

# FOR NEW MARRIAGE LAWS

HIRAM WESLEY EVANS

*Imperial Wizard of the Ku Klux Klan*

**H**AS any Church the right to dictate in advance the religious faith of the unborn? The Imperial Wizard of the Ku Klux Klan returns an uncompromising No. For prospective parents to submit to such a pledge is in his opinion a violation of every principle of American democracy and freedom. Since legislation forbidding any marriage to be solemnized after such a pre-nuptial agreement has recently been introduced in nearly every state in the Union, the issue is likely to provoke nation-wide discussion.

protected from an alien and inherited spiritual and political authority, and be assured the right of self-determination in their religion? (2) Shall the children of the alien and almost unassimilable people who now make up the great majority of the Roman Church in America be allowed the chance to become assimilated if they wish and can? (3) Shall we insist that all our customs and ordinances be brought into harmony with the principles of freedom which are the historic spirit of Americanism?

To the millions of Protestant Americans who live in the regions not yet submerged by alien ideas, — and who are therefore so little understood in New York and Boston and Chicago, — and to the Knights of the Ku Klux Klan who have become the only organized representatives of the old stock Americans, there can be but one answer. The duty of making our current habits and laws consistent with the fundamental principles of Americanism is one which falls upon this country from time to time. Experience shows now and again that the work of the makers of the Constitution was not completed. Because there was so much for them to do, because public opinion was not yet ripe, or because the issues involved were at that time insignificant, they ignored many matters which have since become vital. The most violent convulsions which the nation has experienced have come in

**T**HE agitation now gathering headway in many parts of the country to forbid any clergyman to exact as a condition of performing a marriage ceremony an agreement that all children of that marriage shall be bound from infancy to some particular creed, presents fundamentally a clear and vital issue. It may be stated, however, in several ways. Here are three: (1) Shall all children born in this country be pro-

bringing their work up to date. The Bill of Rights, nullification, slavery, direct elections and primaries, suffrage, and prohibition have in turn shaken the country. In each instance the abuses which have grown up, or which were left over by the founders, have been hard to correct; for always there is some vested interest which has taken advantage of the situation and which fights any reform with both skill and desperation.

There are doubtless many such evils which we have not yet recognized, and which will become live issues as public opinion matures, or as special interests learn to take advantage of them. The one that is coming into prominence to-day is the use which the Romanist clergy makes of marriage, — and of the belief it instils into its people that it only can make a marriage holy, — to perpetuate and increase its grip upon all with whom it comes into contact, and to further its very natural desire to become dominant in the nation. This evil, to be sure, cannot yet be dignified by comparison with the great issues cited above, but it is in theory and in practice, actually and in all its implications, not only insulting to the great body of Americans of all other creeds, but totally at odds with the historic principles of self-government and self-control which are Americanism. It does contain possibilities of great harm and of great disturbance. Moreover, it is very useful to the most powerful vested interest in the world, the Romanist hierarchy. We do not expect the issue to be settled without dust and heat.

The bills aimed at this evil which have been introduced into various legislatures are avowedly an attempt to force the Roman Church more nearly into harmony with Americanism. They are general in their terms, but so far as I know there is no other church which makes the extraordinary demands put forward by Romanism, and therefore no other which is in this way at odds with the principle of spiritual freedom. These bills, then, may be fairly taken as a direct attack on the Roman Church.

The bills are in every case sponsored by the Ku Klux Klan and, — apart from their direct importance, — are notable as the first aggressive move made by the Klan. Hitherto we have been entirely on the defensive against the attacks being made by various alien interests upon the welfare or the principles of Americanism. Our early years were devoted to slow growth and

the correction of the blunders made because of inexperience and uncertainty as to immediate purpose and the means and methods to be employed; when we became strong our first efforts were of necessity directed toward salvage. Now, at last, we have the strength and opportunity to take the offensive for the fulfilment and completion of American ideas, to undertake construction instead of mere protection. We are somewhat sorry that our first move will appear controversial, but are comforted by the conviction that there is no form of un-Americanism which does not shelter powerful interests and for the defense of which selfish casuistry will not invoke the very principles which it violates.

Because the Roman Church is raising the cry of religious intolerance and persecution, it should be made clear that this question of the Romanist use of marriage is not religious in any fair sense. No attempt is made to prevent Roman priests from celebrating marriage, no effort to deprive them of a right which is allowed any other clergy. The question at issue is one of Americanism; more fundamentally, one of human liberty, of allowing any man to have the power, — even exceeding the influence of parents, — to dictate the religion of an unborn generation. The thing we are trying to stop is an inconsistency with historic Americanism, a practice which vitiates the principles of human freedom for all whom it touches and which would never

#### THE THREE MOST IMPORTANT CLAUSES OF THE PROPOSED LAW

An act relating to marriages, forbidding certain contracts, agreements or stipulations, oral or in writing, by the parties thereto, and prescribing penalties for persuading, enticing or inducing the parties to a marriage so to do.

Be it enacted by the Legislative Assembly of the State of .....:—

*Section 1.* That it shall be unlawful for any person authorized by the laws of this state to perform the marriage ceremony, as a condition to the performance of said marriage ceremony, or otherwise, to persuade, entice, or induce the parties to said marriage ceremony to enter into a contract, agreement, or stipulation, oral or in writing, concerning religious training of the issue of said marriage.

*Section 2.* It shall be unlawful for any person authorized by law to perform the marriage ceremony, before or after the marriage of a man and woman, to persuade, entice, or induce said parties to enter into a contract, agreement or stipulation, oral or in writing, to educate or train the issue of said marriage according to the teachings or tenets of any particular church, sect, religion or belief.

*Section 3.* Any person authorized by law to perform the marriage ceremony, violating the provisions of sections 1 and 2 of this act shall be punished by a fine of not less than Five Hundred (\$500.00) dollars, or by imprisonment in the State penitentiary for not more than a year and a day, or in the discretion of the Judge, both fine and imprisonment.

have been permitted to establish itself here in the early days of the nation, except for the fact that there were then so few Roman Catholics. Now there are many and the practice of priestly predestination, once negligible, has become dangerous.

The attitude of the great body of American Protestants, as distinct from that of the "intellectual leaders" who lead few but themselves, is so persistently misrepresented that it seems worth while to state it again. We have no quarrel with the Roman Catholic religion. We do not agree with it, and we do not see how any man or woman who understands the principles of freedom as we do can submit to an outside, super-imposed spiritual control. Yet, after all, that is their own affair. We have no objections to raise if others find their way to God, to salvation and peace, along another pathway than our own. We would put no obstacle in their way, nor discriminate against them in any slightest manner.

But Roman Catholicism is not only a religion but a church, — a hierarchy, a closed corporation, a dynasty of spiritual government, using its claimed monopoly over salvation for its own selfish and utterly irreligious purposes. This dynastic priesthood perpetuates all the evils of the old heathen priestcraft, even many of the ancient rites, ceremonies, and superstitions. It proclaims a monopoly of salvation, sits at the toll gates of the road to the High Throne, and demands as tolls for passage riches for itself, and dignity and power and honor. It is not spiritual, but very temporal. If it no longer claims political and temporal dominion over the earth as it once did, it nevertheless still seeks political authority as Count Della Torre, the spokesman of the Vatican, admitted in his article in *THE FORUM*. It exploits faith, religion, spirituality for its own benefit, — for what there is in it. Its theory and its practice are a world apart from the teachings of the humble Man of Galilee. It is luxurious, it is self-seeking, and it is despotic.

It is against this hierarchy, not against the Roman Catholic religion, that Protestants rebel, have prejudice, and fight. It is this that the Klan opposes. It is this against which the legislation is aimed. This, — and nothing else. Specifically, and in this instance, our object is to bring the Roman Church to the same basis as that of all other religious denominations in America, to



# ARCHDIOCESE OF NEW YORK MIXED MARRIAGE

(MIXTA RELIGIO VEL DISPARITAS CULTUS)

Rev. dear Sir: \_\_\_\_\_ 192\_\_\_\_\_

NAME

Child of \_\_\_\_\_ and \_\_\_\_\_  
MAIDEN NAME OF MOTHER

of \_\_\_\_\_  
ADDRESS

A Catholic of this parish, wishing to marry

NAME

Child of \_\_\_\_\_ and \_\_\_\_\_  
MAIDEN NAME OF MOTHER

of \_\_\_\_\_  
ADDRESS

A non-Catholic { baptized in \_\_\_\_\_ Sect  
never baptized \_\_\_\_\_

humbly petitions his Eminence, the Archbishop as delegate of the Holy  
See, to grant a dispensation from the impediment of

The reasons are (give some canonical reason, see Instructions of  
Sacred Congregation.)

The necessary promises in writing are attached herewith: and there  
appears to be no unusual danger of perversion.

Yours respectfully,

Church of \_\_\_\_\_

Enclosed please find check (\$) \_\_\_\_\_ for Alms.

PLEASE MAKE CHECK PAYABLE TO CHANCERY OFFICE.

# Archdiocese of New York.

## FORM OF PROMISES FOR NON-CATHOLIC

I, the undersigned non-Catholic, desiring to contract marriage with the Catholic party named in this application before a Catholic priest, duly authorized by a special dispensation from the Archbishop of New York, hereby promise in the presence of the undersigned witnesses:

- (1) That all children of either sex born of this marriage shall be baptized and educated in the Catholic religion.
- (2) That I will neither hinder nor obstruct in any manner whatsoever the Catholic party in the exercise of the Catholic religion.
- (3) That in the solemnization of my marriage there shall be only the Catholic ceremony.

.....  
(Signature of non-Catholic.)

## FORM OF PROMISES FOR CATHOLIC.

I, the undersigned Catholic party, hereby promise in the presence of the undersigned witnesses:

- (1) That all children of either sex born of this marriage shall be baptized and educated in the Catholic religion.
- (2) That in the solemnization of my marriage there shall be only the Catholic ceremony.

.....  
(Signature of Catholic.)

We, the undersigned hereby declare that we witnessed the signatures of the above mentioned contracting parties in their presence and in the presence of each other, on this.....day of the month of..... 192.....

.....  
(Signature of priest.)

.....  
(Signature of witness.)

**PLEASE DO NOT DETACH**

make it depend for its power and influence upon the truth it may teach, and to prevent it from using an hereditary power. We are striking at the hierarchy's use of marriage to control its people, to set them apart from other Americans, to mortgage the religion of the coming generation, to consolidate and perpetuate its despotism.

If this power of the Roman Church did not affect America directly, we Protestants might feel that it was no concern of ours, however great its abuses. But it does strike home. We see in the Roman hierarchy, though not necessarily in the religion, a direct antipathy, if not an hostility, to the underlying spirit of Americanism. There is no need to answer all the Jesuitical arguments advanced to the contrary; the fact is sufficiently proved by the efforts made by the American Catholics of 1776 to free themselves, as all other sects did, from foreign control. In the Catholics of those days the spirit of Americanism was hot and vital; they made every effort toward spiritual independence, toward complete Americanism, but in vain. Freedom is intolerable to Catholicism. And the growing chasm between Americanism and Romanism is marked by the decrease in the efforts toward the Americanization of the Roman Catholic Church,—it has been thirty years since the Paulists struck the last futile blow for freedom within their own religion and made their heroic but vain effort for a Catholicism which should be American instead of Roman.

Quite naturally we non-“liberal” Protestants dislike and distrust the whole system of priestcraft by which the Roman hierarchy maintains the grip on the fears and faith of its people that makes this exploitation and this anti-Americanism possible. It was to escape just this domination and to make a more direct contact with the Almighty that our forefathers left Romanism, and we keep the faith. But most of it is no affair of ours. It is only when the Roman hierarchy becomes active in our politics that we have to fight it directly. We are not distressed by our lack of holy water and extreme unction, nor by being considered as predestined to damnation.

The hierarchy's use of the marriage sacrament, however, has no such claim on our tolerance. It does touch us all indirectly and it does directly injure and check the progress and spread of



Americanism in the nation. The indirect injury comes from the insolence which declares that all our marriages are null and void and our children illegitimate, and which dares to reach out and pass upon and annul Protestant marriages. So long as silence is kept, this insulting attitude may be tolerable, but a few more instances in which it is proclaimed will make it cease to be so. Perhaps it is beyond reach of the law, — we are making no attempt to reach it now, — but it needs no prophet to foretell that if it is maintained and flaunted a vigorous effort will be made to reach it.

More serious and much more immediate is the requirement of the Roman clergy that every couple whom they marry shall pledge all children in advance to the Romanist religion, even though one of the parties to the marriage is a Protestant. This attempt, by precontract, to mortgage the religion of a large part of the coming generation, has so far been highly successful. It is easy to understand the hierarchy's point of view. It wishes to hold as many people as possible under its control, and it has found by experience that it is unsafe to depend upon the truth of its teachings after children have reached years of discretion, or to permit them when young to hear anything of other religions. We cannot blame the priests, but this practice is in every way abhorrent to the principles of American liberty, and what is more, it can be reached by law.

Its evils are many. In the first place, it aids greatly in perpetuating the dynastic power of Romanism; checks, if it does not entirely prevent, the Americanization of the great masses of alien-bred and alien-minded folk who to-day make up the bulk of Roman Catholics in this country. More, in the increasing number of marriages between Romanists and Protestants it reaches out and draws into the Roman bondage large numbers of children who should, — at least half of them, — have been trained in the freedom of Americanism and Protestantism. Thus it constitutes a far-reaching method of proselyting which constantly widens the grip of Romanism in America.

Another evil is that this system violates the rights of unborn children. It is, of course, usual for every child to be brought up in the religion of its parents, but the Romanists' system goes beyond this. It forbids parents from exercising any discretion, prevents



the child, — under the Romanist method of training, — from learning anything about other religions, and practically robs the child of the right to learn truth for himself and also robs him of the great American right of self-determination as to his religion.

In the third place, this system gives to the Roman hierarchy a distinct advantage over other creeds, and one not based on truth, but on coercion. Other denominations in this country must depend for their strength entirely upon the truths they teach to hold both parents and children. This sale to the hierarchy of hundreds of thousands of unborn souls counts heavily against Protestantism in the very country which it created.

Finally, the Romanist pledge violates every principle of American democracy and freedom, as we understand them, and as they were quite evidently understood when the nation was founded. Americanism, to us of old American stock, contains two great principles: that there shall not be permitted any inherited, imposed, or alien control of any individual or of any person's thought; and that truth of itself will prevail in the end, that no coercion shall be used in behalf of any man's or any organization's conception of truth.

The Roman marriage contract directly defies both of these principles. Yet there can be no doubt that, in the historic period of clear thought which marked the founding of the nation, these ideas were universally applied to religion as well as to politics. The prompt action of all other creeds except Romanism in freeing themselves from foreign control, — and the efforts made by the American Romanists of that day to do likewise, — prove this conclusively. Yet Romanism in this country is being permitted to coerce thought, and to perpetuate and even to widen an inherited, imposed, alien control of the religion of Americans.

It is being charged against us that we are arousing strife to no purpose, that we can accomplish nothing by our efforts to end this evil; that even without a contract most Romanists will continue to bring up their children in their own religion. This last is doubtless true. We do not hope, through legislation, for the conversion to Protestantism of a single child of Romanist parentage. We do not expect to weaken the Romanist religion. But this does not mean that great and vital benefits will not be achieved if this legislation is adopted.

It will not weaken the Roman religion, to be sure, but it will weaken the power of the self-perpetuating dynasty which exploits that religion. Whatever truth Romanism preaches will not suffer, nor be restrained, but Romanism will be forced to depend more on truth and less on priestcraft and coercion. Also, the Roman Church will be brought more nearly to an equality with other denominations and stripped of an unfair advantage.

We do expect to save for Protestantism and for true Americanism a large part of the children of mixed marriages, and this will be of increasing importance as the number of mixed marriages grows. We expect to save the self-respect, now so flagrantly violated, of Protestants who marry Roman Catholics. And we do expect, also, to insure that every child has the right to religious freedom; and that, if they choose wrongly, it shall at least be their own choice, and not a forced one.

Finally, we expect to fulfil and reestablish the fundamental principles of Americanism, as they would have been fulfilled by the founders of the nation if this issue had been of importance a hundred and fifty years ago. We expect to prove that those principles are still a working and controlling force in America. We expect to check the undermining of liberty and of our national ideals which has been going on so steadily, and to prepare the way for continued advance and fulfilment along the lines so clearly laid down in history. We believe that in this campaign we are beginning the long-neglected task of making and keeping America more American.

*Subsequent numbers of THE FORUM will carry Catholic rejoinder to the views set forth in Dr. Evans's article and letters from readers on both sides will be published in Our Rostrum.*

# ARE YOU CONSISTENT?

OLIVER L. REISER

**O**SCAR WILDE somewhere states that consistency is the mark of a mediocre mind. But such a view is self-refuting. An intelligent solution to our problems, scientific, moral, and political can come only with clear, consistent, and hard thinking.

On the opposite page will be found a test, which, with the aid of a publicity agent, might be nominated as a candidate for the position vacated by the cross word puzzle.

The general theory underlying the whole test is this: If a person believes a certain proposition in a certain field of knowledge he ought to believe (or disbelieve) another proposition in some other field, if the two propositions are dependent. If he believes two propositions which are clearly inconsistent with each other the fact can then be pointed out.

I have singled out four fields of human knowledge, and within each field have stated six propositions. This makes twenty-four propositions, which were meant to be interdependent. However, instead of replying to these propositions with *yes* or *no*, allowance is made for uncertainty. This is secured by assigning to each proposition a "truth-value". Degrees of certainty are represented by figures lying between one hundred per cent and zero, and even doubt is represented by a truth-value of fifty per cent. If a person believes that the evidence indicates that biological evolution is highly probable, say ninety per cent, he ought not give the doctrine of special creation a value of over ten per cent.

The actual chart shows the view which, in the writer's opinion, seems to have come closest to perfect consistency. But the reader can determine for himself his own agreements and differences, and decide whether he can achieve anything expressing a more completely consistent set of reactions. If the questions are conscientiously answered, the results will be a fairly reliable index of what the person tested actually thinks. It may also help him to settle his ideas on specific questions about which he has hitherto been uncertain. Different answers may, of course, disagree fundamentally and yet be internally consistent.