

# For Intimacy

... a more vital thing... tremendous impact... immovable regularity...

These are some of the ways Bishop Kearney described the program and the goals of the Nocturnal Adoration Society when close to 1000 of its members attended a breakfast Sunday, March 27.

Members spend an hour a month on the night of the last Saturday of each month in prayer before the Blessed Sacrament. The hour rotates from 8 p.m. to 8 a.m. as members vary their time of devotion each month.

The Bishop said it was "significant" that the largest organization of laymen in the Diocese is this Society which is "dedicated exclusively to the worship and the glory of God."

He said other groups aim to aid the poor to improve educational facilities to provide activities for youngsters but that there is always a continuing need for men who are "thinkers, educated, who know the world and want to make it live."



PLANNING SCOUT D. Carthy, Diocesan chaplain

# Scout D. To Draw

More than 1000 Diocesan Scout volunteers and their spouses will assemble April 11 at Vince's 50 Acres, West Henrietta Rd., Rush for their annual report to Bishop Kearney. The invitation by the Diocesan Committee on Scouting to youth and den mothers brings together for the first time representatives of the entire Scouting Family. In the past only Scouters were present.

Bishop Kearney will address the gathering and present the St. George Award to an as yet unknown number of Scouters designated for their outstanding service to the youth of the Diocese.

Starting with a 6:30 p.m. smorgasbord, the affair will also feature a report on Scouting progress in 1965 and plans for the year ahead. The report will note the presentation of 10 Farout Del awards to Scouters (aged 8 to 11), 203 A. Alvarez Del awards to Scouters aged 11 to 14 and one new Pop Plus XII award to an Ithaca Explorer Scout, 159 Catholic sponsored units sent 1100 boys to retreats organized by the Council Catholic Committee. The report will also indicate that 26 field Masses were offered for boys at weekend campouts.

Maurice J. Petrin of Rochester is chairman of the even Assistant Petrin in the seven Diocesan Scout Councils are Robert Randall, Auburn, Cayuga Council; W. Arthur Sprague, Ithaca, Lewis A. Fuentes Council; James Howard, Penn Yan, Finger Lakes Council; James



Actor Pat

ELMIRA'S ANCIENT Monignor John J. Lee Pat O'Brien at a recent Showboat Room of with his audience, the w hands with more than 1

# Mixed Marriage Still World's Major Ecumenical Problem

(By Religious News Service)

Should the Roman Catholic Church recognize as valid a marriage between a Catholic and a non-Catholic performed in a non-Catholic church?

Should Rome dispense with the requirement in mixed marriages that the non-Catholic partner agree to the children of the marriage being reared in the Catholic faith?

The Protestant answer to these questions—both of which are looming ever larger on the ecumenical horizon—is an unqualified yes; this is something long overdue, Protestants insist.

For Catholics, however, the decision is one bound to have great ecumenical repercussions—resists with the commission set up by the late Pope John XXIII to revise the Code of Canon Law—specifically in regard to those sections dealing with marriage.

In England and some other countries, over one half of all marriages involving Roman Catholics are mixed marriages. In 27 archdioceses of the United States, 25 per cent of all marriages performed in Catholic churches in 1964 were mixed.

These high percentages of mixed marriages—a big surprise to many—is one reason for the extraordinary interest aroused by the recent instruction on mixed marriages issued by the Congregation for the Doctrine of the Faith almost on the eve of the history-making visit of Dr. Arthur Michael

Ramsey, Archbishop of Canterbury, to Pope Paul VI.

The issue of mixed marriages—involving conditions which have long been a source of tension—was said to have exceptional importance in the broad quest for Christian unity against which Dr. Ramsey's Vatican visit was viewed.

Widely hailed as another important gesture, the new instruction, however, as Catholic as well as Protestant commentators were quick to point out, involved no major change in the Catholic Church's marriage discipline. This was underscored by the Catholic Free Press of the Worcester, Mass., diocese which said:

The retroactive lifting of the excommunication from Catholics married before a non-Catholic minister does not mean that these marriages are now valid or that the Catholic party may receive the Sacraments. The decision to accept verbal (rather than written) promises, concerning the children of a mixed marriage does not lessen the obligation on the part of the spouses to live up to these agreements. The practice of allowing a non-Catholic minister to be present and give his blessing to the couple only underscores the need for religious values in any marriage.

While in Rome Dr. Ramsey, who has the reputation for outspokenness as well as warm human sympathy, made it clear that the new instructions do not satisfy the consciences of Anglican Christians and other non-Roman Catholic Christians.

Perhaps the most candid criticism of the new instruction came from The Christian Century, ecumenical weekly published in Chicago, which described it as little more than a gesture of reconciliation from Rome. It said that "gestures, however nicely brought off, will not do where radical surgery is required."

The weekly went on to voice the hope that the Catholic Church, impelled by the Vatican Council's declaration on religious liberty, would further modify its position on mixed marriages and in so doing recognize that its laws on these unions "have to be fundamentally with human rights and only secondarily with Christian unity."

America, national Catholic weekly, saw in the new Vatican document "the spirit of Vatican II at work." It said "those who thought the document should have gone farther ought to realize that this is merely a first step, not a final one."

In this connection, Father Walter M. Abbott, S.J., one of America's associate editors and a noted Biblical scholar, added this comment: "Now that this first step has been taken, another step could logically be taken when the Pontifical Commission for the Revision of the Code of Canon Law takes up that section of the Church's laws dealing with marriage."

The Christian Century implicitly specified the two fundamental factors in the mixed marriage question that remain to be dealt with when it wrote:

"The mixed marriage will still be considered valid (by the Catholic Church) only when performed by the Roman Catholic Church. The non-Catholic must promise not to interfere with the bringing up of his children as Catholics or must go through the ordeal and humiliation of appealing to the Holy See."

The phase of the mixed marriage problem that involves the raising of the children as Catholics poses a problem for the conscience of the non-Catholic partner and constitutes one of the hard realities of an increasingly sore conflict, "to quote the Christian Century

How this conflict is to be solved, especially in view of the Catholic Church's rigid insistence on the Catholic partner's obligation to rear his or her children in the Catholic faith, is a question for which no answers are presently forthcoming.

However, on the issue of the Catholic Church recognizing the validity of a mixed marriage performed in a non-Catholic church, past history suggests that here at least possibilities exist of a radical change in the Catholic canons on marriage.

The Catholic Church has from the earliest times frowned on mixed marriages—viewing them, among other things, as a dangerous source of "leakages" from the faith.

In his celebrated "Question Box," a book which has sold millions of copies, the late

Father Bertrand L. Conway, C.S.P., said laws against mixed marriages were passed by the Councils of Elvira (300), Laodicea (343-389), Hippo (393) and Chalcedon (451), while in modern times they were strongly condemned by Popes Urban VII, Clement XI, Benedict XIV, Pius IX and Leo XIII.

But prior to the Ne Temere decree of Pope St. Pius X which went into effect on Easter Sunday, April 19, 1908, a marriage between a Catholic and a baptized Protestant, or, as a general rule, between two Catholics in the United States, performed by a minister or a justice of the peace, was valid if no impediment existed. The Catholic, nevertheless, committed a grievous sin, pardon for which was reserved to the Bishop.

It was the Ne Temere decree which stipulated that "only those marriages are valid which are contracted before the parish priest or the local ordinary, or a priest delegated by either of them and at least two witnesses." Previously, Pope Pius VI in 1782, was the first to decree that mixed marriages should not take place in the church, before the altar.

Actually, the Council of Trent (1545-63), by its Tametsi decree had ruled that for the future a union contracted without the presence of the parish priest or his representative and two witnesses would be null as a marriage, instead of merely unlawful as hitherto. This decree, however, was published to have effect only in certain

countries. From time to time it was extended to other countries.

One of the most sympathetic comments on the Vatican's new instruction came from Dr. A. R. Vine, a Congregationalist and general secretary of the Free Church Federal Council in England, who said: "We appreciate the much greater difficulties that the Roman Catholic Church experiences in modifying its attitudes, in that it is more firmly rooted in its history and dogmas than are other Churches."

The Times of London reflected this sympathetic attitude when it wrote editorially that "all... will recognize the strength of feeling and tradition which makes any change in the Roman position difficult."

In the wake of Dr. Ramsey's visit to the Pope—marked by extraordinary cordiality on the part of both church leaders—came the announcement that mixed marriages would be one of the major topics discussed at the first meeting of the representatives of the Evangelical Church in Germany (EKID) and the German Catholic Bishop's Conference in Berlin on April 11.

The mixed marriage problem has long been a top category topic in German church circles.

In 1964, the EKID Council listed mixed marriage as one of the "annoyances in interceded relations which challenge the Christian witness to the world."

Many sharp criticisms have been voiced in Protestant quarters over the years regarding the Catholic insistence on bringing up the children of mixed unions as Catholics.

In his connection, the new Vatican instruction made a notable concession by providing that if, however, the non-Catholic party feels that such a promise cannot be made without violence to his conscience, the local bishop should refer the matter with all details, to the Holy See.

According to observers, it is the clear intention of the Holy See to respond favorably in such cases where the good faith of the appellant is beyond question.

Probably, as it has been noted the Catholic party—in such cases will be exhorted to strong terms to do all that is possible in the absence of any formal promises in the interest of the Catholic education of the children. It is believed in some Rome circles that by reserving decisions to itself the Holy See wished to guarantee uniformity of practice, at least at the start.

It may come as a revelation to many that specialists in canon law in Rome do not regard such a concession as either new or revolutionary in itself. Such a discipline has long been in force in some Far East countries, notably Japan, and also in the Middle East. Moreover, it has been applied without publicity to some Scandinavian countries.

## In Harmony with God's Will

# New Missals For Lay People

"Of making many books there is no end," says Ecclesiastes in the Old Testament.

And a whole new chapter is now open for making many more—missals for Catholics to use at Mass as it is now celebrated in its new format.

First on the market is the Maryknoll Missal of the P. J. Kennedy and Sons Company.

Besides being conveniently timely as an Easter gift, the new missal can eliminate some of the confusion that results from having to manage a hymnal, a leaflet, a response card—plus a squirming child, an envelope for the second collection and a purse or a hat.

The Maryknoll Missal contains all the new English texts for all Masses of the entire year—Introits, Collects, Scripture readings, etc.—plus a generous selection of hymns and all the psalms. The print is clear and the explanations brief but consistently excellent.

Other publishers are also at work on missals for the laity too—the St. Andrew's Bible Missal, the St. Joseph's Missal and others.

The lay people are obviously going to have an advantage over the clergy because a celebrant generally needs at least two books, sometimes three. Present altar missals have portions of the Mass still in Latin which are now authorized in English, so a "sacramentary"—a book of prayers—is available with these texts in it. One wag said every altar now needs a set of bookends.

Isn't the missal for lay people passe? Hardly.

Certainly for the foreseeable future, no matter how clearly the priest enunciates at the altar (and how many do?) and no matter how efficient is the public address system (and which one really is?) and until congregations can eliminate sneezing, coughing, wriggling and other assorted noises associated with public worship (and when will that day dawn?), the layman who wants to follow the service reasonably closely is going to need a missal just as in the (good old?) Latin days.

—Father Henry Atwell

# Church, World Relations 'Lively' Topic Says Pope

Vatican City—(RNS)—The problem of relations between the Church and the world has become "a more lively one," especially following Vatican II, Pope Paul VI told pilgrims attending his midweek general audience in St. Peter's Basilica.

"The Council," he said, "had undertaken an examination of conscience, especially in the light of mankind's knowledge, philosophy, history, ethics and earthly realities, for a new daring judgment and effort at understanding."

"This was an act of study and discovery which the Church's teaching had never hitherto accomplished in so direct, systematic or authoritative a way."

The Pope stressed that the Church "is not a priori in her judgments nor superficial, but positive, never abandoning her teaching and her ascetical standpoint regarding detachment from the world."

# 'Toward a Mature Marital Love'

Bonn—(RNS)—Priests in the Archdiocese of Munich and Freising were instructed some 30 months ago by a committee of priests and physicians to permit married couples who use contraceptives "not lightly and habitually, but rather as a regrettable emergency solution" to receive Holy Communion.

Valid reception of Communion in the Catholic Church involves being in the state of grace, in other words, free of unrepented and unforgiven mortal sin.

There are two million Catholics in the archdiocese.

The existence of the instruction, reportedly not intended to be published, was confirmed here by a spokesman of the German Catholic News Service.

He said they had become through the "indication" of The Tablet, a Catholic weekly published in London, England.

According to the spokesman,

the instruction intended as a "pastoral communication" was issued by the committee of priests and doctors on their own responsibility after Julius Cardinal Doepfner, Archbishop of Munich, had expressed "no objection" to them.

Cardinal Doepfner is a member of the new 16-man commission of bishops—three of them Americans—named by the Pope recently to advise him on problems of population and birth control. He also was named last

December as chairman of the German Bishops' Conference.

THE TEXT of the pastoral communication was as follows:

It is of decisive importance for the good and blessed success of a Christian marriage that young partners should put themselves determinedly under the will of God from the very start of their marital life.

In present circumstances they can, after only a few years of marriage, easily find themselves in the distressing situation in which it would be irresponsible to have another child, at least for some time, while marital unity is and remains of the utmost importance for the stability of the marriage and the maturing of their marital love.

When such partners, who try to build up their marriage in Christian responsibility for each other and for the serious good of the child, believe that in

## From Severity to Hope

Paris—(NC)—The Church has changed its approach to married couples having difficulty with birth regulation from one of harsh severity to one of hope, according to a leading theologian and sociologist who is a member of Pope Paul's commission on marriage and population problems.

Father Stanislaus de Lestapis, S.J., said the period of traumatic condemnation is past. What the Church does now, he said, is to try to awaken in the couple hope in the possibility of finding natural solution—through science and through spiritual life. To people who feel temporarily forced to resort to non-natural means, he said, the Church seeks to bring about understanding that this is lamentable.

# Religious Freedom, Council's Heritage

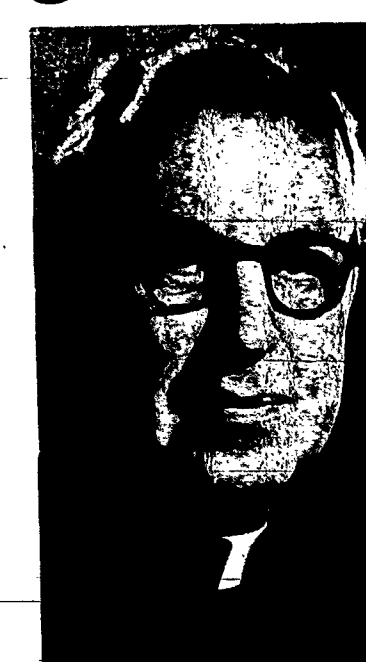
By DONALD BROPHY

Washington—(NC)—The man most instrumental in the passage of the Vatican Council's Declaration on Religious Freedom told Catholic and Protestant listeners here that the document marks the end of state domination in religious affairs that began with the Emperor Constantine.

Jesuit Father John Courtney Murray said he believes those western governments which have sought to control religious affairs reflect "a pagan instinct inherent in nearly all states."

He said this spirit in the Constantinian Empire, when Christianity first received state protection, obscured the Gospel message of individual freedom before God. The Council's document, he said, reasserts the Scriptural roots of personal freedom and gives them a legal formulation.

Father Murray, a theologian at the Jesuit house of studies in Woodstock, Md., gave three talks on the Council document at Washington's Metropolitan Memorial Methodist Church.



FATHER MURRAY not an expedient

They were the sixth annual Faith and Freedom lectures sponsored by American University.

In his talks and during the question periods afterward, Father Murray stressed that the Council declaration was not intended to formulate a final answer to the question of freedom nor did it stray from religious liberty into such areas as Church-state relations.

At the same time, he said: "The important thing is that this declaration was made in principle and not in any expedient concession to the times."

He noted that the declaration "goes right down the line" of the First Amendment of the U.S. Constitution regarding the free exercise of religion, but avoids any statement touching on the establishment of religion.

Likewise, he said the declaration left the issue of freedom within the Church "up for grabs," and he observed with a smile that "there's a lot of grabbing going on."

The Council Fathers, said Father Murray, were almost unanimously in favor of a statement supporting religious liberty from the first days of the Council.

Their problem was how to formulate an argument for it.

He explained how the Fathers made a "false start" by founding the argument on a vertical and subjective relationship between the human conscience and God. Eventually, he said, the argument was shifted to the freedom of man on a horizontal plane, affecting man's relationships with other men.

Then it was asked at the Council whether governments have the right or obligation to suppress religious error. The answer, said Father Murray, was "no" for two reasons:

First, he said the Fathers accepted the legal principle that there should be as much freedom as possible, and only as much restraint as necessary. Second, they agreed that religion was not a proper reason for violating man's equality before the law.

The legal arguments and some Scriptural references, said Father Murray, served to provide a "narrow juridical criteria" for the Council statement. He said the argument put for-

ward by the Council Fathers was "not the best possible one," but would serve as a good foundation for future action and scholarship.

Father Murray ventured the opinion that the Catholic Church and the modern world have arrived at their conclusions about mankind in reverse order. Nineteenth-century liberalism was stressing the political freedom of man at the same time that Pope Leo XIII, in his encyclical *Immortale Numus*, was stressing the social and economic freedom of man.

Now, he continued, the roles are reversed. The Church document on religious freedom regards man from a political viewpoint, while the world is placing more stress on man's social and economic rights.

Father Murray noted that all manner of relationships are being examined in the present day, relationships between the pope and bishops, between Catholics and Protestants, between the Church and governments. "The light in which they are being examined is the light of freedom," he said.

# Protestants Help Us Understand Vatican Council

By GARY MACOIN

Notre Dame, Indiana—I found a refreshing concern with basic questions at the Notre Dame discussion of the theological issues of Vatican II. The meeting was the first at the Center for Continuing Education. It augured well for this valuable addition to our cultural institutions.

Several participants expressed to me their regret that the proceedings concentrated on the meaning of the conciliar texts. They had hoped we would be discussing ways to implement them. The desire is understandable. Nevertheless, it is a danger which a colleague observed—accentuated here by the American urge for immediate results.

What the conference did for me was to bring a greater awareness of the primacy of the need to understand the documents. It made me realize that we may be drifting into a euphoria about the Council, a neo-triumphalist confidence that in its decisions we have the answers, ready

made and complete with easy instructions for home assembly.

The Protestant, Orthodox and Jewish participants played a vital role in this process. The Observers in Rome did undoubtedly have an impact through informal channels of exchange on the formulation of the documents. It would seem, however, from some of the discussions at Notre Dame, that their impact was more negative than positive. They helped the Council to avoid giving unnecessary offense. They were less successful in helping to fill lacunae that could be filled without violation of the Catholic conscience and with benefit to Catholic theology and belief.

The identification of these lacunae and the action to fill them should precede the crystallization of post-Council institutions. If it does not, we can erect new barriers that will on the one hand form an unnecessary obstacle to Christian unity, and on the other deprive us of valuable help from other Christians and from non-

Christians in our pursuit of common goals.

For me the most basic issue raised by the Protestant and other theologians here was the inconclusiveness of the Council documents. We all know by now that every Council decision, even down to paragraphs, sentences and single words, represents a compromise between viewpoints freely controverted among Catholics. For one, however, an now more than conscious than before of what this means for the future.

In the typical situation, one of the viewpoints is compatible with that of one or several other religious bodies, while the other is not. One thus permits closer approach and joint action at the doctrinal or at the practical level. The other does not.

In the light of the discussions here, it seems to me that our "progressives" have been too optimistic in their estimates of the rate and extent of the progress possible without first resolving this ambiguity. The Protestant and Orthodox spokes-

men are more realistic when they insist that the internal clarification of where we Catholics now stand must be the first order of business.

Does this mean, as we sometimes are told, that the Council has changed nothing? I do not think so. Perhaps one could say that the Council has decided nothing finally, and I think that is what the Protestant and Orthodox participants have been telling us here.

What the Council has done, however, is to establish the existence of a dynamic movement—among Catholics—to renew the life of the Church, our liturgy, our theology, our understanding of ourselves and of our function in the divine plan. It has created a climate in which this movement can possess the entire Church to such an extent as to establish by universal belief and practice some of the alternatives permitted by the Council documents, to the exclusion of the other. But we are still far from that point. Our internal renewal cannot be taken for granted.

# The Catholic COURIER

THE NEWSPAPER OF THE ROCHESTER DIOCESE Journal

Vol. 77 No. 28 Friday, April 8, 1966

MOST REV. JAMES E. KEARNEY, D.D., President

Published every Friday by the Rochester Catholic Press Association

MAIN OFFICE 35 Solo St., 464-7050 - Rochester, N.Y. 14604

ELMIRA OFFICE 317 Robinson Bldg., Lake St., RE 2-6688 or RE 2-4223

AUBURN OFFICE 168 E. Genesee St. AL 2-4446

Second class postage paid at Rochester, N.Y. Single copy 15¢. Postage paid at New York, N.Y. as required under the Act of Congress of March 3, 1879.

Canada \$5.50; Foreign Countries \$4.75