

THAT DIVORCE COMPROMISE.

REPLY TO REV. DR. MCKIM'S OPEN LETTER TO CARDINAL GIBBONS.

In the Sun (New York) of January 8, there appeared an open letter addressed to Cardinal Gibbons by Rev. Dr. Randolph H. McKim, pastor of the Church of the Epiphany, Washington.

The letter was copied by leading newspapers in other cities. In the Sun of Sunday last appeared the following masterly reply, written by Rev. Dr. John Webster Melody, of the faculty of the Catholic University of America.

To the Editor of the Sun—Sir: In an open letter published in the Sun of January 8th, the Rev. Dr. McKim, pastor of the Episcopal Church of the Epiphany, Washington, D. C., takes exception to the following statement of Cardinal Gibbons reported in the Baltimore Sun of November 4:

The recent convention in Boston apparently made an endeavor to compromise on the subject. There is no compromise on divorce. The only effective remedy is to go back to the Gospel, which prohibits all divorced men and women who are validly married from entering into second nuptials.

According to Dr. McKim there was no compromise on the question of marriage and divorce at the last convention of the Episcopal Church in Boston. He said: "The distinct issue, we are told, was this: 'Shall the Church reverse the attitude which it has occupied on this subject of marriage and divorce since 1808 and grant upon her canon law a modified recognition of the principle of the absolute indissolubility of marriage?'

The battle of debate was fought out on that issue, and the result was not a compromise, but the distinct re-assertion of the right of an innocent party in a divorce for the cause of adultery to marry again."

As president of the convention, we do not forget that the character of its enactments. Nevertheless, if we are to accept the testimony afforded by the reports contained in the columns of the accredited Episcopal organ, the Living Church, we are constrained to say that Dr. McKim's idea of an uncompromising canon is not one that can generally be accepted.

recognized social evil, they were divided sharply on the ideas and character of the remedy which the Gospel would prescribe. This is brought out strikingly by the account of the deliberations of the convention contained in the Living Church. We know full well the inevitable inadequacy and shortcomings of the reports of newspapers—even of the Living Church. Still, making all due allowances, we cannot but advert to the significance of the fact that of the thirty-five or more speeches addressed to the subject of divorce and epitomized by the Living Church, not half of this number are represented as having their main argument based upon the text of the fifth and sixteenth chapters of St. Matthew's Gospel. This was not because any of the delegates would call into question the Scripture court of appeal, but was owing, we can not but think, to the conviction that a hopeless difficulty existed in the way of getting a pronouncement from that court which would be recognized as effective to bring about anything like a settlement of discussion. Hence it was that the distinguished Bishop of Albany asserted, as we read, "that a passage contained in the nineteenth chapter of St. Matthew is disputable and that no attention should be paid to it," and that a well-known clergyman of Chicago hoped "that the Scripture part could have been left out of the discussion."

Now it is, of course, needless to say that the Sacred Scriptures present no more difficulties to the Episcopalians or to the members of any other Church than they do to the Catholic unaided by the guidance of an extrinsic magistracy. But it is just because of this guidance that Cardinal Gibbons when he declared for a going back to the Gospel to find a remedy in the matter of divorce was able to prescribe a course that would be secure from compromise.

TESTIMONY OF THE EARLY FATHERS. If an appeal to Scripture could not avail to furnish the late convention anything more than what we have been obliged to style a compromise measure, much less could an appeal to the early Fathers result in a different issue. That the apparent testimony of some of the Fathers offers difficulties to the doctrine of the absolute indissolubility of marriage we do not deny. Potavius, whom Dr. McKim quotes, says, indeed, that some of the Fathers have interpreted St. Matthew otherwise than St. Jerome and St. Augustine, who according to the Jesuit logician represents the traditional doctrine of the Church (Disert, Eccles., Lib. II., ch. 7). Dr. McKim asserts that "it is certain that utterances in plain support of the position that a such remarriage is lawful are to be found in the writings of Tertullian, St. Ambrose, St. Chrysostom, Origen, Epiphanius and St. Basil."

The question occurs to us right here, what does the reverend doctor mean by "plain support"? He certainly is aware that the very authors whom he adduces in favor of the limited dissolubility of marriage have each and all been brought forward in "plain support" of the teaching of absolute indissolubility. Each and every one of these Fathers declares in clear, general terms for the indissolubility of the marriage tie. Tertullian going so far as to forbid remarriage even on the death of one of the consorts, while none of them speaks of a permission to remarry after a divorce, with the exception of St. Basil and Epiphanius; and St. Basil, it is pointed out, is speaking only of the civil law; while Epiphanius allows a remarriage only when the divorced wife is dead. It would appear that Lactantius must be reckoned among those to whom Potavius refers as departing from the traditional doctrine of Art. It should be intellectual, not sensitive. The average idea of the beautiful, is, I fear, somewhat of a degraded life as an art, and not because only as the law of marriage. Comparative estimates, based upon appreciations of sexual morality must ever take primary cognizance of racial temperament and climatic effects. Because Dr. McKim inadvertently eliminates such vital considerations, the argument he would advance is devoid of solid worth.

JOHN WEBSTER MELODY. Washington, January 20. AVENUE OF THE BEAUTIFUL. MYRIAD WAYS IN WHICH MAN FINDS HIS CREATOR. By Rev. F. C. Kaabe, D. D. All the great pre-Christian philosophers, especially those of Greece, regarded life as an art, and not because only as the law of marriage. Comparative estimates, based upon appreciations of sexual morality must ever take primary cognizance of racial temperament and climatic effects. Because Dr. McKim inadvertently eliminates such vital considerations, the argument he would advance is devoid of solid worth.

All will agree that the main result of Art is the production of Beauty. Our conception of Beauty, therefore, must make a very great difference to an estimate of Art. It should be intellectual, not sensitive. The average idea of the beautiful, is, I fear, somewhat of a degraded life as an art, and not because only as the law of marriage.

dent impotency, while it has been sufficiently demonstrated the canon which Dr. McKim would attribute to Pope Zacharias must be traced to another source. We do not wish to be captious but we cannot resist the temptation to think that the reverend doctor may not have looked up thoroughly the question between Gregory and Boniface, for how is it that he reports the recognized error of Gratian ascribing to Gregory II, what was written by Gregory III, giving moreover, the date of the Pontificate of Gregory III, before which time the letter of Boniface, as is well known, was written?

AN UNPARALLELED COMPARISON. Dr. McKim departs from his main contention to institute a comparison between the effects of the annulling impediments among Catholics and the effects of our divorce laws. The comparison is thoroughly unparalleled. The whole argument and the right one made by those who would apply a remedy to the existing moral evil of divorce is that the marriage contract is not held in sufficient respect and veneration. Now it is precisely for the very purpose of safeguarding this tie, of instilling a profound reverence for it, that the Catholic Church has promulgated her impediments. She has done so to prevent the violations of her marriage law which would be sometimes contracted. And to forestall such an ill-fated step therefore it behoves the Church to exercise a skillful and alert precaution. Who shall affirm that she has ever been remiss in the discharge of this sacred duty?

Not more warranted for his argument than the foregoing is the comparison instituted by the reverend doctor between the purity of the family life in this country and that of Catholic countries where the law of the indissolubility of marriage prevails. Even supposing that the people of Mexico, South America, the Philippine Islands, Spain and Italy give evidence of a moral laxity in the familial relations, this is in spite of and not because of the Catholic law of marriage. Comparative estimates, based upon appreciations of sexual morality must ever take primary cognizance of racial temperament and climatic effects. Because Dr. McKim inadvertently eliminates such vital considerations, the argument he would advance is devoid of solid worth.

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