

bound up with the relationship of Roman and canon jurisprudence to both economic practice and statute law. At any rate, statements such as Mr. Herlihy has made should surely have some reference to the contemporary literature that discussed the relationship between different types of law. I refer here to treatises and *responsa* such as can be found in collections like the *Bibliotheca juridica* of Gauaenzi. We are not surprised to learn that the learned jurists of the thirteenth and fourteenth centuries were vitally interested in the same problem that Mr. Herlihy is, namely, the relationship of private people as expressed in contract to the other more general or higher forms of law. Even the fact that these jurists frequently indulged in clichés to express their general conceptions should not put us off. When we read "pactis privatorum non leditur ius commune," we know that we have seen a chestnut of ancient vintage. But we also realize, I hope, that this statement is a cliché only because it is so obviously meaningful and sensible.

Reservations aside, however, Mr. Herlihy's is an exciting and stimulating book. His is a study that should give pleasure and pride to the "atelier Lopez" at Yale University.

Columbia University

JOHN H. MUNDY

The Anatomy of the World: Relations between Natural and Moral Law from Donne to Pope, by Michael Macklem. Minneapolis: The University of Minnesota Press, 1958. Pp. 8 [2] 139. \$3.50.

This study in the history of ideas examines certain connections between views of the physical universe from the first half of the seventeenth century to the first half of the eighteenth and certain basic elements in theories of the moral law current through the same period. The point of departure is the cosmology manifest in John Donne's poem "An Anatomie of the World" (1611) on the untimely death of Elizabeth Drury, and the point of conclusion Pope's *Essay on Man* (1733-34). The cardinal work on which the study turns is Thomas Burnet's *Telluris theoria sacra* (1681) or, in partial English redaction, *The Theory of the Earth* (1684). Burnet's treatise unleashed a lengthy and informative controversy, generating in the British Isles alone over thirty principal works by various authors, which are ranged in a useful checklist at the end of this volume.

The story here told is a fascinating one as the earlier view of a geocentric universe, in which the Biblical account of the flood played a major cosmological role, yields to the Copernican and Newtonian view, with its increased understanding of physical phenomena themselves and its tendency to impute to the moral realm a tidiness such as the Newtonian discerned in the operations of the physical universe. Thus is the stage set for a philosophy of "optimism"—this is the best of all possible universes. The close interaction which is normal between cosmology and morals, or between physics and theology, is here documented in a myriad of details drawn from the English scene.

In a book so slender as this devoted to so multi-dimensional a subject one expects an elliptical and foreshortened treatment of many issues, and it is to the credit of the author that he has in general represented accurately and economically the not always simple thought of those on whom he directly reports. Occasionally, it would seem, the longer historical perspectives against which he projects his analyses of individual writers are

less acceptable than the particular analyses themselves. Thus before the time of Donne and Milton the view reported in Chapter I that all physical evil was caused by sin was by no means a universally accepted view among Christians. St. Thomas Aquinas is far from the only one to maintain that God willed physical evil (indirectly, for no evil can be willed directly) and that it was fatuous to believe that the carnivores in the Garden of Eden before the Fall behaved in any other than a carnivorous fashion. In a note Dr. Macklem acknowledges that medieval commentary on the Fall and the curse in the Garden of Eden was more complicated than his discussion might make it appear and refers to the unpublished Messenger Lectures of Miss Marjorie Nicolson for more detailed treatment, but it would seem that he might have made more explicit allowance for the fact that the "optimistic" view is actually in many ways already present in germ in medieval physics and theology.

Similarly, the generalization that a "supposition that moral values depend upon the divine will rather than the nature of man" is the one which "leads to the doctrines of free will, sin, the Fall, and moral disorder" (p. 65) does not stand up very well historically. St. Thomas Aquinas again is one of many medieval thinkers who do not hold this voluntarist position concerning moral values but who nevertheless hold very definitely the doctrines of free will, sin, and moral disorder. Furthermore, the Aristotelian cosmology in St. Augustine and others did not "support" scriptural cosmology in the way which is occasionally implied (pp. 9-10, etc.). The Hebrew cosmology actually involved a representation of the physical world quite incompatible with the Greek. The Greek cosmology had simply been imputed to the Biblical texts in a series of maneuvers made possible by the intellectual tradition of medieval and earlier man, if entirely unthinkable for a scholar today. The age of Donne thus inherited not one world view but an uneasy mass of compromises and confused pictures with internal tensions which had never been resolved. Burnet's own view that our globe was originally made with a spherical crust of land enclosing the water is itself a good instance: this is not even a reasonably plausible imposition of the classic Greek cosmology on the antediluvian scriptural world, for a condition which was not "violent" or disorderly would have required that the four elements of the Greek sublunary world be arranged in four perfect concentric spheres, with earth—not water—at the center, next the sphere of water, then one of air, and outside all one of fire.

Such faults in the larger perspectives are perhaps due to an overly domestic approach to the history of ideas which, by neglecting almost entirely writings in Latin—the normal scientific medium even of the seventeenth century and to some extent of the eighteenth—fails to fix adequately the international background in which even domestic scientific controversy normally was framed. But these incidental flaws in perspective do not invalidate the mass of scientific and philosophical information which Dr. Macklem has so generously made available. He has done a real service in suggesting how eighteenth-century optimism is a kind of transmutation of Aristotelian physics. The Greeks had imputed perfection to the physical world of the heavens en bloc by imputing to it the "best possible" geometric structure, the perfect and concentric spheres; after the Burnet controversy, Copernicus and Galileo and Newton having dissolved the antinomy between the heavenly and the sublunary worlds, Pope could with some plausibility

impute an analogous realm of morals included explicitly by the author. The present reviewer believes that a great deal derive more directly from meteorology, astronomy, and the heritage of earlier ages. Saint Louis University

Burke and the Natural
by Carl B. Cone. I.
415. \$9.00.

This is the first of a re-assessment of Burke recently been made in politics, in business, self-conscious landlady. The author has had being able to consult hidden away in Locke collections discovered on these sources, more some details, not all of Burke and of the pretation of an unus to challenge criticism works; and there is much thought to the history of the period.

As the title suggests interest divided about chapters on the form of Burke's life in Ireland Dublin, which brought "administration," and of his and shifting group leadership. A brief of the 1760's reveals tutorialism, on the empiricism in the later be developed in a good deal of curiosities of the "clan" world of benefits to be derived world. But these Cone's interest is at Rockingham Whigs patronage and correct to substitute for it.

That was a novel.

impute an analogous and derivative perfection to the entire universe, the realm of morals included. A further possible conclusion which is not drawn explicitly by the author but which would be reinforced by impressions which the present reviewer has got from other literature of the period, might be that a great deal of post-Reformation English theologizing seems to derive more directly from the heritage of arts scholasticism (logic, physics, meteorology, astronomy, etc.) than from the more strictly theological heritage of earlier ages.

Saint Louis University

WALTER J. ONG

Burke and the Nature of Politics; the Age of the American Revolution, by Carl B. Cone. Lexington: University of Kentucky Press, 1957. Pp. xv, 415. \$9.00.

This is the first of two volumes in which Professor Cone has undertaken a re-assessment of Burke's career in the light of the new evidence that has recently been made available. As a record of his multifarious activities, in politics, in business, as a man of letters, and as a parvenue and slightly self-conscious landlord, it is as complete as could reasonably be expected. The author has had an advantage denied to most of his predecessors in being able to consult virtually all of Burke's papers, including those long hidden away in Lord Fitzwilliam's Yorkshire home, and some smaller collections discovered in Ireland and elsewhere. His book is based largely on these sources, most of them still in manuscript. At many points it adds some details, not all of them especially significant, to what has been known of Burke and of the party with which he was associated. But as an interpretation of an unusually important chapter of British history, it is certain to challenge criticism. The author makes very few references to secondary works; and there is nothing in the volume to indicate that he has given much thought to the extensive revision of the political and constitutional history of the period that has taken place during the past thirty years.

As the title suggests, the book is essentially a study in politics, with interest divided about equally between domestic and imperial affairs. A few chapters on the formative years provide an admirably clear account of Burke's life in Ireland, of his short-lived appointment to a minor post in Dublin, which brought him for a time on to the "fringes of the Bute administration," and of his early association with Lord Rockingham and the small and shifting group of Whig politicians who were coming to accept his leadership. A brief analysis of the political pamphlets and other writings of the 1760's reveals in Burke's thought the characteristic ideas on constitutionalism, on the nature of history, and on the value of tradition and empiricism in the growth of social and political institutions that would later be developed into a more systematic political philosophy. There is too a good deal of curious and interesting information about the bustling activities of the "clan" which quickly gathered about the great man in the hope of benefits to be derived from his rise to a position of influence in the political world. But these are secondary, or at best preliminary matters. Professor Cone's interest is centered primarily on what he calls the "mission" of the Rockingham Whigs under Burke's tutelage to put an end to the rule of patronage and corruption as directed by George III and his ministers, and to substitute for it a system of genuine party government.

That was a novel role for a Whig party, more novel indeed than might