

Book Reviews

that pantheism is materialism grown sentimental, or monism turned romantic. It may be true of Shelley, but not of Spinoza or Hegel. Nor is the scholasticism always exact. Fr. Geddes gives a satisfactory exposition of *God, the Fulness of Being, Spirit and Personal*. The composition which demands creation is within the being not the essence of a creature (p. 121), and the author, while disclaiming any intention of entering into the controversy, tacitly assumes the existence of *scientia media* (p. 129).

Fr. Pope provides many useful references to St. Thomas on the question of *The Beatific Vision of God*. The paper is lengthened by the mingled consideration of two problems, how the human soul can know the spiritual reality, and how it can possess an immediate vision of Subsisting Being. There are some inaccuracies and over-statements, and the description of Thomist epistemology is crude. *God's Knowledge and Love; the Problem of Evil*, by Dom Kendal, is admirable; lucid, modest, complete, and written with Benedictine dignity.

For the student, Fr. Carpenter's paper on *The Historical Aspect of the Quinque Viae* is perhaps the most valuable of the series. With informed conviction, he presents the thesis that the famous five proofs of the *Summa* bear an immediate relation to Aristotle, and are substantially uninfluenced by neo-Platonism and Jewish and Arabian Aristotelianism. To some, the opposition between Plato and Aristotle may seem overstressed.

The general index would have been improved by the inclusion of references to subjects; we could have done without *Daily Express*, 231, *Helbeck of Bannisdale*, 233, *Tono-Bungay*, 228, etc. Also a glossary of terms would not have been out of place.

T.G.

NULLITY OF MARRIAGE. By F. J. Sheed, B.A., LL.B. (Sheed & Ward; pp. viii, 73; 2/6.)

This is a very readable little book containing within a few pages a great deal of expert and useful information on the subject of marriage. As is indicated by the title, it is mainly concerned with the Catholic Church's law of nullity, though much light is shed on the nature of marriage itself. Step by step the Canon Law and the English Law are compared, and illustrated by cases from the ecclesiastical and civil courts. The well-known Marconi and Marlborough cases are given the prominence they deserve and the latter is given in full in an appendix. Carefully verified statistics show that practically fifty per cent of cases that have come before the Rota within

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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