

LAW AND MORALS by Norman St John-Stevas. *Burns and Oates (Faith and Fact)*, 9s. 6d.

In seven closely argued chapters Norman St John-Stevas has set out the Catholic attitude to seven contemporary moral dilemmas: capital punishment, suicide, euthanasia, birth control, artificial human insemination, sterilization and homosexuality. In a sense this is a handbook for those called upon to argue from the Catholic standpoint in university debates and other tussles with humanists. But in reality it is much more; the author has used a great deal of subtlety as well as history to present the arguments for a more liberal approach by Curia, hierarchy and individual Catholic.

This is not a book for easy reading; despite a most pleasing sense of style which wraps up even the most complicated proposition in good English, there are too many facts and quotations to make the pages easily digestible. If there has to be one criticism, it is best to get it out of the way early. The emphasis is excessively on the historical development of Catholic attitudes and insufficiently on the varying nuances within present Catholic thought. For instance, nothing is said about those of the Council Fathers who have urged a departure from the rigid attitude to birth control; nor is there any discussion of the inter-relation between those Catholic countries which have abolished capital punishment and those which have not. Indeed, the book suffers from being too self-sufficiently Anglo-Saxon; the author has, perhaps for reasons of space, not drawn much upon the wealth of modern French writing.

The book is essentially an analysis of Anglo-Saxon attitudes, written without the personal observation of Angus Wilson, but with equal depth. The author sees in present-day Anglo-Saxon Catholic thinking a double strain, the traditional Catholic blended with the puritan, or Protestant. Acutely, he recognises that Catholic attitudes to moral questions spring from an underlying appreciation of the importance of 'order' in society. He puts this historically by saying that Catholic thought on the relation between law and morals, and the character and function

of the State, has been built up on Aristotelian foundations, regarding the State as a natural and good institution. This regard for the State he contrasts with Protestant thinking, which, he says, is essentially Augustinian, looking upon the State as an institution permeated by evil, essential to check vice but competent to do little else.

Through two centuries in the English-speaking domains on both sides of the Atlantic there has been resolute opposition to any legislation which would stamp morality in the State's mould. Both in Britain and America politicians and jurists alike have pressed for the establishment of a loose constitutional and legal framework which would allow Catholic and Protestant congregations to co-exist in a pluralist society. It is to be doubted whether this emphasis on pluralism originated in any fondness for Catholicism, but the Catholic Church in Anglo-Saxon lands has benefited by the extension of toleration necessitated by the fragmentation of Protestantism, first demonstrated by the witness of John Wesley.

In this pluralist society there is naturally a great reluctance to see the State intervene in moral questions for fear of upsetting one of the now multitudinous religious denominations which exist. Equally, there is opposition to any profound alteration in the laws which do affect morality, for fear of altering the delicate equipoise of a system which allows all Churches to feel in some measure, smaller or greater, a part of the establishment. It was into this situation that Lord Devlin marched with his demand that law and morality should be co-terminous. This, in the carefully induced equipoise, was almost as revolutionary as if a Lebanese judge had advocated altering the intricate and necessary system which divides each office of state between Orthodox and Maronite, and between Shia and Sunni Moslems; needless to say the remarks of Lord Devlin received a very great deal of publicity.

This book, one feels, has partly been written in an endeavour to reconcile Lord Devlin's position

with that of the extreme opposite, well-expressed by Sir John Wolfenden in his recommendation that the law should be amended to permit homosexual acts between consenting adults. The author does in fact produce his own compromise: he says (p. 27) that those moral offences which affect the common good are fit subjects for legislation, others are not.

In seeking and finding a compromise the author reveals how much and how inevitably contemporary Anglo-Saxon Catholic thinkers are and have been influenced by their Protestant surroundings. In order to achieve this or any compromise between law and morals, it is necessary to postulate that there are moral

offences, such as lying for instance, which are private, not public matters. Those who are able to divorce themselves from the fashion for compromise may remark, or better still quote the remark, that good and evil cannot compromise. Once this standpoint is adopted, the historical approach and the broad survey of the needs of a pluralist society is abandoned in favour of a concern for individual well-being. The individual, to approach God, needs to love his neighbours. In this, the supreme purpose of man, progress is as much retarded by investing in a company with an immoral trading record as by seducing the neighbour's under-age daughter.

Peter Benenson

NON - VIOLENCE – A CHRISTIAN INTERPRETATION by William Robert Miller. *Allen and Unwin, 35s*

When the Nazis violated their occupation treaty with Denmark in 1940 by hoisting a German flag on a public building, King Christian promptly announced that he would remove it himself if the Germans did not do so; they did. Three years later, in the same country, 7,500 Jews were spirited away from under the noses of their persecutors, through the united action of an unarmed people. These are among the more colourful incidents recorded in the 'Casebook' section of Mr Miller's study of non-violence. His purpose, however, is not to be colourful; it is to record, as objectively as possible, the progress of non-violent campaigns, their tactics and strategy, their aims and achievements, from the tragic slaughter of the Moravian Indians in America in 1782 to the Sharpeville massacre in South Africa in 1962, which may have marked a failure of non-violence as spectacular as was the success of Gandhi. The histories are necessarily sketchy, but since this is the first scholarly attempt to gather together information of this kind, it is worthy of serious attention.

There is of course a strong undercurrent of moral concern. The book stands at a critical point in Christian thought. On the one hand, there is a growing concern to make Christianity politically relevant; and on the other hand, violent action

in the political sphere seems more and more to be self-defeating. The exploration of non-violence which results from these pressures fans out in two directions – into the world of politics, and into the world of theology.

Mr Miller's discussion of the practical and political aspects of non-violence would form a useful text-book or training manual for any group concerned with organising a struggle for justice without resort to force. It includes an outline of training programmes for non-violent cadres (e.g., socio-dramas in which trainees are subjected to violence and abuse so that they really *learn* how to cope with it), a discussion of the various phases of a non-violent campaign, and of the tactics most appropriate to each phase.

Theologically, Mr Miller takes great care not to make 'non-violence' into an absolute, or to derive it directly from any dogma. Non-violence can serve good or bad ends. Nevertheless, it is not ethically neutral; though it has no intrinsic power to heal and build anew, it leaves the door always open to true reconciliation. It finds both its strongest support and its natural completion in agapaic love – the outgoing, courageous love which penetrates the barriers of enmity, and affirms in the midst of hatred the unity of the human race.

G. S. Windass