

With This Ring

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BOOK REVIEWS

WITH THIS RING, by *Louis H. Burke*
McGraw-Hill, New York, 1958. Pp. 280. \$4.50.

Reviewed by
BEN W. PALMER*

Every Catholic lawyer should read this book and it should be made the basis of a program of positive action by Catholic lawyers' guilds.

Lawyers generally try to prevent divorces. They seek the happiness of their clients and they know the evil consequences to society of destruction of its basic unit: the family. And they may know that every year more than three hundred thousand couples in the United States are divorced and 2500 divorce actions have been instituted per month in Los Angeles county.

This book would be of great value to the lawyer in counselling his clients towards reconciliation because it is not a book of theory based upon reading the literature of the subject, but one based on rich, personal experience. Judge Burke has counseled thousands of men and women as judge of what might be called a pre-divorce court in Los Angeles. This book tells the story of individual men and women contemplating divorce and his specific way of bringing about reconciliation.

He asked himself the question: "[W]asn't there some bridge I might help build, a bridge that would provide a way back for couples still in love who didn't know how to reconcile their differences?"¹ He found the bridge, based upon his sym-

pathy, his study, his reflection, and face-to-face counselling with many men and women. That bridge is a form of reconciliation agreement signed by the parties having the sanction of punishment for contempt of court in the event of disobedience.

Agreements have proved effective. As Judge Burke says:

The reasons were simple: A promise gains dignity when set forth in writing, and a contract will not be broken so lightly as a pledge given glibly during an emotional moment. A couple couldn't be expected to remember everything said in a conference, but if they had this matter in printed form, they could read it in the quiet and privacy of their homes. They could refer to it as a "working document" when troubles arose. It served, moreover, as a means of educating or reeducating people about their responsibilities.

In time, we began sending letters to reconciled parties, usually at the end of the first month, congratulating them. We would advise them that if for any reason they were unable to live together under their agreement, they should not violate its provisions and the court order but should request a further hearing. They were informed that if it appeared at such a hearing that their reconciliation attempt had failed, the court order would be terminated.

We utilized the contempt powers of the Court very carefully.²

The reduction of the agreement to writing

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¹ P. 16.

² Pp. 31-32.

and sanction represents an approach to the problem of reconciliation that promises to be very successful. A high percentage of the reconciliation agreements entered into under Judge Burke's supervision have been successful.

One reason for the success is that parties are helped to understand what goes into a successful marriage. They are helped in self-analysis, in a diagnosis of the root cause of their differences and in agreeing upon a specific remedy. Thus, an alcoholic may promise to stay out of bars, to instruct his employer in writing to send his check directly to his home, and to get the help of Alcoholics Anonymous or others. If there be an eternal triangle, one party promises not to see or communicate with the third party. A wife may agree to quit places of temptation for her particular weakness or to take more care about her appearance both in dress and in excess adipose tissue. Parties may agree to sever connections with interfering in-laws or to draw up a budget and divide it under certain principles set forth in the reconciliation agreement. One agreement set forth the premise that the wife's income, since she had her own job, should be spent on capital improvements, such as new furniture, a down payment on a home, or savings for the future, so that if she did leave her job the family budget

wouldn't suffer. As Judge Burke says:

. . . Several cases came before the Court in which the two [persons] had pooled their income for general expenses, thus raising their living standard by buying a better home and perhaps two cars instead of one. Then when the wife quit her work, they had to sell their home or move into a less expensive apartment. Such situations were fraught with recriminations.³

The value of the book lies not only in its specific cases and its practical wisdom, but in alerting the lawyer to the availability of outside marriage counselling services, both Community Chest and otherwise. He should consider guidance clinics and the services of psychologists, psychiatrists and family doctors.

Perhaps more important than the value of this book to the individual lawyer is that members of a Catholic Lawyers' Guild may well embark upon a program of procuring the adoption of this method of dealing with marital difficulties. Of course much will depend upon the powers of the court in the jurisdiction involved, but even though a court enforced order supplementing the reconciliation agreement be not available, such agreements in writing will help to keep married persons from the tragedy of divorce.

³ Pp. 220-21.