

we believe that it is, then we cannot identify it with the coming of Christ. Finally it must be pointed out that 'faith in the future' is not an adequate interpretation of what is meant by 'faith' in the Christian tradition. Unfortunately the notion seems to undergo this reduction in

meaning when Teilhardism attempts to put Marxism and Christianity into the same biological container. If this volume makes anything clear it is that they are both separately too large for it.

ALBERT RUSTON, O.P.

**QUIS CUSTODIET?** The Newman Association, Journal of the Legal Studies Group, No. 14/15, Hilary and Easter, London, 1967. 50 pp.

*Quis Custodiet?* began its life in duplicated form five years ago as the journal of the Newman Legal Studies Group. The combined Hilary and Easter number for 1967 was the first issue to appear in printed form. This new presentation is to be welcomed for itself and for the growth in circulation which it must reflect. It is to be hoped that the presumption of the title is redeemed by a genuine stress on the interrogative. That might best be shown by inviting contributions from lawyers of other faiths and none, as well as from non-lawyers, Catholic or otherwise. The implication of the group's 'term of reference', set out on the inside cover, is that a commitment to natural law is the only philosophical position proper to a Catholic lawyer. This was perhaps more to be expected in 1961 than it would be today.

Such carping criticism is not meant to detract from the real value of *Quis Custodiet?* There is undoubtedly plenty of scope for a law journal of Christian orientation with a scholarly commitment to canon law, comparative law, and international law as well as our legal system. With a major reform of both English and canon law a continuing prospect, there is plenty of work to be done. Whether or not the

Church would welcome any proposals the Newman Legal Studies Group may care to make, the Law Commission will certainly listen to their suggestions should they wish to endorse any proposals as a group. Two of the articles in double number of the Journal are excellent examples of what can be done. Dr Brown's article on 'Secrecy in Ecclesiastical Nullity Trials' is a most effective criticism of the maiden-auntly absurdities of the present procedure. It destroys the usual apologetic arguments in a quiet and deadly way. Mr McEwen's comments on the current proposals for the reform of our divorce law are perceptive, realistic and enlightened. One must have reservations, however, about a separate system of civil marriage law, enforced by tribunals distinct from the ordinary divorce courts, for those who make a Catholic or other Christian marriage. This would seem not only a possible instrument of religious tyranny, but likely to produce even more scandal and confusion than the differences between canon law and civil law create at present. It must be said, in fairness to Mr McEwen, that he gives this idea only passing support.

A. J. BOYLE

**A QUESTION OF CONSCIENCE**, by Charles Davis. Hodder & Stoughton, 1967. 30s.  
**THE McCABE AFFAIR**, by Simon Clements and Monica Lawlor. Sheed & Ward, 1967. 15s.

One who wishes to write about the affairs of Charles Davis and Herbert McCabe had better begin by putting his cards face upwards on the table. Herbert McCabe has been a friend for many years. Charles Davis I have never, to my knowledge, even met. I greatly admired both men as editors, though I admired Father McCabe's writings while quite failing to share in that admiration for Charles Davis's theological writings that seems to have been widespread among English Catholics and, to my very great surprise, among non-Catholic theological journalists on such newspapers as *The Guardian*. When the news of Herbert McCabe's dismissal was made public I immediately wrote in *Common-sense*, whose British representative I am, that

'a full rehabilitation [i.e. including his restoration to his editorial chair] would be the only satisfactory end to this disgraceful affair'. This is still my view, though I do not look upon his replacement by another as a reason for not contributing to *New Blackfriars*. I even have to confess to thinking well of Archbishop Cardinale who, except in relation to Father McCabe's editorial, seems to me to have played an honourable and distinguished part in the affairs of the English Church. His violent remarks on the subject of Father McCabe's very moderate remarks, in the celebrated editorial, I find quite inexplicable, without even a Machiavellian explanation. Finally, I am not above the battle as, say, a Quaker or a Greek

Orthodox might be. I am a faithful Roman Catholic who has faced most of the difficulties Charles Davis talks about and the corruptions mentioned in the McCabe editorial and I am still able to say: *I believe*, though, naturally, not without difficulties and black moments.

I do not propose to say much about *The McCabe Affair*. I suppose it is useful to have such records and it is, so far as I can check it, substantially accurate on all important points. It has one detestable feature. Monsignor Carson, the secretary to the Apostolic Delegate, has twice denied in public that Archbishop Cardinale was in Rome in November 1966. One can either accept what he says or provide evidence to show that he is a liar. But what the authors write is that 'the whole episode, or non-episode, remains rather puzzling'. This is exactly the kind of innuendo they would be the first to censure if it were to appear in an ecclesiastical publication of which they didn't approve. As the source of one side of the story is Mr George Armstrong, the Roman correspondent of *The Guardian*, a man with an excellent nose for what is going on and a total incapacity to measure its theological significance, the matter could well have been put in a footnote or kept out altogether.

What am I to say about Charles Davis's work that will not worsen an already bad situation? I was often on the point of returning the book to the editor with a request that another be given the task of writing about it. One would not wish to wound a man who has suffered much and wishes to start a new life (if new lives can indeed be started by any of us). One would wish to strain oneself to do justice to a case for his changed allegiance and his change of state of life that, one is sure, he undertook after much prayer and inward suffering. But the fact remains—and here, after reading the very solemn and respectful reviews the book has already received at the hands of Catholics and others, I feel like the small child pointing to the emperor's absence of clothes—that it is, in my judgement, a very bad book indeed, one that he should never have published. Five or ten years of meditation might have produced something of value. The present book represents the victory of the instant world of television and the Sunday supplements.

To begin with, it is disfigured by a curious kind of theological gobbledygook of which I can make absolutely nothing. The following are examples. 'The spirit of man, the source of his intelligent knowledge and enlightened love, is

an unlimited openness to reality.' 'Truth for man is a function of the open dynamism of human questioning.' 'It is openness of mind that counts rather than the particular views a man holds.'

Then, Davis makes a very big thing about his marriage and can't therefore complain if reviewers examine what he has to say about it. Take, for example, the following.

... the discipline of the Church of England was sufficiently flexible for us to marry in an Anglican Church as committed Christians without having to become Anglicans. The occasion was indeed no formality. The wedding, beautifully arranged and conducted by David Isitt and including a nuptial Eucharist, was a deep and memorable Christian experience for ourselves, for the seventy or so guests and for the parishioners of Haslingfield.

One thinks of Andrews and Bunyan, of George Fox and Charles Wesley, of the Tractarians separating in bitterness and heart-break; and what appals is not so much the Pecksniffian tone—the point is purely stylistic—of the narrative but the lack of reality in religion conceived in terms of flexible discipline and beautiful arrangements. It is not surprising that when he writes—as why should he not?—of his love for Florence Henderson, he falls back upon a cliché of the Victorian novel. 'Is there not', he writes, 'a deep-seated reluctance to admit the elevating influence of a woman's love?' Indeed, for the present reviewer, what gives the book its pervasive atmosphere is the continual presence of a language totally unreal, soaked in clichés, fallen far below the height of the great theme. On a single page something happens 'under the aegis' of something or other, 'forces of renewal' are 'severely trammelled', 'reforming movements shot forward with great rapidity', 'forces' achieve 'a partial breakthrough'. One doesn't wish to be a Puritan about decent English and the most meticulous writer falls seventy times a day. But the entire book is written at this level, sometimes at even lower levels than I have indicated. The baleful influence, if I may apologize for *this* cliché, of American sociological jargon is very evident. I began to count the number of times 'structure' was used as a verb but soon gave up in weariness. The only reason I have for making this point about style is that genuine feeling, genuine passion, break the shell of such a totally insensitive style and at least strike out a phrase here and there. I cannot find one

memorable phrase in the book.

All this said, and if I had followed the prescription of Von Hügel I should have saved the above remarks to the end—a cruel but well-intended device—there is, of course, much to think about in what Charles Davis has to say.

He runs two lines of argument. In the first he argues that the institutional practices and arrangements of the Church of Rome are such as to make it incredible that it should be the sacramental sign of Christ's presence in the world. I think this is a very serious argument, for it is in effect the Gospel argument about 'the fruits'. I think it would certainly be the case that if all our prelates took the Spellman view of the Vietnam war, if liturgical reform had remained what it was only a few years ago, the concern of an eccentric and suspect minority, if the hierarchical Church were totally unconcerned with the human tragedies that give urgency to the present debate on contraception, and so on and so on, then one might well feel a need to go out with Charles Davis into the curious wasteland of non-denominational Christianity assisted by whatever flexible and eccentric clerics there may be around. But the picture of the Church as Davis gives it I find totally unrecognizable. Of course, there are worldliness and an ignoble prudence among ecclesiastical bureaucrats; of course, bishops justify secrecy on the ground that such matters should be kept 'in the family'; of course, men are harshly treated and a great deal of lying by high ecclesiastics who ought to know better goes on. But one would think that Davis was entirely ignorant of the Old Testament dispensation and the perpetual unfaithfulness of Israel and the perpetual mercy of Jahwe, or of the degradation of the Papacy in the tenth century. What is there, one wants to ask, that makes us necessarily exempt from such trials? More, and more serious, what Davis raises about the Church can be raised about God and the world. The man in Dostoevsky who wanted to hand back his ticket to God on account of the tears of a child has always seemed to me a very serious character. In a manner of speaking God slays the innocent every day. I don't find that Charles Davis is worried about this. Beside this the chicanery of cardinals, the disregard by the Holy Office of the rules of natural justice, are as nothing. It is the believer's premiss that the world in which the fragmentation bombs of the B52s from Thailand rip the flesh of young children, in which a nonconformist Soviet writer falls into ill-health

and half-idiocy in some wretched arctic labour camp, in which South American generals talk about public order within the hearing of the peons of United Fruit, and in which Catholic prelates bless the launching of Polaris submarines, bearers of atomic war-heads that are essentially and not accidentally indiscriminate in their effects—that this world is God's world, the fruit of his love and the scene of the Redemption. I must confess that a steady contemplation of such realities leaves me remarkably little energy for worrying about whether or not the case of Pope Honorius provides us with a *prima facie* case against the doctrine of Papal Infallibility.

All this is in one way wildly unfair. What I think I want to say is that Charles Davis's book belongs to the world of the sacristy; and that in thinking he has emancipated himself from the life of the sacristy and the seminary he is continuing to play a kind of Christian game on which nothing serious—nothing, at any rate, that can't be settled by a beautifully arranged non-denominational 'unstructured' Christianity of a kind that would be taken to by fairly well-educated folk in Western Europe and North America—is at stake. To exchange the lonely life of a celibate priest, undervalued by his superiors, often forced into a part not to his taste, failing to find trust and affection where he had some right to look for it, for the life of a married don, no doubt this is a gain of sorts. But the New Testament seems to be about bigger issues than this. Of course, he is absolutely right. That the Catholic Church should be the sacramental sign of Christ's presence to and in the world is, in the ordinary sense of the word, absolutely incredible; unless we live it from within the mystery of faith, and then in fear and trembling.

Davis's other line of argument, and one that has no essential connexion with the first line of argument, is that measured by the standards of Scriptural and historical criticism the Catholic claims are not well supported. With this kind of argument we are back in the rather tawdry world of Salmon on Infallibility or Bishop Gore on Roman Catholic claims. I don't suggest that Davis is directly dependent upon these venerable Anglican polemics in what he writes; but what he writes on such topics belongs to that world. His attitude to Scripture is curious. He cites quite uncritically the end of Matthew with its late Trinitarian formula as though these were the Lord's *ipsisissima verba*. At the same time, where it is a matter of

claiming to show that the institutional Church is quite without foundation in the New Testament, the view taken is a radical one. There is thus in his attitude to the Bible a mixture of near-fundamentalism with a boldness that seems affected because it is adopted only where certain ends, namely, the discrediting of modern Roman Catholic claims, are in mind. If I am told that the Church of John XXIII and Franz Jägerstätter and Dorothy Day and Cardinal Léger is not so well grounded in history or Scripture as would ideally be desirable—as, for example, if one were confronted with a keen-witted Presbyterian—I cannot say that I find the fact surprising. On the contrary. What is deeply suspicious is the too glib use of history or Scripture to strengthen or weaken the Roman Catholic position. Davis may want to say that I am trying to have it both ways. I don't think so. I am simply saying that the Church is the *mysterium fidei* and is to be taken as this or as nothing; certainly not as a plausible hypothesis to account for facts that the majority of the world's peoples will never have the time, the inclination or the learning to collect. *Non in dialectica complacuit Deo saluum facera populum suum.*

In his final section Charles Davis tells us something about how he sees the Christendom of the future. There is much that is interesting in it, even, perhaps, prophetic. My real worry about it is that fundamentally he seems to make of the Church a human work. This comes out in a characteristic passage.

... Christians with an explicit commitment to Christ will create, develop and embody their Christian world of meaning in social relationships and social structures. The social

relationships they will create and embody in structures . . . become constitutive of the visible Church.

As Newman once said, 'whatever history teaches whatever it omits . . . at least the Christianity of history is not Protestantism. If ever there were a safe truth it is this.' I am just as sure that Davis's picture of the future Christendom has nothing to do with the New Testament. It makes of the Church an association of nice, loving, like-minded people. There is, in fact, something recognizable historically as the Christian religion. It is present in Orthodoxy, in Catholicism and in the Anglicanism of Pearson and of Bull. What is essential to it is that Christianity, as message, as sign, as institution, is something that is at its core, whatever may be the historical accretions, *given*. And this means, and it is as much a commonplace of historical Anglicanism as of Catholicism or Orthodoxy, that the great gift comes to us as certainly and as surely through the hand and the voice of the simoniac and the fornicator as of the holy man. If Christ comes to us through the blood and filth of the crucifixion or of the concentration camp or of that Japanese city where when the people looked up into the sky the substance of their eyes ran down their cheeks, why shouldn't he come to us, not only through the lusty rascals who were the reproach of the medieval Church, but also through the desiccated bureaucrats who are a more recent visitation? As Kafka long ago told us, above all in *The Trial*, the proceedings of the authorities are very rum indeed and very unlike the proceedings of any earthly utopia.

J. M. CAMERON

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