

SOCIAL SOUNDINGS

WHEN a ship-master finds his ship befogged in unknown waters he throws the lead again and again, in order to take soundings. With something like the ship-master's zeal for accurate information of where we are and what we are coming to, I venture to set down some soundings on the social fairway.

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M— N— has been appointed indexer-in-chief of a new Encyclopaedia published in the United States. Under her is a staff of women, graduates of American Universities. One of the most important functions of these women graduate indexers is to classify the contents of the Encyclopaedia under general headings; thus, 'wheat' under Agriculture. One of the most important and unremitting duties of the indexer-in-chief is to correct the classifications of her assistants. One day the chief gave an assistant a group of words, including MARRIAGE, to be classified. Later on in the day, when the group of words was returned to her, she found that her assistant had classified MARRIAGE under 'SPORTS AND PASTIMES'!

This true incident was told to me some eighteen months ago. The result on my mind has been so great that I have not yet made up my mind what the incident means. But it means something horrible.

Nearly everyone laughs when they first hear this horrible incident. Then the laughter dies away into something like a gulp in the throat or a chill about the heart. This seems the adequate and normal effect.

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As a student of St. Thomas Aquinas, I had not failed to notice his genius, not only for refusing to

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create new words, but also for using the old words in their old traditional meaning. I had long been perplexed by the quick changes that modern social activities had been effecting on old words, such as reason, food, faith, justice, charity, etc. The word MARRIAGE especially perplexed me.

Finding myself lately with two of the leading juniors in the Divorce Court, I asked point-blank: 'Could you give me the present definition of MARRIAGE in English Law?'

I was not prepared for their hesitation in answering such a simple, relevant, official question. Had I put the question to the normal married father or mother, their hesitation would not have meant that they did not understand the essence of marriage, but that scientific definitions of their status and calling were not their duty. On the other hand, an expert is supposed to know the science of his business, and science is summarised in definitions.

The younger and cleverer of the two said enquiringly to his fellow-junior: 'I suppose we cannot call it a Contract?' I said 'No! But it is entered into by a contract.'

He went on with a hesitation which printed words will hardly convey to the reader. At each stage of his definition-building there were side-glances towards his junior, who nodded approval.

'Marriage is—an—Association of man and woman
—FOR LIFE——.'

Long pause! My mind was tip-toeing with expectation of how a Divorce Court junior would finish this definition, which, up to this point, was the traditional Catholic definition of Marriage. But my expectation never forecast a finish so dramatic. He went on:

'Marriage is an Association of man and woman
—FOR LIFE—terminable—only by a Court—for—
adultery'!!!

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I feel I am making a heavy call upon the trust of my readers by asking them to believe that I have given a word-for-word report of this brief dialogue with the Divorcee junior; who, after a few more words, begged to be excused, as the Court awaited him. Yet my mind was at once roused to thought by these few words of definition, which would hardly have been formulated in England before the nineteenth, or even the twentieth, century, and were as characteristic of England in the twentieth century as Salisbury Minster was characteristic of England in the thirteenth century. I found a class of men, professionally dedicated to the state-craft of justice, who were more equipped for defining how the fundamental social state of marriage could be destroyed than how it could be created. It was akin to that other gruesome fact that in an age outdoing all previous ages for its shortage of houses, there had arisen an unheard of craft of HOUSE BREAKERS. So, too, in this age of race-suicide there had arisen within the sanctities of the Law a craft of MARRIAGE BREAKERS.

Imagine the degradation that had befallen the noble profession of Boethius and More when even Logic was put to shame. Imagine a student of logic answering his master's demand for the definition of a house by saying: 'A house is a building for men and women—which can be destroyed by an order of the Ministry of Health.'

If my readers would not think I wish to raise a laugh, when I only want to stifle a sarcasm or a sob, I should liken it to the answer given by a child to the question: 'What is memory?' 'Please, Miss, it's what you forgets with.'

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In this age of quick changes and mass production even in sensational happenings, I am afraid my next Social Sounding must appear belated.

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Said Judge Hill in the Divorce Court, Oct. 31st, 1927 : ' Some day, perhaps, the Law will be altered so that the Court will be given discretion to ORDER DIVORCE, even where such relief is not asked for.'

He added : ' The wife has apparently no real religious scruples against divorce : does not ask for it ; and the consequence will be that the husband and the woman will continue to live together, and there will be more illegitimate children born.'

This social sounding is so ominous that action should, if possible, be taken forthwith. If at the cast of the lead such a sounding was reported to a ship master, the immediate command would be ' Full-steam astern ! ' Yet the only answer to the Judge's words seems to be ' Full-steam ahead ! '

The Judge's call to ' free ' the culprit is all the more ominous because in the Ages of Law and Reason, which are commonly called the Ages of Faith, a Judge was looked upon as *Justitia Animata*, the incarnation of Justice. But no part of justice was so hallowed by the sanctities of law as that of contractual justice, which was based on the free, deliberate purpose of the contracting parties. If a contract was broken by one of the contracting parties it could be legally dissolved in favour of the other, innocent, unoffending party. But nowadays to such an extent has the atmosphere created by divorce legislation befogged even the supreme legal experts, the Judges, that they are now demanding legal power to dissolve contracts in favour of the offending parties. If ever such power be granted we may quite consistently expect Judges to suggest that in pity for the burglar who threatens murder the threatened shall hand over their goods, or even commit suicide !

On such a principle of contract no contract can be a valid or socially valuable instrument between man and man. Modern divorce legislation and practice

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will kill contractual justice. And as contractual justice is the very life of all ultimate free social institutions, divorce legislation, if it is not repealed, will ultimately kill social institutions.

VINCENT McNABB, O.P.

BIRTHDAY WISHES

IN Guernsey and the Scilly Isles,
And all along the Pyrenees,
The blessed earth is rich for miles
With what will be anemones.

In time my unforgotten friend
(If all should chance as I foresee)
Will spend a franc or two, and send
The very flower that pleases me.

A happy man will cut the string;
And shape the vision of surprise;
He'll fetch his breath as if to sing;
And hold the rapture of his eyes.

He'll get and fill the Gallé glass
To make the travelled flowers revive,
No flower in beauty can surpass,
If any other thing alive.

So, all disposed with simple art,
He'll stand the vessel on a dish;
And wish himself with all his heart
The customary birthday wish.

JOHN GRAY.