubinae nomen mulieres nanciscerentur; quin eo ventum erat, ut auctoritate principum reipublicae caveretur, quibus esset permissum inire nuptias, et quibus non esset, multum legibus contra aequitatem contendentibus, multum pro iniuria. Praeterea polygamia, polyandria, divortium caussae fuerunt, quamobrem nuptiale vinculum magnopere relaxaretur. Summa quoque in mutuis coniugum iuribus et officiis perturbatio extitit, cum vir dominium uxoris acquireret, eamque suas sibi res habere, nulla saepe iusta caussa, iuberet; sibi vero ad effrenatam et indomitam libidinem praecipiti impune liceret

and mother, and shall cleave to his wife, and they two shall be in one flesh. Therefore now they are not two, but one flesh. What, therefore, God hath joined together, let no man put asunder.”<sup>2</sup>

5 This form of marriage, however, so excellent and so pre-eminent, began to be corrupted by degrees, and to disappear among the heathen; and became even among the Jewish race clouded in a measure and obscured. For in their midst a common custom was gradually introduced, by which it was accounted as lawful for a man to have more than one wife; and eventually when “by reason of the hardness of their heart,”<sup>3</sup> Moses indulgently permitted them to put away their wives, the way was open to divorce.

6 But the corruption and change which fell on marriage among the Gentiles seem almost incredible, inasmuch as it was exposed in every land to floods of error and of the most shameful lusts. All nations seem, more or less, to have forgotten the true notion and origin of marriage; and thus everywhere laws were enacted with reference to marriage, prompted to all appearance by State reasons, but not such as nature required. Solemn rites, invented at will of the law-givers, brought about that women should, as might be, bear either the honorable name of wife or the disgraceful name of concubine; and things came to such a pitch that permission to marry, or the refusal of the permission, depended on the will of the heads of the State, whose laws were greatly against equity or even to the highest degree unjust. Moreover, plurality of wives and husbands, as well as divorce, caused the nuptial bond to be relaxed exceedingly. Hence, too, sprang up the greatest confusion as to the mutual rights and duties of husbands and wives, inasmuch as a man assumed right of dominion over his wife, ordering her to go about her business,

excurrere per luganaria et ancillas, quasi culpam dignitas faciat, non voluntas (Hieronym. Oper. tom. I, col. 455). Exsuperante viri licentia, nihil erat uxore miserius, in tantam humilitatem deiecta, ut instrumentum pene haberetur ad explendam libidinem, vel gignendam sobolem comparatum. Nec pudor fuit, collocandas in matrimonium emi vendi, in rerum corporearum similitudinem (Arnob. adv. Gent. 4), data interdum parenti maritoque facultate extremum supplicium de uxore sumendi. Talibus familiam ortam conubiis necesse erat aut in bonis reipublicae esse, aut in mancipio patrifamilias (Dionys. Halicar, lib. II, c. 26, 27), cui leges hoc quoque posse dederant, non modo liberorum conficere et dirimere arbitrato suo nuptias, verum etiam in eosdem exercere vitae necisque immanem potestatem.

Sed tot vitiis, tantisque ignominiiis, quibus erant inquinata coniugia, sublevatio tandem et medicina divinitus quaesita est; quandoquidem restitutor dignitatis humanae legumque mosaicarum perfector Iesus Christus non exiguam, neque postremam de matrimonio curam adhibuit. Etenim nuptias in Cana Galilaeae Ipse praesentia sua nobilitavit, primoque ex prodigiis a se editis fecit memorabiles (Ioan. II); quibus caussis vel ex eo die in hominum coniugia novae cuiusdam sanctitudinis initia videntur esse profecta. Deinde matrimonium revocavit ad primaevae originis nobilitatem, cum Haebraeorum mores improbando, quod et multitudine uxorum et repudii facultate abuterentur; tum maxime praecipiendo, ne quis dissolvere auderet quod perpetuo coniunctionis vinculo Deus ipse constrinxisset. Quapropter

often without any just cause; while he was himself at liberty "to run headlong with impunity into lust, unbridled and unrestrained, in houses of ill-fame and amongst his female slaves, as if the dignity of the persons sinned with, and not the will of the sinner, made the guilt."<sup>4</sup> When the licentiousness of a husband thus showed itself, nothing could be more piteous than the wife, sunk so low as to be all but reckoned as a means for the gratification of passion, or for the production of offspring. Without any feeling of shame, marriageable girls were bought and sold, like so much merchandise,<sup>5</sup> and power was sometimes given to the father and to the husband to inflict capital punishment on the wife. Of necessity, the offspring of such marriages as these were either reckoned among the stock in trade of the commonwealth or held to be the property of the father of the family;<sup>6</sup> and the law permitted him to make and unmake the marriages of his children at his mere will, and even to exercise against them the monstrous power of life and death.

7 So manifold being the vices and so great the ignominies with which marriage was defiled, an alleviation and a remedy were at length bestowed from on high. Jesus Christ, who restored our human dignity and who perfected the Mosaic law, applied early in His ministry no little solicitude to the question of marriage. He ennobled the marriage in Cana of Galilee by His presence, and made it memorable by the first of the miracles which he wrought;<sup>7</sup> and for this reason, even from that day forth, it seemed as if the beginning of new holiness had been conferred on human marriages. Later on He brought back matrimony to the nobility of its primeval origin by condemning the customs of the Jews in their abuse of the plurality of wives and of the power of giving bills of divorce; and still more by commanding most strictly

cum difficultates diluisset ab institutis mo-  
saicis in medium, allatas, supremi legislatoris  
suscepta persona, haec de coniugibus sanxit:  
Dico autem vobis quia quicumque dimiserit  
uxorem suam nisi ob fornicationem, et aliam  
duxerit, moechatur; et qui dimissam duxerit,  
moechatur (Matth. XIX, 9).

Verum quae auctoritate Dei de coniugiis dec-  
reta et constituta sunt, ea nuncii divinarum  
legum Apostoli plenius et enucleatius memo-  
riae litterisque prodiderunt. Iamvero Apos-  
tolis magistris accepta referenda sunt, quae  
sancti Patres nostri, Concilia et universalis  
Ecclesiae traditio semper docuerunt (Trid.  
sess. X X I V , in pr.), nimirum Christum  
Dominum ad Sacramenti dignitatem evexisse  
matrimonium; simulque effecisse ut coni-  
uges, caelesti gratia quam merita eius pepere-  
runt septi ac muniti, sanctitatem in ipso co-  
niugio adipiscerentur: atque in eo, ad exem-  
plar mystici connubii sui cum Ecclesia mire  
conformato, et amorem qui est naturae con-  
sentaneus perfecisse (Trid. sess. XXIV, cap.  
I de reform. matr.), et viri ac mulieris indi-  
viduam suapte natura societatem divinae  
caritatis vinculo validius coniunxisse. Viri,  
Paullus inquit ad Ephesios, diligite uxores  
vestras, sicut et Christus dilexit Ecclesiam  
et seipsum tradidit pro ea, ut illam sanctifi-  
caret . . . Viri debent diligere uxores suas ut  
corpora sua. . . nemo enim unquam, carnem  
suam odio habuit; sed nutrit et fovet eam,  
sicut et Christus Ecclesiam; quia membra  
sumus corporis eius, de carne eius et de os-  
sibus eius. Propter hoc relinquet homo pa-  
trem et matrem suam et adhaerebit uxori  
suae et erunt duo in carne una. Sacramen-  
tum hoc magnum est: ego autem dico in  
Christo et in Ecclesia (Ad Ephes. V, 25 et

that no one should dare to dissolve that union  
which God Himself had sanctioned by a bond  
perpetual. Hence, having set aside the diffi-  
culties which were adduced from the law  
of Moses, He, in character of supreme Law-  
giver, decreed as follows concerning husbands  
and wives, "I say to you, that whosoever shall  
put away his wife, except it be for fornica-  
tion, and shall marry another, committeth  
adultery; and he that shall marry her that is  
put away committeth adultery."<sup>8</sup>

8 But what was decreed and constituted in  
respect to marriage by the authority of God  
has been more fully and more clearly handed  
down to us, by tradition and the written Word,  
through the Apostles, those heralds of the  
laws of God. To the Apostles, indeed, as our  
masters, are to be referred the doctrines which  
"our holy Fathers, the Councils, and the Tra-  
dition of the Universal Church have always  
taught,"<sup>9</sup> namely, that Christ our Lord raised  
marriage to the dignity of a sacrament; that  
to husband and wife, guarded and strength-  
ened by the heavenly grace which His mer-  
its gained for them, He gave power to at-  
tain holiness in the married state; and that,  
in a wondrous way, making marriage an ex-  
ample of the mystical union between Him-  
self and His Church, He not only perfected  
that love which is according to nature,<sup>10</sup> but  
also made the naturally indivisible union of  
one man with one woman far more perfect  
through the bond of heavenly love. Paul  
says to the Ephesians: "Husbands, love your  
wives, as Christ also loved the Church, and  
delivered Himself up for it, that He might  
sanctify it . . . So also ought men to love their  
wives as their own bodies . . . For no man  
ever hated his own flesh, but nourisheth and  
cherisheth it, as also Christ doth the Church;  
because we are members of His body, of His  
flesh, and of His bones. For this cause shall a  
man leave his father and mother, and shall

seqq.). — Similiter Apostolis auctoribus didicimus cleave to his wife, and they shall be two in unitatem, perpetuamque firmitatem quae ab ipsa requirebatur nuptiarum origine, sanctam esse et nullo tempore violabilem Christum iussisse. Iis qui matrimonio iuncti sunt, idem Paullus ait, praecipio non ego, sed Dominus, uxorem a viro non discedere; quod si discesserit, manere innuptam, aut viro suo reconciliari (I. Cor. VII. 10, 11). Et rursus: Mulier alligata est legi, quanto tempore viri eius vivit: quod si dormierit vir eius, liberata est (Ibid. v. 39). — Hisce igitur caussis matrimonium extitit sacramentum magnum (Ad Eph. v. 32), honorabile in omnibus (Ad Hebr. XIII, 4), pium, castum, rerum altissimarum imagine et significatione verendum.

Neque iis dumtaxat quae commemorata sunt, christiana eius perfectio absolutioque continetur. Nam primo quidem nuptiali societati excelsius quiddam et nobilius propositum est, quam antea fuisset; ea enim spectare iussa est non modo ad propagandum genus humanum, sed ad ingenerandam Ecclesiae sobolem, cives Sanctorum et domesticos Dei (Ad Eph. II, 19); ut nimirum populus ad veri Dei et Salvatoris nostri Christi cultum et religionem procuraretur atque educaretur (Catech. Rom. Cap. VIII). —

Secundo loco sua utrique coniugum sunt officia definita, sua iura integre descripta. Eos scilicet ipsos necesse est sic esse animo semper affectos, ut amorem maximum, constantem fidem, sollers assiduumque praesidium alteri alterum debere intelligant. — Vir est familiae princeps, et caput mulieris; quae tamen, quia caro est de carne illius et os de ossibus eius, subiiciatur pareatque viro, in morem non ancillae, sed sociae; ut scilicet

one flesh. This is a great sacrament; but I speak in Christ and in the Church.”<sup>11</sup> In like manner from the teaching of the Apostles we learn that the unity of marriage and its perpetual indissolubility, the indispensable conditions of its very origin, must, according to the command of Christ, be holy and inviolable without exception. Paul says again: “To them that are married, not I, but the Lord commandeth that the wife depart not from her husband; and if she depart, that she remain unmarried or be reconciled to her husband.”<sup>12</sup> And again: “A woman is bound by the law as long as her husband liveth; but if her husband die, she is at liberty.”<sup>13</sup> It is for these reasons that marriage is “a great sacrament”;<sup>14</sup> “honorable in all,”<sup>15</sup> holy, pure, and to be revered as a type and symbol of most high mysteries.

9 Furthermore, the Christian perfection and completeness of marriage are not comprised in those points only which have been mentioned. For, first, there has been vouchsafed to the marriage union a higher and nobler purpose than was ever previously given to it. By the command of Christ, it not only looks to the propagation of the human race, but to the bringing forth of children for the Church, “fellow citizens with the saints, and the domestics of God”;<sup>16</sup> so that “a people might be born and brought up for the worship and religion of the true God and our Saviour Jesus Christ.”<sup>17</sup>

10 Secondly, the mutual duties of husband and wife have been defined, and their several rights accurately established. They are bound, namely, to have such feelings for one another as to cherish always very great mutual love, to be ever faithful to their marriage vow, and to give one another an unfailing and unselfish help. The husband is the chief of the family and the head of the wife. The woman, because she is flesh of

obedientiae praestitae nec honestas, nec dignitas absit. In eo autem qui praeest, et in hac quae paret, cum imaginem uterque referant alter Christi, altera Ecclesiae, divina caritas esto perpetua moderatrix officii. Nam vir caput est mulieris, sicut Christus caput est Ecclesiae. . . . Sed sicut Ecclesia subiecta est Christo, ita et mulieres viris suis in omnibus. (Ad Eph. V. 23-24)-

Ad liberos quod pertinet, subesse et obtemperare parentibus, hisque honorem adhibere propter conscientiam debent; et vicissim in liberis tuendis atque ad virtutem potissimum informandis omnes parentum curas cogitationesque evigilare necesse est: Patres educate illos (filios) in disciplina et correctione Domini (Ad Eph. VI, 4). Ex quo intelligitur, nec pauca esse coniugum officia, neque levia; ea tamen coniugibus bonis, ob virtutem quae Sacramento percipitur, non modo tolerabilia fiunt, verum etiam iucunda.

Christus igitur, cum ad talem, ac tantam excellentiam matrimonia renovavisset, totam ipsorum disciplinam Ecclesiae credidit et commendavit. Quae potestatem in coniugia christianorum omni cum tempore, tum loco exercuit, atque ita exercuit, ut illam propriam eius esse appareret, nec hominum concessu quaesitam, sed auctoris sui voluntate divinitus adeptam. -Quot vero et quam vigiles curas in retinenda sanctitate nuptiarum collocant, ut sua his incolumitas maneret, plus est cognitum quam ut demonstrari debeat: -Et sane improbatos novimus Concilii Hierosolymitani sententia amores solutos

his flesh, and bone of his bone, must be subject to her husband and obey him; not, indeed, as a servant, but as a companion, so that her obedience shall be wanting in neither honor nor dignity. 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 both in their respective duties. For "the husband is the head of the wife; as Christ is the head of the Church . . . Therefore, as the Church is subject to Christ, so also let wives be to their husbands in all things."<sup>18</sup>

11 As regards children, they ought to submit to the parents and obey them, and give them honor for conscience' sake; while, on the other hand, parents are bound to give all care and watchful thought to the education of their offspring and their virtuous bringing up: "Fathers, . . . bring them up" [that is, your children] "in the discipline and correction of the Lord."<sup>19</sup> From this we see clearly that the duties of husbands and wives are neither few nor light; although to married people who are good these burdens become not only bearable but agreeable, owing to the strength which they gain through the sacrament.

12 Christ, therefore, having renewed marriage to such and so great excellence, commended and entrusted all the discipline bearing upon these matters to His Church. The Church, always and everywhere, has so used her power with reference to the marriages of Christians that men have seen clearly how it belongs to her as of native right; not being made hers by any human grant, but given divinely to her by the will of her Founder. Her constant and watchful care in guarding marriage, by the preservation of its sanctity, is so well understood as to not need proof. That the judgment of the Council

et liberos; (Act. XV, 29) civem Corinthium incesti damnatum beati Pauli auctoritate; (I Cor. V, 5) propulsatos ac reiectos eodem semper tenore fortitudinis conatus plurimorum, matrimonium christianum hostiliter petentium, videlicet Gnosticorum, Manichaeorum, Montanistarum sub ipsa rei christianae primordia nostra autem memoria Mormonum, Sansimonianorum, Phalansterianorum, Communistarum.—

Simili modo ius matrimonii aequabile inter omnes atque unum omnibus est constitutum, vetere inter servos et ingenuos sublato discrimine; (Cap. I, de coniug. serv.) exaequata viri et uxoris iura; etenim, ut aiebat Hieronymus (Oper. tom. I, col. 455), apud nos quod non licet feminis, aequè non licet viris, et eadem servitus pari conditione censetur: atque illa eadem iura ob remunerationem benevolentiae et vicissitudinem officiorum stabiliter firmata; adserta et vindicata mulierum dignitas; vetitum viro poenam capitis de adultera sumere (Can. Interfectares, et Can. Admonere, quaest. 2.), iuratamque fidem libidinose atque impudice violare.—

Atque illud etiam magnum est quod de potestate patrum familias Ecclesia, quantum oportuit, limitaverit, ne filiis et filiabus coniugii cupidis quidquam de iusta libertate minuere-tur; (Cap. 30, quaest. 3 de cognat. spiriti.) quod nuptias inter cognatos et affines certis gradibus nullas esse posse decreverit, (Cap. 8 de consang. et affin. cap. I cognat. legali.) ut nimirum supernaturalis coniugum amor latiore se campo diffunderet; quod errorem et vim et fraudem, quantum potuit, a nuptiis prohibenda curaverit; (Cap. 26 de sponsal.; capp. 13, 15, 29 de sponsal. et matrim., et alibi) quod sanctam pudicitiam thalami, quod securitatem personarum, (Cap. I de

of Jerusalem reprobated licentious and free love,<sup>20</sup> we all know; as also that the incestuous Corinthian was condemned by the authority of blessed Paul.<sup>21</sup> Again, in the very beginning of the Christian Church were repulsed and defeated, with the like unremitting determination, the efforts of many who aimed at the destruction of Christian marriage, such as the Gnostics, Manichaeans, and Montanists; and in our own time Mormons, St. Simonians, phalansterians, and communists.<sup>22</sup>

13 In like manner, moreover, a law of marriage just to all, and the same for all, was enacted by the abolition of the old distinction between slaves and free-born men and women; and thus the rights of husbands and wives were made equal: for, as St. Jerome says, “with us that which is unlawful for women is unlawful for men also, and the same restraint is imposed on equal conditions.”<sup>23</sup> The self-same rights also were firmly established for reciprocal affection and for the interchange of duties; the dignity of the woman was asserted and assured; and it was forbidden to the man to inflict capital punishment for adultery,<sup>24</sup> or lustfully and shamelessly to violate his plighted faith.

14 It is also a great blessing that the Church has limited, so far as is needful, the power of fathers of families, so that sons and daughters, wishing to marry, are not in any way deprived of their rightful freedom; <sup>25</sup> that, for the purpose of spreading more widely the supernatural love of husbands and wives, she has decreed marriages within certain degrees of consanguinity or affinity to be null and void;<sup>26</sup> that she has taken the greatest pains to safeguard marriage, as much as is possible, from error and violence and deceit; <sup>27</sup> that she has always wished to preserve the holy chasteness of the marriage bed, the security of persons,<sup>28</sup> the honor of

convers. infid. Capp. 5 et 6 de eo qui duxit in matr.) quod coniugiorum decus, (Capp. 3, 5 et 8 de sponsal. et matr. Trid. sess. XXXIV cap. 3 de reform. matr.) quod religionis incolumitatem (Cap. 7 de divort.) sacra tecta esse voluerit. Denique tanta vi, tanta providentia legum divinum istud institutum communiit, ut nemo sit rerum aequus existimatur, quin intelligat, hoc etiam ex capite quod ad coniugia refertur, optimam esse humani generis custodem ac vindicem Ecclesiam; cuius sapientia et fugam temporum, et iniurias hominum, et rerum publicarum vicissitudines innumerabiles victrix evasit.

Sed, adnitente humani generis hoste, non desunt qui, sicut cetera redemptionis beneficia ingratitude repudiant, sic restitutionem perfectionemque matrimonii aut spernunt, aut omnino non agnoscunt.—Flagitium nonnullorum veterum est, inimicos fuisse nuptiis in aliqua ipsarum parte; sed multo aetate nostra peccant perniciosius qui earum naturam, perfectam expletamque omnibus suis numeris et partibus, malunt funditus pervertere. Atque huius rei causa in eo praecipue sita est, quod imbuti falsae philosophiae opinionibus corruptaque consuetudine animi plurimorum, nihil tam moleste ferunt, quam subesse et parere; acerrimeque laborant, ut non modo singuli homines, sed etiam familiae atque omnis humana societas imperium Dei superbe contemnant.—

Cum vero et familiae et totius humanae societatis in matrimonio fons et origo consistat, illud ipsum iurisdictioni Ecclesiae subesse nullo modo patiuntur; imo deiicere ab omni sanctitate contendunt, et in illarum rerum exiguum sane gyrum compellere, quae auctoribus hominibus institutae sunt, et iure civili populorum reguntur atque administrantur. Unde sequi necesse erat, ut prin-

husband and wife,<sup>29</sup> and the sanctity of religion.<sup>30</sup> Lastly, with such foresight of legislation has the Church guarded its divine institution that no one who thinks rightfully of these matters can fail to see how, with regard to marriage, she is the best guardian and defender of the human race; and how, withal, her wisdom has come forth victorious from the lapse of years, from the assaults of men, and from the countless changes of public events.

15 Yet, owing to the efforts of the archenemy of mankind, there are persons who, thoughtlessly casting away so many other blessings of redemption, despise also or utterly ignore the restoration of marriage to its original perfection. It is a reproach to some of the ancients that they showed themselves the enemies of marriage in many ways; but in our own age, much more pernicious is the sin of those who would fain pervert utterly the nature of marriage, perfect though it is, and complete in all its details and parts. The chief reason why they act in this way is because very many, imbued with the maxims of a false philosophy and corrupted in morals, judge nothing so unbearable as submission and obedience; and strive with all their might to bring about that not only individual men, but families, also—indeed, human society itself—may in haughty pride despise the sovereignty of God.

16 Now, since the family and human society at large spring from marriage, these men will on no account allow matrimony to be the subject of the jurisdiction of the Church. Nay, they endeavor to deprive it of all holiness, and so bring it within the contracted sphere of those rights which, having been instituted by man, are ruled and administered by the civil jurisprudence of the com-

cipibus reipublicae ius in connubia omne tribuerent, nullum Ecclesiae esse decernerent; quae si quando potestatem eius generis exercuit, id ipsum esse aut indulgentia principum, aut iniuria factum. Sed iam tempus esse inquiunt, ut qui rempublicam gerunt, iidem sua iura fortiter vindicent, atque omnem coniugiorum rationem arbitrio suo moderari aggrediantur.—

Hinc illa nata, quae matrimonia civilia vulgo appellantur; hinc scitae leges de caussis, quae coniugiis impedimento sint; hinc iudiciales sententiae de contractibus coniugalibus, iure ne initi fuerint, an vitio. Postremo omnem facultatem in hoc genere iuris constituendi et dicundi videmus Ecclesiae catholicae praerep-

Atamen Naturalistae iique omnes qui reipublicae numen se maxime colere profitentes, malis hisce doctrinis totas civitates miscere nituntur, non possunt reprehensionem falsitatis effugere. Etenim cum matrimonium habeat Deum auctorem, fueritque vel a principio quaedam Incarnationis Verbi Dei adumbratio, idcirco inest in eo sacrum et religiosum quiddam, non adventitium, sed ingentum, non ab hominibus acceptum, sed natura insitum. Quocirca Innocentius III (Cap. 8 de divori.) et Honorius III (Cap. 11 de transad.) decessores Nostri, non iniuria nec temere affirmare potuerant, apud fideles et infideles existere Sacramentum coniugii. Testamur et monumenta antiquitatis, et mores atque instituta populorum, qui ad humanitatem magis accesserant et exquisitiore iuris et aequitatis cognitione praestit-

munity. Wherefore it necessarily follows that they attribute all power over marriage to civil rulers, and allow none whatever to the Church; and, when the Church exercises any such power, they think that she acts either by favor of the civil authority or to its injury. Now is the time, they say, for the heads of the State to vindicate their rights unflinchingly, and to do their best to settle all that relates to marriage according as to them seems good.

17 Hence are owing civil marriages, commonly so called; hence laws are framed which impose impediments to marriage; hence arise judicial sentences affecting the marriage contract, as to whether or not it have been rightly made. Lastly, all power of prescribing and passing judgment in this class of cases is, as we see, of set purpose denied to the Catholic Church, so that no regard is paid either to her divine power or to her prudent laws. Yet, under these, for so many centuries, have the nations lived on whom the light of civilization shone bright with the wisdom of Christ Jesus.

18 Nevertheless, the naturalists,<sup>31</sup> as well as all who profess that they worship above all things the divinity of the State, and strive to disturb whole communities with such wicked doctrines, cannot escape the charge of delusion. Marriage has God for its Author, and was from the very beginning a kind of foreshadowing of the Incarnation of His Son; and therefore there abides in it a something holy and religious; not extraneous, but innate; not derived from men, but implanted by nature. Innocent III, therefore, and Honorius III, our predecessors, affirmed not falsely nor rashly that a sacrament of marriage existed ever amongst the faithful and unbelievers.<sup>[^33]</sup> We call to witness the monuments of antiquity, as also the manners and customs of those people who, being the most civilized, had the greatest knowledge of law

erant: quorum omnium mentibus informatum anticipatumque fuisse constat, ut cum de matrimonio cogitarent, forma occurreret rei cum religione et sanctitate coniunctae. Hanc ob causam nuptiae apud illos non sine caeremoniis religionum, auctoritate pontificum, ministerio sacerdotum fieri saepe consueverunt.—Ita magnam in animis caelesti doctrina carentibus vim habuit naturarum, memoria originum, conscientia generis humani!—Igitur cum matrimonium sit sua vi, sua natura, sua sponte sacrum, consentaneum est, ut regatur ac temperetur non principum imperio, sed divina auctoritate Ecclesiae, quae rerum sacrarum sola habet magisterium.—

Deinde considerata sacramenti dignitas est, cuius accessione matrimonia christianorum evasere longe nobilissima. De sacramentis autem statuere et praecipere, ita, ex voluntate Christi, sola potest et debet Ecclesia, ut absonum sit plane potestatis eius vel minimam partem ad gubernatores rei civilis velle esse translatam.—

Postremo magnum pondus est, magna vis historiae, qua luculenter docemur, potestatem legiferam et iudicalem, de qua loquimur, libere constanterque ab Ecclesia usurpari consuevisse iis etiam temporibus, quando principes reipublicae consentientes fuisse aut conniventes in ea re, inepte et stulte fingeretur. Illud enim quam incredibile, quam absurdum, Christum Dominum damnassee polygamiae repudiique inveteratam consuetudinem delegata sibi a procuratore provinciae vel a principe Iudaeorum potestate; similiter Paullum Apostolum divortia incestasque nuptias edixisse non licere, cedentibus aut tacite mandantibus Tiberio, Caligola, Nerone! Neque illud unquam homini sanae mentis potest

and equity. In the minds of all of them it was a fixed and foregone conclusion that, when marriage was thought of, it was thought of as conjoined with religion and holiness. Hence, among those, marriages were commonly celebrated with religious ceremonies, under the authority of pontiffs, and with the ministry of priests. So mighty, even in the souls ignorant of heavenly doctrine, was the force of nature, of the remembrance of their origin, and of the conscience of the human race. As, then, marriage is holy by its own power, in its own nature, and of itself, it ought not to be regulated and administered by the will of civil rulers, but by the divine authority of the Church, which alone in sacred matters professes the office of teaching.

19 Next, the dignity of the sacrament must be considered, for through addition of the sacrament the marriages of Christians have become far the noblest of all matrimonial unions. But to decree and ordain concerning the sacrament is, by the will of Christ Himself, so much a part of the power and duty of the Church that it is plainly absurd to maintain that even the very smallest fraction of such power has been transferred to the civil ruler.

20 Lastly should be borne in mind the great weight and crucial test of history, by which it is plainly proved that the legislative and judicial authority of which We are speaking has been freely and constantly used by the Church, even in times when some foolishly suppose the head of the State either to have consented to it or connived at it. It would, for instance, be incredible and altogether absurd to assume that Christ our Lord condemned the long-standing practice of polygamy and divorce by authority delegated to Him by the procurator of the province, or the principal ruler of the Jews. And it would be equally extravagant to think that, when the Apostle Paul taught that divorces and incest-

persuaden, de sanctitate et firmitudine coniugii (Can. Apost. 16, 17, 18), de nuptiis servos inter et ingenuas (Philosophum. Oxon. 1851), tot esse ab Ecclesia conditas leges, impetrata facultate ab Imperatoribus romanis, inimicissimis nomini christiano, quibus nihil tam fuit propositum, quam vi et caede religionem Christi opprimere adolescentem: praesertim cum ius illud ab Ecclesia profectum a civili iure interdum adeo dissideret, ut Ignatius Martyr (Epist. ad Polycarp. cap. 5), Iustinus (Apolog. mai. n. 15), Athenagoras (Legat pro Christian, nn. 32, 33) et Tertullianus (De coron. milit. cap. 13), tamquam iniustas vel adulterinas publice traducerent nonnullorum nuptias, quibus tamen imperatoriae leges favebant.—

Postea vero quam ad christianos Imperatores potentatus omnis reciderat, Pontifices maximi et Episcopi in Concilia congregati, eadem semper cum libertate conscientiae iuris sui, de matrimoniis iubere vetare perseverarunt quod utile esse, quod expedire temporibus censuissent, utcumque discrepans ab institutis civilibus videretur. Nemo ignorat quam multa de impedimentis ligaminis, voti disparitatis cultus, consanguinitatis, criminis, publicae honestatis in Conciliis Illiberitano (De Aguirre, Conc. Hispan, tom. I. can. 13, 15, 16, 17), Arelatensi (Harduin., Act. Concil, tom. I, can. 11), Chalcedonensi (Ibid. can. 16), Milevitano II (Ibid. can. 17) aliisque, fuerint ab Ecclesiae praesulibus constituta, quae a decretis iure imperatorio sancitis longe saepe distarent.—Quin tantum abfuit, ut viri principes sibi adsciscerent in matrimonia christiana potestatem, ut potius eam, quanta est, penes Ecclesiam esse agnoscerent et declararent. Revera Honorius, Theodosius iunior, Iustinianus (Novel. 137) fateri non dubitarunt, in iis rebus quae nuptias attingant, non am-

tuos marriages were not lawful, it was because Tiberius, Caligula, and Nero agreed with him or secretly commanded him so to teach. No man in his senses could ever be persuaded that the Church made so many laws about the holiness and indissolubility of marriage,<sup>32</sup> and the marriages of slaves with the free-born,<sup>33</sup> by power received from Roman emperors, most hostile to the Christian name, whose strongest desire was to destroy by violence and murder the rising Church of Christ. Still less could anyone believe this to be the case, when the law of the Church was sometimes so divergent from the civil law that Ignatius the Martyr,<sup>34</sup> Justin,<sup>35</sup> Athenagoras,<sup>36</sup> and Tertullian<sup>37</sup> publicly denounced as unjust and adulterous certain marriages which had been sanctioned by imperial law.

21 Furthermore, after all power had devolved upon the Christian emperors, the supreme pontiffs and bishops assembled in council persisted with the same independence and consciousness of their right in commanding or forbidding in regard to marriage whatever they judged to be profitable or expedient for the time being, however much it might seem to be at variance with the laws of the State. It is well known that, with respect to the impediments arising from the marriage bond, through vow, disparity of worship, blood relationship, certain forms of crime, and from previously plighted troth, many decrees were issued by the rulers of the Church at the Councils of Granada,<sup>38</sup> Arles,<sup>39</sup> Chalcedon,<sup>40</sup> the second of Milevum,<sup>41</sup> and others, which were often widely different from the decrees sanctioned by the laws of the empire. Furthermore, so far were Christian princes from arrogating any power in the matter of Christian marriage that they on the contrary acknowledged and declared that it belonged exclusively in all its fullness

plius quam custodibus et defensoribus sacrorum canonum sibi esse licere. Et de conubiorum impedimentis si quid per edicta sanxerunt, causam docuerunt non inviti, nimirum id sibi sumpsisse ex Ecclesiae permissu atque auctoritate (Fejer Matrim, ex instit. Christ. Pest. 1835); cuius ipsius iudicium exquirere et reverenter accipere consueverunt in controversiis de honestate natalium (Cap. 3 de ordin, cognit), de divortiiis (Cap. 3 de divort.), denique de rebus omnibus cum coniugali vinculo necessitudinem quoque modo habentibus (Cap. 13 qui filii sint legit).—Igitur iure optimo in Concilio Tridentino definitum est in Ecclesiae potestate esse impedimenta matrimonium dirimentia constituere (Trid. sess. XXIV, can. 4), et causas matrimoniales ad iudices ecclesiasticos spectare (Ibid. can. 12).

Neque quemquam moveat illa tantopere a Regalistis praedicata distinctio, vi cuius contractum nuptialem a sacramento disiungunt, eo sane consilio, ut, Ecclesiae reservatis sacramenti rationibus, contractum tradant in potestatem arbitriumque principum civitatis.—Et enim non potest huiusmodi distinctio, seu verius distractio, probari; cum exploratum sit in matrimonio christiano contractum a sacramento non esse dissociabilem; atque ideo non posse contractum verum et legitimum consistere, quin sit eo ipso sacramentum. Nam Christus Dominus dignitate sacramenti auxit matrimonium; matrimonium autem est ipse contractus, si modo sit factus iure.—

Huc accedit, quod ob hanc causam matrimonium est sacramentum, quia est sacrum signum et efficiens gratiam, et imaginem referens mysticarum nuptiarum Christi cum

to the Church. In fact, Honorius, the younger Theodosius, and Justinian,<sup>42</sup> also, hesitated not to confess that the only power belonging to them in relation to marriage was that of acting as guardians and defenders of the holy canons. If at any time they enacted anything by their edicts concerning impediments of marriage, they voluntarily explained the reason, affirming that they took it upon themselves so to act, by leave and authority of the Church,<sup>43</sup> whose judgment they were wont to appeal to and reverently to accept in all questions that concerned legitimacy<sup>44</sup> and divorce;<sup>45</sup> as also in all those points which in any way have a necessary connection with the marriage bond.<sup>46</sup> The Council of Trent, therefore, had the clearest right to define that it is in the Church's power "to establish diriment impediments of matrimony,"<sup>47</sup> and that "matrimonial causes pertain to ecclesiastical judges."<sup>48</sup>

22 Let no one, then, be deceived by the distinction which some civil jurists have so strongly insisted upon—the distinction, namely, by virtue of which they sever the matrimonial contract from the sacrament, with intent to hand over the contract to the power and will of the rulers of the State, while reserving questions concerning the sacrament of the Church. A distinction, or rather severance, of this kind cannot be approved; for certain it is that in Christian marriage the contract is inseparable from the sacrament, and that, for this reason, the contract cannot be true and legitimate without being a sacrament as well. For Christ our Lord added to marriage the dignity of a sacrament; but marriage is the contract itself, whenever that contract is lawfully concluded.

23 Marriage, moreover, is a sacrament, because it is a holy sign which gives grace, showing forth an image of the mystical nuptials of Christ with the Church. But the form and

Ecclesia. Istarum autem forma ac figura illo ipso exprimitur summae coniunctionis vinculo, quo vir et mulier inter se conligantur, quodque aliud nihil est, nisi ipsum matrimonium. Itaque apparet, omne inter christianos iustum coniugium in se et per se esse sacramentum: nihilque magis abhorrer e a veritate, quam esse sacramentum decus quoddam adiunctum, aut proprietatem allapsam extrinsecus, quae a contractu disungi ac disparari hominum arbitratu queat.—Quod si hoc apparet and torn away from the contract at the caprice of man. Neither, therefore, by reasoning can it be shown, nor by any testimony of history be proved, that power over the marriages of Christians has ever lawfully been handed over to the rulers of the State. If, in this matter, the right of anyone else has ever been violated, no one can truly say that it has been violated by the Church. Would that the teaching of the naturalists, besides being full of falsehood and injustice, were not also the fertile source of much detriment and calamity! But it is easy to see at a glance the greatness of the evil which unhallowed marriages have brought, and ever will bring, on the whole of human society.

Utinam vero Naturalistarum oracula, ut sunt plena falsitatis et iniustitiae, ita non etiam essent fecunda detrimentorum et calamitatum. Sed facile est per videre quantam profanata coniugia perniciem attulerint; quantam allatura sint universae hominum communitati.—Principio quidem lex est provisiva divinitus, ut quae Deo et natura auctoribus instituta sunt, ea tanto plus utilia ac salutaria experiantur, quanto magis statu nativo manent integra atque incommutabilia; quandoquidem procreator rerum omnium Deus probe novit quid singularum institutioni et conservationi expediret, cunctasque voluntate et mente sua sic ordinavit, ut suum unaquaeque exitum convenienter habitura sit. At si rerum ordinem providentissime consti-

24 From the beginning of the world, indeed, it was divinely ordained that things instituted by God and by nature should be proved by us to be the more profitable and salutary the more they remain unchanged in their full integrity. For God, the Maker of all things, well knowing what was good for the institution and preservation of each of His creatures, so ordered them by His will and mind that each might adequately attain the end for which it was made. If the rashness or the wickedness of human agency venture to change or disturb that order of things which has been constituted with fullest foresight, then the designs of infinite wisdom and usefulness begin either to be hurtful or cease to be profitable, partly because through

tutum immutare et perturbare hominum temeritas aut improbitas velit, tum vero etiam sapientissime atque utilissime instituta aut obesse incipiunt, aut prodesse desinunt, vel quod vim iuvandi mutatione amiserint, vel quod tales Deus ipse poenas malit de mortalium superbia atque audacia sumere. Iamvero qui sacrum esse matrimonium negant, atque omni despoliatum sanctitate in rerum profanarum coniiciunt genus, ii pervertunt fundamenta naturae, et divinae providentiae tum consiliis repugnant, tum instituta, quantum potest, demoliuntur. Quapropter mirum esse non debet, ex huiusmodi conatibus insanis atque impiis eam generari malorum segetem, qua nihil est saluti animorum, incolumitatisque reipublicae perniciosius. Si consideretur quorsum matrimoniorum pertineat divina institutio, id erit evidentissimum, includere in illis voluisse Deum utilitatis et salutis publicae uberrimos fontes. Et sane, praeter quam quod propagationi generis humani prospiciunt, illuc quoque pertinent, ut meliorem vitam coniugum beatioremque efficiant; idque pluribus caussis, nempe mutuo ad necessitates sublevandas adiumento, amore constanti et fideli, communione omnium bonorum, gratia Caelesti, quae a sacramento proficiscitur. Eadem vero plurimum possunt ad familiarum salutem; nam matrimonia quamdiu sint congruentia naturae, Deique consiliis apte convenient, firmare profecto valebunt animorum concordiam inter parentes, tueri bonam institutionem liberorum, temperare patriam potestatem proposito divinae potestatis exemplo, filios parentibus, famulos heris facere obedientes. Ab eiusmodi autem coniugiis expectare civitates iure possunt genus et sobolem civium qui probe animati sint, Deique reverentia atque amore assueti, sui officii esse ducant iuste et legitime imperantibus obtemperare, cunctos diligere, laedere neminem.

the change undergone they have lost their power of benefiting, and partly because God chooses to inflict punishment on the pride and audacity of man. Now, those who deny that marriage is holy, and who relegate it, striped of all holiness, among the class of common secular things, uproot thereby the foundations of nature, not only resisting the designs of Providence, but, so far as they can, destroying the order that God has ordained. No one, therefore, should wonder if from such insane and impious attempts there spring up a crop of evils pernicious in the highest degree both to the salvation of souls and to the safety of the commonwealth.

25 If, then, we consider the end of the divine institution of marriage, we shall see very clearly that God intended it to be a most fruitful source of individual benefit and of public welfare. Not only, in strict truth, was marriage instituted for the propagation of the human race, but also that the lives of husbands and wives might be made better and happier. This comes about in many ways: by their lightening each other's burdens through mutual help; by constant and faithful love; by having all their possessions in common; and by the heavenly grace which flows from the sacrament. Marriage also can do much for the good of families, for, so long as it is conformable to nature and in accordance with the counsels of God, it has power to strengthen union of heart in the parents; to secure the holy education of children; to temper the authority of the father by the example of the divine authority; to render children obedient to their parents and servants obedient to their masters. From such marriages as these the State may rightly expect a race of citizens animated by a good spirit and filled with reverence and love for God, recognizing it their duty to obey those

Hos fructus tantos ac tam praeclaros tamdiu matrimonium revera genuit, quamdiu munera sanctitatis unitatis, perpetuitatisque retinuit, a quibus vim omnem accidit frugiferam et salutarem; neque est dubitandum similes paresque ingeneraturum fuisse, si semper et ubique in potestatem fidemque fuisset Ecclesiae, quae illorum munerum est fidissima conservatrix et vindex.—Sed quia modo passim libuit humanum ius in locum naturalis et divini supponere, deleri non solum coepit matrimonii species ac notio praestantissimi, quam in animis hominum impresserat et quasi consignaverat natura; sed in ipsis etiam Christianorum coniugiis, hominum vitio, multum vis illa debilitata est magnorum bonorum procreatrix. Quid est enim boni quod nuptiales afferre possint societates, unde abscedere christiana religio iubetur, quae parens est omnium bonorum, maximasque alit virtutes, excitans et impellens ad decus omne generosi animi atque excelsi? Illa igitur semota ac reiecta, redigi nuptias oportet in servitatem vitiosae hominum naturae et pessimarum dominarum cupiditatum, honestatis naturalis parum valido defensas patrocinio. Hoc fonte multiplex derivata perniciēs, non modo in privatas familias, sed etiam in civitates influxit. Etenim salutari depulso Dei metu, sublataque curarum levatione, quae nusquam alibi est quam in religione christiana maior, persaepe fit, quod est factu proclive, ut vix ferenda matrimonii munera et officia videantur; et liberari nimis multi vinculum velint, quod iure humano et sponte nexum putant, si dissimilitudo ingenuorum, aut discordia, aut fides ab alterutro violata, aut utriusque consensus, aliaeve causae liberari suadeant oportere. Et si forte satis fieri procacitati voluntatum lege prohibeatur, tum iniquas clamant esse leges, inhumanas, cum iure civium liberorum pug-

who rule justly and lawfully, to love all, and to injure no one.

26 These many and glorious fruits were ever the product of marriage, so long as it retained those gifts of holiness, unity, and indissolubility from which proceeded all its fertile and saving power; nor can anyone doubt but that it would always have brought forth such fruits, at all times and in all places, had it been under the power and guardianship of the Church, the trustworthy preserver and protector of these gifts. But, now, there is a spreading wish to supplant natural and divine law by human law; and hence has begun a gradual extinction of that most excellent ideal of marriage which nature herself had impressed on the soul of man, and sealed, as it were, with her own seal; nay, more, even in Christian marriages this power, productive of so great good, has been weakened by the sinfulness of man. Of what advantage is it if a state can institute nuptials estranged from the Christian religion, which is the mother of all good, cherishing all sublime virtues, quickening and urging us to everything that is the glory of a lofty and generous soul? When the Christian religion is reflected and repudiated, marriage sinks of necessity into the slavery of man's vicious nature and vile passions, and finds but little protection in the help of natural goodness. A very torrent of evil has flowed from this source, not only into private families, but also into States. For, the salutary fear of God being removed, and there being no longer that refreshment in toil which is nowhere more abounding than in the Christian religion, it very often happens, as indeed is natural, that the mutual services and duties of marriage seem almost unbearable; and thus very many yearn for the loosening of the tie which they believe to be woven by human law and of their own will, whenever incompatibility of temper, or quarrels, or the vio-

nantes; quapropter omnino videndum ut, illis antiquatis abrogatisque, licere divortia humaniore lege decernatur.

Nostrorum autem temporum legumlatores, cum eorundem iuris principiorum tenaces se ac studiosos profiteantur, ab illa hominum improbitate, quam diximus, se tueri non possunt, etiamsi maxime velint: quare cedendum temporibus ac divortiorum concedenda facultas.—Quod historia idem ipsa declarat. Ut enim alia praetereamus, exeunte saeculo superiore, in illa non tam perturbatione quam deflagratione Gralliarum, cum societas omnis, amoto Deo, profanaretur, tum demum placuit ratas legibus esse coniugum discessionem. Easdem autem leges renovari hoc tempore multi cupiunt, propterea quod Deum et Ecclesiam pelli e medio ac submoveri volunt a societate coniunctionis humanae; stulte putantes extremum grassanti morum corruptelae remedium ab eiusmodi legibus esse quaerendum.

At vero quanti materiam mali in se divortia contineant, vix attinet dicere. Eorum enim causa fiunt maritalia foedera mutabilia; extenuatur mutua benevolentia; infidelitati perniciose incitamenta suppeditantur; tuitioni atque institutioni liberorum nocetur; dissuendis societatibus domesticis praebetur occasio; discordiarum inter familias semina sparguntur; minuitur ac deprimitur dignitas mulierum, quae in periculum veniunt, ne, cum libidini virorum inservierunt, pro derelictis habeantur.—Et quoniam ad perdendas familias, frangendasque regnorum

lation of the marriage vow, or mutual consent, or other reasons induce them to think that it would be well to be set free. Then, if they are hindered by law from carrying out this shameless desire, they contend that the laws are iniquitous, inhuman, and at variance with the rights of free citizens; adding that every effort should be made to repeal such enactments, and to introduce a more humane code sanctioning divorce.

27 Now, however much the legislators of these our days may wish to guard themselves against the impiety of men such as we have been speaking of, they are unable to do so, seeing that they profess to hold and defend the very same principles of jurisprudence; and hence they have to go with times, and render divorce easily obtainable. History itself shows this; for, to pass over other instances, we find that, at the close of the last century, divorces were sanctioned by law in that upheaval or, rather, as it might be called, conflagration in France, when society was wholly degraded by the abandoning of God. Many at the present time would fain have those laws reenacted, because they wish God and His Church to be altogether exiled and excluded from the midst of human society, madly thinking that in such laws a final remedy must be sought for that moral corruption which is advancing with rapid strides.

28 Truly, it is hardly possible to describe how great are the evils that flow from divorce. Matrimonial contracts are by it made variable; mutual kindness is weakened; deplorable inducements to unfaithfulness are supplied; harm is done to the education and training of children; occasion is afforded for the breaking up of homes; the seeds of dissension are sown among families; the dignity of womanhood is lessened and brought low, and women run the risk of being deserted after having ministered to the pleasures of men. Since, then, nothing has such power to lay waste

opes nihil tam valet, quam corruptela morum, facile perspicitur, prosperitati familiarum ac civitatum maxime inimica esse divortia, quae a depravatis populorum moribus nascuntur, ac, teste rerum usu, ad vitiosiores vitae privatae et publicae consuetudines adiutum ianuamque patefaciunt.—

Multoque esse graviora haec mala constabit, si consideretur, frenos nullos futuros tantos, qui concessam semel divortiorum facultatem valeant intra certos, aut ante provisos, limites coercere. Magna prorsus est vis exemplorum, maior cupiditatum: hisce incitamentis fieri debet, ut divortiorum libido latius quotidie serpens plurimorum animos invadat, quasi morbus contagione vulgatus, aut agmen aquarum, superatis aggeribus, exundans.

Haec certe sunt omnia per se clara; sed renovanda rerum gestarum memoria fiunt clariora.—Simul ac iter divortiis tutum lege praestari coepit, dissidia, simultates, secessiones plurimum crevere; et tanta est vivendi turpitudine consecuta, ut eos ipsos, qui fuerant talium discessionum defensores, facti poenituerit; qui nisi contraria lege remedium mature quaesissent, timendum erat, ne praeceps in suam ipsa perniciem respublica dilaberetur.—Romani veteres prima divortiorum exempla dicuntur inhorruisse; sed non longa mora sensus honestatis in animis obstupescere, moderator cupiditatis pudor interire, fidesque nuptialis tanta cum licentia violari coepit, ut magnam veri similitudinem habere videatur quod a nonnullis scriptum legimus, mulieres non mutatione consulum, sed maritorum enumerare annos consuevisse.—Pari modo apud Protestantes principio quidem leges sanxerant, ut divortia fieri liceret certis de causis, iisque non sane multis: istas tamen propter rerum similitudinem affinitatem, compertum est in tantam multitudinem excrevisse apud Germanos, Americanos, aliosque,

families and destroy the mainstay of kingdoms as the corruption of morals, it is easily seen that divorces are in the highest degree hostile to the prosperity of families and States, springing as they do from the depraved morals of the people, and, as experience shows us, opening out a way to every kind of evil-doing in public and in private life.

29 Further still, if the matter be duly pondered, we shall clearly see these evils to be the more especially dangerous, because, divorce once being tolerated, there will be no restraint powerful enough to keep it within the bounds marked out or presurmised. Great indeed is the force of example, and even greater still the might of passion. With such incitements it must needs follow that the eagerness for divorce, daily spreading by devious ways, will seize upon the minds of many like a virulent contagious disease, or like a flood of water bursting through every barrier. These are truths that doubtlessly are all clear in themselves, but they will become clearer yet if we call to mind the teachings of experience. So soon as the road to divorce began to be made smooth by law, at once quarrels, jealousies, and judicial separations largely increased; and such shamelessness of life followed that men who had been in favor of these divorces repented of what they had done, and feared that, if they did not carefully seek a remedy by repealing the law, the State itself might come to ruin. The Romans of old are said to have shrunk with horror from the first example of divorce, but ere long all sense of decency was blunted in their soul; the meager restraint of passion died out, and the marriage vow was so often broken that what some writers have affirmed would seem to be true—namely, women used to reckon years not by the change of consuls, but of their husbands. In like manner, at the beginning, Protestants allowed legalized divorces in certain although but

ut qui non stulte sapuissent, magnopere defendendam putarint infinitam morum depravationem, atque intolerandam legum temeritatem.—

Neque aliter se res habuit in civitatibus catholici nominis: in quibus si quando datus est coniugiorum discidiis locus, incommodorum, quae consecuta sunt, multitudo opinionem legislatorum longe vicit. Nam scelus plurimorum fuit, ad omnem malitiam fraudemque versare mentem, ac per saevitiam adhibitam per iniurias, per adulteria fingere causas ad illud impune dissolvendum, cuius pertaesum esset, coniunctionis maritalis vinculum: idque cum tanto publicae honestatis detrimento, ut operam emendandis legibus quamprimum dari omnes iudicaverint oportere.

Et quisquam dubitabit, quin exitus aequè miseros et calamitosos habiturae sint leges divortiorum fautrices, sicubi forte in usum aetate nostra revocentur? Non est profecto in hominum commentis vel decretis facultas tanta, ut immutare rerum naturalem indolem conformationemque possint: quapropter parum sapienter publicam felicitatem interpretantur, qui germanam matrimonii rationem impune perverti posse putant; et, qualibet sanctitate cum religionis tum Sacramenti posthabita, diffingere ac deformare coniugia turpius velle videntur, quam ipsa ethnicorum instituta consuevissent. Ideoque nisi consilia mutantur, perpetuo sibi metuere familiae et societas humana debebunt, ne miserrime coniiciantur in illud rerum omnium certamen atque discrimen, quod est Socialistarum ac Communistarum flagitiosis gregibus iamdiu propositum.—Unde liquet quam absonum et absurdum sit publicam salutem a divortiis expectare, quae potius in certam societatis perniciem sunt evasura.

few cases, and yet from the affinity of circumstances of like kind, the number of divorces increased to such extent in Germany, America, and elsewhere that all wise thinkers deplored the boundless corruption of morals, and judged the recklessness of the laws to be simply intolerable.

30 Even in Catholic States the evil existed. For whenever at any time divorce was introduced, the abundance of misery that followed far exceeded all that the framers of the law could have foreseen. In fact, many lent their minds to contrive all kinds of fraud and device, and by accusations of cruelty, violence, and adultery to feign grounds for the dissolution of the matrimonial bond of which they had grown weary; and all this with so great havoc to morals that an amendment of the laws was deemed to be urgently needed.

31 Can anyone, therefore, doubt that laws in favor of divorce would have a result equally baneful and calamitous were they to be passed in these our days? There exists not, indeed, in the projects and enactments of men any power to change the character and tendency with things have received from nature. Those men, therefore, show but little wisdom in the idea they have formed of the well-being of the commonwealth who think that the inherent character of marriage can be perverted with impunity; and who, disregarding the sanctity of religion and of the sacrament, seem to wish to degrade and dishonor marriage more basely than was done even by heathen laws. Indeed, if they do not change their views, not only private families, but all public society, will have unceasing cause to fear lest they should be miserably driven into that general confusion and overthrow of order which is even now the wicked aim of socialists and communists. Thus we see most clearly how foolish and senseless it is to expect any public good from divorce, when,

Igitur confitendum est, de communi omnium populorum bono meruisse optime Ecclesiam catholicam, sanctitati et perpetuata coniugiorum tuendae semper intentam; nec exiguam ipsi gratiam deberi, quod legibus ei vicis centum iam annos in hoc genere multa peccantibus palam reclamaverit (Pius VI, epist. ad Episc. Lucion. 28 Maii 1793.—Pius VII, litter. encycl. die 17 Febr. 1809, et Const. dat. die 19 Iul. 1817.—Pius VIII, litter. encycl. die 29 Maii 1829.—Gregorius XVI, Const. dat. die 15 Augusti 1832.—Pius IX, alloc. habita, die 22 Sept. 1852.); quod haeresim deterrimam Protestantium de divitiis et repudiis anathemate perculerit (Trid. sess. XXIV, can. 5 et 7.); quod usitatam graecis diremptionem matrimoniorum multis modis damnaverit (Concil. Ploren., et Instr. Eug. IV ad Armenos.—Bened. XIV, Const. Etsi pastoralis, 6 Maii 1742); quod irritas esse nuptias decreverit ea conditione initas, ut aliquando dissolvantur (Cap. 7 de condit, appos.); quod demum vel a prima aetate leges imperatorias repudiarit, quae divitiis et repudiis perniciose lavissent (Hieron., epist. 79 ad Ocean. —Ambros., lib. VIII in cap. 16 Lucae, n. 5.—August., de nuptiis cap. 10).—Pontifices vero maximi quoties restiterunt principibus potentissimis, divortia a se facta ut rata Ecclesiae essent minaciter petentibus, toties existimandi sunt non modo pro incolumitate religionis, sed etiam pro humanitatis gentium propugnasse. Quam ad rem omnis admirabitur posteritas invicti animi documenta a Nicolao I edita adversus Lotharium; ab Urbano II et Paschali II adversus Philippum I regem Galliarum; a Caelestino III et Innocentio III adversus Philippum II principem Galliarum; a Clemente VII et Paulo III adversus Henricum VIII; denique a Pio VII sanctissimo fortissimoque Pontifice adversus Napoleonem I, secundis rebus et mag-

on the contrary, it tends to the certain destruction of society.

32 It must consequently be acknowledged that the Church has deserved exceedingly well of all nations by her ever watchful care in guarding the sanctity and the indissolubility of marriage. Again, no small amount of gratitude is owing to her for having, during the last hundred years, openly denounced the wicked laws which have grievously offended on this particular subject; <sup>49</sup> as well as for her having branded with anathema the baneful heresy obtaining among Protestants touching divorce and separation; <sup>50</sup> also, for having in many ways condemned the habitual dissolution of marriage among the Greeks; <sup>51</sup> for having declared invalid all marriages contracted upon the understanding that they may be at some future time dissolved; <sup>52</sup> and, lastly, for having, from the earliest times, repudiated the imperial laws which disastrously favored divorce. <sup>53</sup>

33 As often, indeed, as the supreme pontiffs have resisted the most powerful among rulers, in their threatening demands that divorces carried out by them should be confirmed by the Church, so often must we account them to have been contending for the safety, not only of religion, but also of the human race. For this reason all generations of men will admire the proofs of unbending courage which are to be found in the decrees of Nicholas I against Lothair; of Urban II and Paschal II against Philip I of France; of Celestine III and Innocent III against Alphonsus of Leon and Philip II of France; of Clement VII and Paul III against Henry VIII; and, lastly,

nitudine imperii exultantem.

Quae cum ita sint, omnes gubernatores administratoresque rerum publicarum, si rationem sequi, si sapientiam, si ipsam populorum utilitatem voluissent, malle debuerant sacras de matrimonio leges intactas manere, oblatumque Ecclesiae adiumentum in tutelam morum prosperitatemque familiarum adhibere, quam ipsam vocare Ecclesiam in suspicionem inimicitiae, et in falsam atque iniquam violati iuris civilis insimulationem.

Eoque magis; quod Ecclesia catholica, ut in re nulla potest ab religione officii et defensione iuris sui declinare, ita maxime solet esse ad benignitatem indulgentiamque proclivis in rebus omnibus, quae eam incolumitate iurium et sanctitate officiorum suorum possunt una consistere. Quam ob rem nihil unquam, de matrimoniis statuit, quin respectum habuerit ad statum communitalis, ad conditiones populorum; nec semel suarum ipsa legum praescripta, quoad potuit, mitigavit, quando ut mitigar et caussae iustae et graves impulerunt.—Item non ipsa ignorat neque diffitetur, sacramentum matrimonii, cum ad conservationem quoque et incrementum societatis humanae dirigatur, cognationem et necessitudinem habere cum rebus ipsis humanis, quae matrimonium quidem consequuntur, sed in genere civili versantur: de quibus rebus iure decernunt et cognoscunt qui rei publicae praesunt.

Nemo autem dubitat, quin Ecclesiae conditor Iesus Christus potestatem sacram voluerit esse a civili distinctam, et ad suas utramque res agendas liberam atque expeditam; hoc tamen adiuncto, quod utrique expedit, et quod interest omnium hominum, ut coniunctio inter eas et concordia intercederet,

of Pius VII, that holy and courageous pontiff, against Napoleon I, when at the height of his prosperity and in the fullness of his power. This being so, all rulers and administrators of the State who are desirous of following the dictates of reason and wisdom, and anxious for the good of their people, ought to make up their minds to keep the holy laws of marriage intact, and to make use of the proffered aid of the Church for securing the safety of morals and the happiness of families, rather than suspect her of hostile intention and falsely and wickedly accuse her of violating the civil law.

34 They should do this the more readily because the Catholic Church, though powerless in any way to abandon the duties of her office or the defence of her authority, still very greatly inclines to kindness and indulgence whenever they are consistent with the safety of her rights and the sanctity of her duties. Wherefore she makes no decrees in relation to marriage without having regard to the state of the body politic and the condition of the general public; and has besides more than once mitigated, as far as possible, the enactments of her own laws when there were just and weighty reasons. Moreover, she is not unaware, and never calls in doubt, that the sacrament of marriage, being instituted for the preservation and increase of the human race, has a necessary relation to circumstances of life which, though connected with marriage, belong to the civil order, and about which the State rightly makes strict inquiry and justly promulgates decrees.

35 Yet, no one doubts that Jesus Christ, the Founder of the Church, willed her sacred power to be distinct from the civil power, and each power to be free and unshackled in its own sphere: with this condition, however—a condition good for both, and of advantage to all men—that union and concord

in iisque rebus quae sint, diversa licet ratione, communis iuris et iudicii, altera, cui sunt humana tradita, opportune et congruenter ab altera penderet, cui sunt caelestia concredita. Huiusmodi autem compositione, ac fere harmonia, non solum utriusque potestatis optima ratio continetur, sed etiam opportunissimus atque efficacissimus modus iuvandi hominum genus in eo quod pertinet ad actionem vitae et ad spem salutis sempiternae. Etenim sicut hominum intelligentia, quemadmodum in superioribus Encyclicis Litteris ostendimus, si cum fide christiana conveniat, multum nobilitatur multoque evadit ad vitandos ac repellendos errores munitior, vicissimque fides non parum praesidii ab intelligentia mutuatur; sic pariter, si cum sacra Ecclesiae potestate civilis auctoritas amice congruat, magna utrique necesse est fiat utilitatis accessio. Alterius enim amplificatur dignitas, et, religione praeunte, numquam erit non iustum imperium: alteri vero adiumenta tutelae et defensionis in publicum, fidelium bonum suppeditantur.

Nos igitur, harum rerum consideratione permoti, cum studiose alias, tum vehementer in praesenti viros principes in concordiam atque amicitiam iungendam iterum hortamur; iisdemque paterna cum benevolentia veluti dexteram primi porrigimus, oblato supremae potestatis Nostrae auxilio, quod tanto magis est hoc tempore necessarium, quanto ius imperandi plus est in opinione hominum, quasi accepto vulnere, debilitatum. Incensis iam procaci libertate animis, et omne imperii, vel maxime legitimi, iugum nefario ausu detrectantibus, salus publica postulat, ut vires utriusque potestatis consocietur ad prohibenda damna, quae non modo Ecclesiae, sed ipsi etiam civili societati impendent.

should be maintained between them; and that on those questions which are, though in different ways, of common right and authority, the power to which secular matters have been entrusted should happily and becomingly depend on the other power which has in its charge the interests of heaven. In such arrangement and harmony is found not only the best line of action for each power, but also the most opportune and efficacious method of helping men in all that pertains to their life here, and to their hope of salvation hereafter. For, as We have shown in former encyclical letters,<sup>54</sup> the intellect of man is greatly ennobled by the Christian faith, and made better able to shun and banish all error, while faith borrows in turn no little help from the intellect; and in like manner, when the civil power is on friendly terms with the sacred authority of the Church, there accrues to both a great increase of usefulness. The dignity of the one is exalted, and so long as religion is its guide it will never rule unjustly; while the other receives help of protection and defence for the public good of the faithful.

36 Being moved, therefore, by these considerations, as We have exhorted rulers at other times, so still more earnestly We exhort them now, to concord and friendly feeling; and we are the first to stretch out Our hand to them with fatherly benevolence, and to offer to them the help of Our supreme authority, a help which is the more necessary at this time when, in public opinion, the authority of rulers is wounded and enfeebled. Now that the minds of so many are inflamed with a reckless spirit of liberty, and men are wickedly endeavoring to get rid of every restraint of authority, however legitimate it may be, the public safety demands that both powers should unite their strength to avert the evils which are hanging, not only over the Church, but also over civil society.

Sed cum amicam voluntatum coniunctionem valde suademus, precamurque Deum, principem pacis, ut amorem concordiae in animos cunctorum hominum iniiciat, tum temperare Nobis ipsi non possumus, quin Vestram industriam, Venerabiles Fratres, Vestrum studium ac vigilantiam, quae in Vobis summa esse intelligimus, magis ac magis hortando incitemus. Quantum contentione assequi, quantum auctoritate potestis, date operam, ut apud gentes fidei Vestrae commendatas integra atque incorrupta doctrina retineatur, quam Christus Dominus et caelestis voluntatis interpretes Apostoli tradiderunt, quamque Ecclesia catholica religiose ipsa servavit, et a Christifidelibus servari per omnes aetates iussit.

Praecipuas curas in id insumite, ut populi abundant praeeptis sapientiae christianae, semperque memoria teneant matrimonium non voluntate hominum, sed auctoritate nutuque Dei fuisse initio constitutum, et hac lege prorsus ut sit unius ad unam: Christum vero novi Foederis auctorem illud ipsum ex officio naturae in Sacramenta transtulisse, et quod ad vinculum spectat, legiferam et iudicalem Ecclesiae suae adtribuisse potestatem. Quo in genere cavendum magnopere est, ne in errorem mentes inducantur a fallacibus conclusionibus adversariorum, qui eiusmodi potestatem ademptam Ecclesiae vellent.—

Similiter omnibus exploratum esse debet, si qua coniunctio viri et mulieris inter Christifideles citra Sacramentum contrahatur, eam vi ac ratione iusti matrimonii carere; et quamvis convenienter legibus civicis facta sit, tamen pluris esse non posse, quam ritum aut morem, iure civili introductum; iure autem civili res tantummodo ordinari atque administrari posse, quas matrimonia efferunt ex sese in genere civili, et quas gigni non posse mani-

37 But, while earnestly exhorting all to a friendly union of will, and beseeching God, the Prince of peace, to infuse a love of concord into all hearts, We cannot, venerable brothers, refrain from urging you more and more to fresh earnestness, and zeal, and watchfulness, though we know that these are already very great. With every effort and with all authority, strive, as much as you are able, to preserve whole and undefiled among the people committed to your charge the doctrine which Christ our Lord taught us; which the Apostles, the interpreters of the will of God, have handed down; and which the Catholic Church has herself scrupulously guarded, and commanded to be believed in all ages by the faithful of Christ.

38 Let special care be taken that the people be well instructed in the precepts of Christian wisdom, so that they may always remember that marriage was not instituted by the will of man, but, from the very beginning, by the authority and command of God; that it does not admit of plurality of wives or husbands; that Christ, the Author of the New Covenant, raised it from a rite of nature to be a sacrament, and gave to His Church legislative and judicial power with regard to the bond of union. On this point the very greatest care must be taken to instruct them, lest their minds should be led into error by the unsound conclusions of adversaries who desire that the Church should be deprived of that power.

39 In like manner, all ought to understand clearly that, if there be any union of a man and a woman among the faithful of Christ which is not a sacrament, such union has not the force and nature of a proper marriage; that, although contracted in accordance with the laws of the State, it cannot be more than a rite or custom introduced by the civil law. Further, the civil law can deal with and decide those matters alone which in the civil

festum est, nisi vera et legitima illarum caussa, scilicet nuptiale vinculum, existat.—Haec quidem omnia probe cognita habere maxime sponsorum refert, quibus etiam probata esse debent et notata animis, ut sibi liceat hac in re morem legibus gerere; ipsa non abnuente Ecclesia, quae vult atque optat ut in omnes partes salva sint matrimoniorum effecta, et ne quid liberis detrimenti afferatur.—

In tanta autem confusione sententiarum, quae serpunt quotidie longius, id quoque est cognitu necessarium, solvere vinculum coniugii inter christianos rati et consummati nullius in potestate esse; ideoque manifesti criminis reos esse, si qui forte coniuges, quaecumque demum caussa esse dicatur, novo se matrimonii nexu ante implicare velint, quam abrumpi primum morte contigerit.—Quod si res eo devenerint, ut convictus ferri diutius non posse videatur, tum vero Ecclesia sinit alterum ab altera seorsum agere, adhibendaque curis ac remediis ad coniugum conditionem accommodatis, lenire studet sessionis incommoda; nec umquam committit, ut de reconcilianda concordia aut non laboret aut desperet.—Verum haec extrema sunt; quo facile esset non descendere, si sponsi non cupiditate acti, sed praesumptis cogitatione tum officiis coniugum, tum caussis coniugiorum nobilissimis, ea qua aequum est mente ad matrimonium accederent; neque nuptias anteverterent continuatione quadam serieque flagitiorum, irato Deo.

Et ut omnia paucis complectamur, tunc matrimonia placidam quietamque constantiam habitura sunt, si coniuges spiritum vitamque hauriant a virtute religionis, quae forti invictoque animo esse tribuit; quae efficit

order spring from marriage, and which cannot possibly exist, as is evident, unless there be a true and lawful cause of them, that is to say, the nuptial bond. It is of the greatest consequence to husband and wife that all these things should be known and well understood by them, in order that they may conform to the laws of the State, if there be no objection on the part of the Church; for the Church wishes the effects of marriage to be guarded in all possible ways, and that no harm may come to the children.

40 In the great confusion of opinions, however, which day by day is spreading more and more widely, it should further be known that no power can dissolve the bond of Christian marriage whenever this has been ratified and consummated; and that, of a consequence, those husbands and wives are guilty of a manifest crime who plan, for whatever reason, to be united in a second marriage before the first one has been ended by death. When, indeed, matters have come to such a pitch that it seems impossible for them to live together any longer, then the Church allows them to live apart, and strives at the same time to soften the evils of this separation by such remedies and helps as are suited to their condition; yet she never ceases to endeavor to bring about a reconciliation, and never despairs of doing so. But these are extreme cases; and they would seldom exist if men and women entered into the married state with proper dispositions, not influenced by passion, but entertaining right ideas of the duties of marriage and of its noble purpose; neither would they anticipate their marriage by a series of sins drawing down upon them the wrath of God.

41 To sum up all in a few words, there would be a calm and quiet constancy in marriage if married people would gather strength and life from the virtue of religion alone, which imparts to us resolution and fortitude; for

ut vitia, si qua sint in personis, ut distantia morum et ingeniorum, ut curarum maternas pondus, ut educationis liberorum operosa sollicitudo, ut comites vitae labores, ut casus adversi non solum moderate, sed etiam libenter perferantur.

Illud etiam cavendum est, ne scilicet coniugia facile appetantur cum alienis a catholico nomine: animos enim de disciplina religionis dissidentes vix sperari potest futuros esse cetera concordēs. Quin imo ab eiusmodi coniugiis ex eo maxime perspicitur esse abhorrendum, quod occasionem praebent vetitae societati et communicationi rerum sacrarum, periculum religioni creant coniugis catholici, impedimento sunt bonae institutioni liberorum, et persaepe animos impellunt, ut cunctarum religionum aequam habere rationem assuescant, sublato veri falsique discrimine.—

Postremo loco, cum probe intelligamus, alienum esse a caritate Nostra neminem oportere, auctoritati fidei et pietati Vestrae, Venerabiles Fratres, illos commendamus, valde quidem miseros, qui aestu cupiditatum abrepti, et salutis suae plane immemores contra fas vivunt, haud legitimi matrimonii vinculo coniuncti. In his ad officium revocandis hominibus Vestra sollers industria versetur: et cum per Vos ipsi, tum interposita virorum bonorum opera, modis omnibus contendite, ut sentiant se flagitiose fecisse, agant nequitiae poenitentiam, et ad iustas nuptias ritu catholico ineundas animum inducant.

Haec de matrimonio christiano documenta ac praecepta, quae per has litteras Nostras Vobiscum, Venerabiles Fratres, communicanda censuimus, facile videtis, non minus ad conservationem civilis communitatis, quam ad

religion would enable them to bear tranquilly and even gladly the trials of their state, such as, for instance, the faults that they discover in one another, the difference of temper and character, the weight of a mother's cares, the wearing anxiety about the education of children, reverses of fortune, and the sorrows of life.

42 Care also must be taken that they do not easily enter into marriage with those who are not Catholics; for, when minds do not agree as to the observances of religion, it is scarcely possible to hope for agreement in other things. Other reasons also proving that persons should turn with dread from such marriages are chiefly these: that they give occasion to forbidden association and communion in religious matters; endanger the faith of the Catholic partner; are a hindrance to the proper education of the children; and often lead to a mixing up of truth and falsehood, and to the belief that all religions are equally good.

43 Lastly, since We well know that none should be excluded from Our charity, We commend, venerable brothers, to your fidelity and piety those unhappy persons who, carried away by the heat of passion, and being utterly indifferent to their salvation, live wickedly together without the bond of lawful marriage. Let your utmost care be exercised in bringing such persons back to their duty; and, both by your own efforts and by those of good men who will consent to help you, strive by every means that they may see how wrongly they have acted; that they may do penance; and that they may be induced to enter into a lawful marriage according to the Catholic rite.

44 You will at once see, venerable brothers, that the doctrine and precepts in relation to Christian marriage, which We have thought good to communicate to you in this letter, tend no less to the preservation of

salutem hominum sempiternam magnopere pertinere.—Faxit igitur Deus ut quanto plus habent illa momenti et ponderis, tanto dociles promptosque magis ad parendum animos ubique nanciscatur. Huius rei gratia, supplice atque humili prece omnes pariter opem imploremus beatae Mariae Virginis Immaculatae, quae, excitatis mentibus ad obediendum fidei, matrem se et adiutricem hominibus impertiat. Neque minore studio Petrum et Paullum obsecramus, Principes Apostolorum, domitores superstitionis, satores veritatis, ut ab eluvione renascentium errorum humanum genus firmissimo patrocínio tueantur. Interea caelestium munerum auspicem et singularis benevolentiae Nostrae testem, Vobis omnibus, Venerabiles Fratres, et populis vigilantiae Vestrae commissis, Apostolicam Benedictionem ex animo impertimus.

civil society than to the everlasting salvation of souls. May God grant that, by reason of their gravity and importance, minds may everywhere be found docile and ready to obey them! For this end let us all suppliantly, with humble prayer, implore the help of the Blessed and Immaculate Virgin Mary, that, our hearts being quickened to the obedience of faith, she may show herself our mother and our helper. With equal earnestness let us ask the princes of the Apostles, Peter and Paul, the destroyers of heresies, the sowers of the seed of truth, to save the human race by their powerful patronage from the deluge of errors that is surging afresh. In the meantime, as an earnest of heavenly gifts, and a testimony of Our special benevolence, We grant to you all, venerable brothers, and to the people confided to your charge, from the depths of Our heart, the apostolic benediction.

*Given at St. Peter's in Rome, the tenth day of February, 1880, the third year of Our pontificate.*

LEO XIII

## Notes

<sup>1</sup>Eph. 1:9-10.

<sup>2</sup>Matt 19:5-6.

<sup>3</sup>Matt.19:8.

<sup>4</sup>Jerome Epist. 77, 3 (PL 22, 691).

<sup>5</sup>Arnobius, *Adversus Gentes*, 4 (sic, perhaps 1, 64).

<sup>6</sup>Dionysius Halicarnassus, lib. II, chs. 26-27 (see *Roman Antiquities*, tr. E. Cary, Loeb Classical Library, Harvard University Press, 1948, Vol. I, pp. 386-393).

<sup>7</sup>John 2.

<sup>8</sup>Matt. 19:9.

<sup>9</sup>Trid., sess. xxiv, in principio (that is, Council of Trent, *Canones et decreta*; the text is divided into sessions, chapters, and canons, i.e., decrees).

<sup>10</sup>Trid., sess. xxiv, cap. 1, *De reformatione matrimonii*.

<sup>11</sup>Eph.5:25-32.

<sup>12</sup>I Cor. 7:10-11.

<sup>13</sup>I Cor. 7:39.

<sup>14</sup>Eph. 5:32.

<sup>15</sup>Heb. 13:4.

<sup>16</sup>Eph. 2:19.

<sup>17</sup>Catech. Rom., ch. 8.

<sup>18</sup>Eph.5:23-24.

<sup>19</sup>Eph. 6:4.

<sup>20</sup>Acts 15:29.

<sup>21</sup>I Cor. 5:5.

<sup>22</sup>Gnostics: common name for several early sects claiming a Christian knowledge (gnosis) higher than faith. Manichaeans: disciples of the Persian Mani (or Manes, c.216-276) who taught that everything goes back to two first principles, light and darkness, or good and evil. Montanises: disciples of Montanus (in Phrygia, last third of the second century), condemned marriage as a sinful institution. Mormons: sect founded in 1830 by Joseph Smith, which favored polygamy. Saint-Simonians: disciples of the French philosopher Saint-Simon (1760-1825) founder of a "new Christianity" based upon science instead of faith. Phalansterians: members of a phalanstery, that is, of a socialist community after the principles of Charles Fourier (1772-1837). Communists: supporters of a regime in which property belongs to the body politic, each member being supposed to work according to his capacity and to receive according to his wants; communism is usually associated with the name of Karl Marx (1818-1893).

<sup>23</sup>Cap. 1, *De conjug. serv.* *Corpus juris canonici*, ed. Friedberg (Leipzig, 1884), Part 2, cols. 691-692.

<sup>24</sup>Can. *Interfectores* and *Canon Admonere*, quaest. 2 *Corpus juris canonici* (Leipzig, 1879), Part 1, cols. 1152-1154.

<sup>25</sup>Saus. 30, quaest. 3, cap. 3, *De cognac. spirit.* (op. cit., Part 1, col. 1101).

<sup>26</sup>Cap. 8, *De consang. et affin.* (op. cit., Part 2, col. 703); cap 1, *De cognac. Iegali* (col. 696).

<sup>27</sup>Cap. 26, De spousal. (op. cit., Part 2, col. 670); cap. 13 (col. 665); cap. 15 (col. 666); cap. 29 (col. 671); De sponsalibus et matrimonio et alibi.

<sup>28</sup>Cap. 1, De convers. infid. (op. cit., Part 2, col. 587); cap. 5, 6, De eo qui duxit in marrim. (cols. 688-689).

<sup>29</sup>Cap. 3, 5, 8, De spousal. et matr. (op. cit., Part 2, cols. 661, 663). Trid., sess. xxiv, cap. De reformatione matrimonii.

<sup>30</sup>Cap. 7, De divort. (op. cit., Part 2, col. 722).

<sup>31</sup>Maintain the self-sufficiency of the natural order. 33. Concerning Innocent III, see *Corpus juris canonici*, cap. 8, De divort., ed. cit., Part 2, col. 723. Innocent III refers to 1 Cor. 7:13. Concerning Honorius III, see cap. ii, De transact., (op. cit., Part 2 col. 210).

<sup>32</sup>Canones Apostolorum, 16 17, 18, ed. Fr. Lauchert, J. C. B. Mohr (Leipzig, 1896) p. 3.

<sup>33</sup>Philosophumena (Oxford, 1851), i.e., Hippolytus, Refutation of All Heresies, 9, 12 (PG 16 3386D-3387A).

<sup>34</sup>Epistola ad Polycarpum, cap. 5 (PG 5, 723-724).

<sup>35</sup>Apolog. Maj., 15 (PG 6, 349A, B).

<sup>36</sup>Legal. pro Christian., 32, 33 (PG 6, 963-968).

<sup>37</sup>De coron. milit., 13 (PL 2, 116).

<sup>38</sup>De Aguirre, Conc. Hispan., Vol. 1, can. 11.

<sup>39</sup>Harduin, Act. Conch., Vol. 1, can. 11.

<sup>40</sup>Ibid., can. 16.

<sup>41</sup>Ibid., can. 17.

<sup>42</sup>Novel., 137 (Justinianus, Novellae, ed. C. E. Z. Lिंगenthal, Leipzig, 1881, Vol. 2, p. 206).

<sup>43</sup>Fejer, Matrim. ex instit. Chris. (Pest, 1835).

<sup>44</sup>Cap. 3, De ord. cogn. (*Corpus juris canonici*, ed. cit., Part 2, col. 276).

<sup>45</sup>Cap. 3, De divort. (ed. cit., Part 2, col. 720).

<sup>46</sup>Cap. 13, Qui filii sint legit. (ed. cit., Part 2, col. 716).

<sup>47</sup>Trid., sess. xxiv, can. 4.

<sup>48</sup>Ibid., can. 12.

<sup>49</sup>Pius VI, Epist. ad episc. Lucion., May 20, 1793; Pius VII, encycl. letter, Feb. 17, 1809, and constitution given July 19, 1817; Pius VIII, encycl. letter, May 29, 1829; Gregory XVI, constitution given August 15, 1832; Pius IX, address, Sept. 22, 1852.

<sup>50</sup>Trid. sess. xxiv, can. 5 7.

<sup>51</sup>Council of Florence and instructions of Eugene IV to the Armenians Benedict XIV, constitution *Etsi Pastoralis*, May 6, 1742.

<sup>52</sup>Cap. 7, *De condit. appos.* (*Corpus juru canonici*, ed. cit., Part 2, col. 684).

<sup>53</sup>Jerome, Epist. 69, ad Oceanum (PL 22, 657); Ambrose, Lib. 8 in cap. 16 Lucae, n. 5 (PL 15, 1857); Augustine, *De nuptiis*, I, 10 11 (PL 44, 420). Fifty years after the publication of *Arcanum*, Pope Pius XI published his own encyclical *Casti Connubii* (December 31 1930), which may be found translated, with notes and bibliography, in J. Husslein, S. J., *Social Wellsprings*, Vol. II, pp. 122-173; also in pamphlet form, translated by Canon G. D. Smith, Catholic Truth Society of London; Paulist Press, New York; with a discussion club outline by Gerald C. Treacey, S. J.; National Catholic Welfare Conference, Washington, 1939. These pontifical acts should be completed by two addresses given by Pope Pius XII (October 29, 1951, and November 26, 1951), English translation published in pamphlet form by the National Catholic Welfare Conference under the title, *Moral Questions Affecting Married Life*, with a discussion outline by Edgar Schmiedeler, O. S. B.

<sup>54</sup>*Aeterni Patris*, above, pp. 38-39.