

*RE-MARRIAGE OF DIVORCED PERSONS.*

The canon on the re-marriage of divorced persons recently passed by the General Synod of the Church of England in Canada is one that has attracted considerable attention at home and abroad. The Bishop of Albany has spoken of it with unqualified approval, and has expressed regret that the principle it affirms is not the law of his own diocese. There are, of course, many Anglicans opposed to the canon; and possibly the great majority of Protestants view it with disfavour. To put it shortly the canon explicitly forbids any clergyman of the church to re-marry either party to a marriage dissolved by the civil Courts so long as the other party to such marriage is living. This is an inhibition of a very drastic nature when we consider the debatable moral ground upon which it is imposed; but there is no doubt that it has been the law of the Church of England since the time of Elizabeth at least. Canon CVII. of 1603, while recognizing the validity of divorces *a mensâ et thoro* by the ecclesiastical Courts, directed that sentence or decree in such cases should contain the following caution:

"That the parties so separated shall live chastely and continently; neither shall they during each other's life contract matrimony with any other person." So that the canon of the Synod of the Canadian church is merely declaratory of the old common law of the church.

Whatever may be said of the moral warrant for the re-marriage of divorced persons, it is certain that anything tending to the indissolubility of marriage in the present state of society is to be welcomed at least by the lover of his country. It has been well said that the State is founded upon the hearthstone; and the hearthstone we all know is itself founded upon the marital union of man and woman. Cardinal Manning once said, "That which makes a people is domestic life. The loss of it degrades a people to a horde." More than this, history teaches us that when laxity of the marriage tie lays hold upon a people it is one of the certain signs of national decay. Divorce was unknown in Rome down to the time of the second Punic War. In the time of Augustus marriage was a custom more honoured in the breach than in the observance.