

is derived from a statement by St. Thomas More, uttered when he summed up his own resistance to the first totalitarian government in Europe by pleading that he was the "king's good servant but God's first."

It is introduced by Richard O'Sullivan, who opens with the statement that the death of Sir Thomas More marked a turning point in English law and history. The events that followed the separation of England from the Pope, the establishment of the Church of England and the omnipotence of Parliament—the abandonment of the philosophical basis of the Common law—are all too well known to merit detailed consideration. O'Sullivan writes on the "changing tides of English law and history"; that the marks that blotted the glorious history of England was being slowly washed away by the returning tide of Christian philosophy and theology that goes with the names of Pope Leo XIII and Cardinal Mercier, Gilson and Maritain, and a host of others. This tide has begun to flow into the decisions of courts of justice, statutes, treatises and in the very Preamble of the Charter of the United Nations.

The essays contained in this book trace their origin as far back as 1928 when, in response to this 'changing tide', a number of the members of the Bench and Bar organized themselves into the Thomas More Society, the object of which was to study and discuss the intellectual and moral problems touching law and legislation. These essays were papers read before the Thomas More Society, London.

It is but appropriate that these essays should be introduced by a study of the "Utopia" by one of the editors of the English works of More, W.E. Campbell. Campbell, in analyzing the Utopia of More, has effectively refuted the claim by some that More was both a communist and inconsistent. This essay is followed by a paper in the original French on "La Philologie du Droit" by Jacques Maritain, exposition, on the Christian Philosophy of law, which is the philosophy of St. Thomas Aquinas and is in substance also that of Sir Thomas More.

The succeeding essay might well be read by our legislators, for it treats on the relation between the law and conscience. Within its pages, our legislators might glimpse and discern the ever growing tendency of present legislation to "follow the caprice of any intellectual wind" without the rudder of conscience. The next essay, on "The Limits of Law and Legislation" comes as a welcome relief to those trained in the tradition of the old Common Law of England and should come as a needed relief to those who still believe in the materialist dogma of the omnipotence of Parliament.

Two papers by Father Andrew Beck deal with the classical conception of "The Common Good in Law and Legislation" which was overlooked by the advocates of *laissez-faire* and with the eternal problems of "Law and Liberty", the solution of which "eludes the mind and the logic of Socialism". It might be surprising for a priest to explore the field belonging to lawyers but the good

Father takes refuge from this "trespass" in the thought that St. Thomas More would have approved of it.

In order to take a just view of punishment, it is necessary to have in mind that a person has an ultimate responsibility for his actions and that if he acts wrongly, he deserves punishment; this is the theme of the next essay written by D.J.B. Hawkins. The last essay would prove to be an interesting, if not valuable, exposition on the moral duties of a judge who comes across situations where he finds himself torn between his legal duty and his moral duty, hence it is entitled *Conscience in Court*, written by Lewis Watt, S.J.

This is but the first set of Thomas More Papers. Books of this kind might be the much needed force which would awaken the members of the bar to the realization that theirs is a profession chosen by Thomas More, Saint and lawyer.

Ramon Buenaventura

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UNDER GOD AND THE LAW. Papers Read to the Thomas More Society of London, Second Series. Richard O'Sullivan, K.C. Basil Blackwell, Oxford, 1949. Pp.—171.

The world's prime concern is the unity of mankind. More than ever, today, unity of the peoples of the world is indispensable to avert another global war. To attain this unity is admittedly an arduous task, perhaps a dream. For a solution to this problem, Henry of Bracton, in his *De Legibus*, wrote: "Like the King, the whole Brotherhood of Mankind is and must always be under God and the law."

Richard O'Sullivan, K.C., has endeavored to make a compilation of the various papers read to the Thomas More Society of London, in the second of a series of two.

This volume opens with a paper on *Young More*, in which the author discusses at length the life of St. Thomas More. There follows an account of *Jesus and the Lawyers* which, together with the paper on *Young More*, gives the reader a broad idea of the subject matter treated in this volume, to wit: the relations between the Church and the State, and the influences between Christian Theology and the practice of Law.

The *Controversies of St. Thomas More* is a piece that dwells on the critical situation of the world at the time—"a dissolution in which not only human society but the universe and the human soul seem to fall asunder." The *Constitution of the Church* analyzes the spiritual and constitutional structure of the Church. It centers on the precept of Aquinas that the Church is "a thing constituted by the Faith of Christ and the Sacrament of the Faith."

A philosophical discussion of the oneness of Spirit, Water and Blood is made in *Law and the Spirit*. The author claims that "Law in its deep, true, adequate meaning is an expression of the creative and redemptive purpose of God, and representative of

Divine Wisdom." The paper on *Law and Political Power* deals with more currently practical and interesting subjects.

Two papers present a comparative study of the conceptions of Church and State in the East and West. In the East "there are not really two societies, Church and State, distinct from one another and each autonomous in its own sphere but only one, the sacred community—Church and State." In the West, the tendency for the Church or State to superimpose its own circle of obedience completely over that of the other has been a constant source of problem.

The volume ends with the paper *The Catholic Concept of the Church* which contains an admonition: "Those who would find the Church of God must seek the living Body of God Made Man."

Miguel Lukban

THOMAS MORE. By Christopher Hollis. The Bruce Publishing Co., Milwaukee.

"Of Thomas More the world can never tire. His name will live as long as truth and liberty are prized by men. Many volumes have been written concerning him and many more will doubtless still appear. The author of the present book has interpreted anew for us the secret of his greatness and portrayed his character with sympathy and understanding," so says Editor Joseph Husslein, S.J., Ph. D., in the opening sentences of his preface to Christopher Hollis' "Thomas More."

Perhaps, with these words, Husslein gives us also Hollis' reasons for putting forth his own account of More's life and works and for his manner of approach and treatment of them. Hollis was British and he wrote the book as such principally for British consumption with little or no awareness that his book may travel halfway around the globe and find willing readers in the Pacific. For this reason, a non-British reader, who knows as much about the history and country of England as he does about what's going on behind the Iron Curtain, may occasionally be mildly exasperated over the presumptuousness and abruptness with which Hollis introduces the personalities of fifteenth and sixteenth century England and Europe and over the nonchalance with which he alludes to her time-honoured institutions and localities.

As the editor of this biography says, the present work on Thomas More is the author's own interpretation of More's greatness, suggesting thereby, and as the reader will realize before he is halfway through the book, that Hollis wrote for that class of readers who have had, at least, better than secondary-school-knowledge of More's life and his writings.

In the first chapter, biographer Hollis rushes through the first thirty years of More's life, pausing now and then only to explain or justify certain events in More's life which he deemed important, such as More's decision to accept marriage as a vocation. From there, the author uses up three chapters in an "attempt to estimate

the influences which were to mould the character of More," viz., his friends, his love for classical Greece (at that time, the study of classical Greece was under attack by some clergymen and conservatives because the Hellenic culture of old was essentially pagan) and finally his family. To thresh out the "difficult question of More's relations with Erasmus," Hollis lingers through one chapter. Why was More so devotedly attached to Erasmus as to come out publicly in his defence when Erasmus' "Moriae Encomium" was denounced as an impious, atheistic, heretical book and Erasmus himself branded a crypto-Lutheran? Why, even towards the end of his life, did More call Erasmus "my dear darling still," whose works had fallen under the condemnation of the Counter-Reformation popes? Hollis also gives us intimate and edifying glimpses of More's family life by reproducing Erasmus' description of More, by a study of Holbein's painting of the More household, and by quoting a letter of Thomas More to Gunell, then the tutor of the More children. In his estimate of the external influences in More's life, the writer was forced to abandon the chronological sequence of More's life and play havoc with time.

A goodly portion of the book goes to an analysis of More's various works. Twenty-two pages are consumed by the author as he wades through the difficulties presented by More's famous "Utopia," where More apparently smiles down upon the Utopians' somewhat-communistic economic system, their frank hedonism, and their modulated practices of divorce, euthanasia, and religious indifference. Hollis' discussion of More's other works generally runs through the same channel, to take up sides in the controversies which arose over certain features in More's books. Rarely does he touch upon More's worth as a prose writer, though he is of the conviction that "after More English prose was dead for a hundred and fifty years until it was revived by Clarendon and Dryden." And, while More did not manifest originality of ideas in his writings (which is hardly possible when one writes in defence of his Catholic Faith) he did show that he possessed unparalleled originality in humour and presentation.

Most of More's works were written during his public life, and so, in between studies of such works, Hollis recounts the life of Sir Thomas More while in the service of the king of England. Of Thomas More, the diplomat, his biographer does not even give us the satisfaction of passing acquaintance. His narration is impersonally factual, giving us no intimation whatsoever whether or not More was a successful diplomat. He tells us however that More abhorred the work. Of Thomas More, the statesman, the author has done only a little better. His narration of More as Lord Chancellor is always made against the backdrop of historical England and oftentimes Hollis' More recedes into the wings while history's more important personages dominate the scene. Of Thomas More, the judge, the author confesses that "it is hardly within the province of this book nor is it within the competence of the present writer to estimate More's greatness as a judge." He does, however, give us two anecdotes which bear witness to More's humorous shrewdness and wit.