

DUM MULTA

Encyclical of Pope Leo XIII on Marriage Legislation

December 24, 1902

To the Venerable Brothers, the Archbishop of Quito and the other Bishops of Ecuador.

1. While We are burdened with much sadness in knowing to what a sorrowful state the Church in Ecuador is reduced, We were very pleased by your timely and publicly proclaimed ordinances. In your pastoral care, you did not hesitate to protest loudly these laws which are opposed not only to the rights of the Church but also to divine right. You protested them right from the time they were proposed. You devoted all your zeal and effort before the damage was done to prevent the public orators from carrying out their ruinous legislative intention. You are not unaware of the undemanding forbearance We have devoted to restoring the religious tranquility of your country. This is of the greatest importance for the good of the Church and of the State. But, the hopes which We had, the hopes which encouraged almost all the people of Ecuador, have perished miserably. In fact, not only has no reparation been made for previous destructive injustices, but other very serious injustices have been added to them. We see that a diocese which was constituted according to the holy canons has been abolished. We know that bishops have been appointed to vacant dioceses, without any privilege from the Holy See. We also know that the sanctity of Christian marriage has been impeded in various ways.

2. We have treated this matter often in other letters, especially in Our apostolic letter of 10 February 1880. In it We emphasized the nature of Christian marriage, its strength, the care the Church has devoted to protecting its honor and its rights, and the role of civil authority in its regard. As it is evident that Christ, the son of God, redeemer and restorer of human nature, raised Christian marriage to the dignity of a sacrament, every Christian marriage is this sacrament. The matter of the contract can be separated in some sense from the nature of the sacrament. This means that while the civil authority retains in full its right to regulate the so-called civil effects, the marriage itself is subject to the authority of the Church. In addition, it is certain that Jesus, the redeemer of every race, abolished the custom of repudiation, strengthened marriage with holy power, and reinstated the law of permanence just as it was established by the will of God from the beginning. It follows then that the marriage of Christians when fully accomplished is holy, indivisible, and perfect. It cannot be dissolved for any reason other than the death of either spouse according to the holy words: "What God has joined, let no man divide." In so doing, Christ certainly intended to confer many benefits on the human race, for this institution most effectively preserves or restores morality, fosters the love of one spouse for the other, confirms families with divine strength, renews the education and protection of offspring, maintains the dignity of woman, and finally establishes the honor and the prosperity of familial and civil association in the most beneficial and excellent way.

3. Therefore, in accordance with Our duty as supreme teacher which makes Us guardian and champion of divine and ecclesiastical law, We raise our voice and totally condemn the so-called civil marriage laws recently enacted in Ecuador. Concerning divorces, We reject them together with every assault on the holy discipline of the Church there. The fact that these laws have been established in the face of your opposition and are so much at variance with the development of civil prosperity and the interests of religion is no reason for you to be disheartened. You should

rather increase your zeal for religion and be more vigilant. Continue therefore as you are doing to defend the neglected and spurned rights of the Church without yielding to defeat. Teach the faithful entrusted to your care and educate them so that they preserve the reverence due to their leaders; be faithful to the teaching of the Catholic religion and practice Christian morality. With earnest and eager prayers to the Most Sacred Heart of Jesus to whom your people have been solemnly dedicated above all nations, you all should ask that He deign to bestow happier times on the Church of Ecuador through the abundance of His mercies. We still remain your companion and share in your sorrows and supplications. Meanwhile, as a sign of Our good will and as a pledge of divine gifts, We impart lovingly in the Lord Our apostolic blessing to you and to your faithful.

Given in Rome, at St. Peter's, on the 24th day of December in the year 1902, the twenty-fifth year of Our Pontificate.