

## *Blackfriars*

recent years have met with failure, whilst an appreciable number of successful cases were of applicants who were too poor to pay the expenses.

In defining marriage as a relationship resulting from a contract, particular emphasis is laid on the relationship. This relationship is a God-made thing, which man cannot alter, and God has laid down the conditions on which it terminates. The indissolubility of marriage therefore does not depend on the wills of the contracting parties, but on the permanent relationship made by God in ratifying their contract. Although marriage does not 'draw its being' from either Church or State yet both may make incidental laws within the spheres of their own competencies. Nullity is concerned with the contract only (ch. III) the relationship once it arises cannot be nullified. The grounds of nullity are manifold and are set forth clearly and explained, and illustrated by actual cases.

A short chapter is devoted to procedure, and another to the decree of nullity, which is not a bill of divorce, but simply 'a statement that the parties never married.' Those who have suggested that marriages in England and Russia contracted by non-Catholics are probably invalid because of the civil law of divorce, will find their answer on page 23. The civil law as such, providing for dissolution, is not part of the contract and does not affect it. A prior agreement providing for divorce is a ground for nullity, as was so in the Marconi case.

Although, as is said, the *Ne temere* decree does not apply to the Uniats with the exception of certain Ruthenians (p. 46 note) it should be observed that with few exceptions, such as the Rumanians, the Bulgarians, the Orientals are bound by their own synods to observe the juridical form under pain of nullity.

It does not seem safe to lay down as a general principle that a prior agreement invariably to practice contraception contradicts the very nature of marriage and renders it null and void (p. 25). This would only seem to be true when the method to be adopted is such as to exclude entirely the perfect marriage act.

It would be difficult to recommend this work too highly, as the matter is thoroughly reliable and presented in a pleasing form by one who is obviously master of his subject.

A.F.

STATE STERILISATION OF THE UNFIT. By Henry Davis, S.J. Paper; pp. 78. (Burns, Oates and Washbourne; 1/-).

Happily the discussion on the lawfulness of mutilating the innocent unfit has been settled by the Papal Encyclical on

## Book Reviews

Marriage. Fr. Davis wisely prints the papal condemnation at the beginning of his pamphlet. This condemnation will be sufficient for Catholics; and negligible for Eugenists.

Fr. Davis is very patient in trying to meet the arguments of the Eugenists. But we sometimes wonder if even patience is profitable in a discussion where one side has fixed and ascertainable principles, and the other side has no ascertainable, if it has fixed principles.

V.McN.

THE CATHOLIC FAITH AND THE INDUSTRIAL ORDER. By Ruth Kenyon. Pp. xvi, 196. (Philip Allan; 6/-).

This little book would have been more correctly described and less misleading if it had been called *An Anglo-Catholic View of the Industrial Order*. Miss Kenyon accurately describes it when she writes in the Preface 'This book is an attempt to trace the line of discussion at the Anglo-Catholic Summer Schools of Sociology 1928—1930.'

The discussions it attempts to trace are about fundamental matters. Moreover there is everywhere the touch of the economic expert. But perhaps the Anglo-Catholic group, so divided among themselves and so completely apart from the main groupings of the Church of England, could not be expected to give us a lead that would have the air of authoritativeness.

V.McN.

CHRISTENDOM: A JOURNAL OF CHRISTIAN SOCIOLOGY. (Basil Blackwell; Quarterly; 2/-)

This is a recent arrival in Sociological Journalism. Before we can feel certain 'whither it goes' we must be certain 'whence it comes'—*Hinc lacrymae!*

Nowadays alas! the word 'Christian' connotes nothing definite. Men and women belonging to churches calling themselves Christian are evidently allowed by these churches to deny explicitly or implicitly every article of the Creed or every commandment of the Decalogue. In this bewildering comprehensiveness or ambiguity of the word Christian a group of writers by calling themselves Christian do not add to their authoritative stature one inch. Indeed as we know the high literary and economic worth of most of these writers of *Christendom* we are inclined to think that an explicit claim to speak as Christian may lessen their credit,

V.McN.