

to see the forest for the trees. Mr. Drinker has systematically compiled a digest of the written rulings in the grand manner of the trained advocate that he is, but the social significances of the problems are often lost sight of in the very weighty mass of details.

As a compendium of issues faced daily in this field the work will long remain *the* leading source book. Law teachers will delight in it as a key reference book. Practicing lawyers will find it a ready guide to many of their constantly arising ethical problems. The political scientists should welcome the work as a gold mine of information to which to refer their students and to use as raw material for the production of works that will be able to consider the broader social implications of legal ethics.

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GEORGE ANDREW HOPPER.

Plato's Modern Enemies and The Theory of Natural Law. By JOHN WILD. (Chicago: University of Chicago Press. 1953. Pp. xi, 259. \$5.50.)

John Wild, Professor of Philosophy at Harvard, is well known as the author of a previous book on *Plato's Theory of Man* and as a champion of a "realistic" philosophy in the tradition of Plato, Aristotle, and Aquinas. His new work pursues three closely related objectives: to defend Plato against such "modern enemies" as Warner Fite, R. H. S. Crossman, A. D. Winspear, and, above all, Karl Popper, the author of *The Open Society and Its Enemies*; to show that Plato originated the theory of natural law; and to clarify and defend this theory.

Professor Wild's attempt to accomplish the first of these aims, in the first two chapters of the book, is relatively least satisfactory. Popper and his co-warriors are certainly open to criticism, and Wild's sympathetic attitude toward Plato enables him again and again to call attention to important motifs in Plato which his critics have ignored. But all too often he himself ignores important points; e.g., in the section on "Plato as a Militarist," he makes no mention whatever of the stress on military training in the *Republic* and asserts that the three classes perform the following three functions: noetic, political, and productive or technological. As if the function of the intermediary class were not primarily military, and as if military excellence were not a prerequisite for advancement to the class of the Rulers. The following section, "Plato as a Totalitarian," is equally unsatisfactory: no definition of "totalitarian" is offered, and much of the time Wild seems concerned above all to dissociate Plato from Kant and Hegel, without ever showing that *they* were totalitarians. And Wild disposes all too nonchalantly of such matters as Plato's suggestion to put to death those "spreading atheistic and nihilistic doctrines": says Wild, Plato went "too far."

Wild's main point, of course, is that we should not be put off by Plato's faults; that it is more important to see his many valid insights, and to develop these. In developing the theory of natural law, Wild communicates an awareness of its interesting history and its relevance to contemporary issues. The whole last chapter, for example, deals with "Natural Law and Contemporary Ethics." Those interested in Natural Law, very much including those who are unfavorably disposed toward it, will be able to learn a good deal from this book. The author's manner is modest and undogmatic, and he has certainly succeeded in doing what he proposes, namely: "We are not so naive as to believe that we have demonstrated the truth of the theory. We do hope that we may have helped to pave the way for an intelligent criticism of a distinctive moral position which is unfamiliar to the modern mind."

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WALTER KAUFMANN.

Church, State, and Freedom. By LEO PFEFFER. (Boston: The Beacon Press. 1953. Pp. xvi, 675. \$10.00.)

Twenty years ago, the topic of church-state relations in the United States occupied but a very minor place in texts and case collections on constitutional law. There might have been a note on the Mormon cases, *Hamilton v. Board of Regents*, perhaps some discussion of Louisiana's furnishing of school books to parochial school pupils, but rarely more.

The "new" Supreme Court after 1937, by its patently evident sympathy for the rights of the individual, opened the door to a number of religious liberty problems that had lain dormant for generations. Jehovah's Witnesses assured themselves of a place in the annals of constitutional development. Young Terry McCollum's troubles divided the justices and loosed veritable torrents of editorial and other comment. Justice Black apostrophized the constitutional prohibition against any "establishment of religion" as a "wall of separation," and Justice Jackson opined that as a wall it shared the characteristics of the University of Virginia's famed Serpentine Wall. No discussion of constitutional problems today would be complete without a rather generous amount of time given to the religious aspects of the First Amendment.

Leo Pfeffer has actively participated in some of the major legal battles that featured this development. His name appeared on an *amicus curiae* brief in the McCollum case, he was of counsel in the subsequent "released time" case of *Zorach v. Clausen*, and represented the defendants in *People v. Friedman*, the New York Sunday law case which the Supreme Court so unfortunately declined to review. Undoubtedly, it was his preparation of these and other similar cases that led Mr. Pfeffer to the comprehensive inquiry which he has now given us in *Church, State, and Freedom*.