Christian patronage and promoted Christian ideas. Boethius and St Isidore of Seville were among the chief channels through which the spirit of Christianised Roman Law was preserved in the West. In the eleventh century came the revival of Roman Law studies at Ravenna and Bologna, and in the following century was the parallel development of Canon Law with the Decretum of Gratian. It is shown that in Henry Bracton the threads of Roman, Canon and Common Law meet in the same century which marks the height of Christian intellectual development. 'If the Bracton literature now being produced be taken as a focal point where Roman, Canon and Common Law meet Scholastic philosophical principles, a new insight into the realism implicit in the Common Law system will result which cannot fail to strengthen the law in its present struggle with current problems'. (p. 17.)

The general proposal to which this paper tends is that legal thinking should be less narrow and less isolated, and 'that a systematic study of borrowings in different legal systems and in Christian thought, from the patristic era to modern times, be undertaken in order to revise the unhistorical assumptions which, until now, have characterised much of our isolated legal thinking'. (p. 22.) A point of interest is that there exists a common ground in the several traditional legal systems, and which calls for more scientific study.

Avenues of thought are certainly opened up, and with great advantage may be followed. The thesis however requires development by a closer contact with legal sources and texts, otherwise there is a danger of remaining within the realm of philosophical speculation without sufficient legal and historical background.

AMBROSE FARRELL, O.P.

RELATIVISM IN AMERICAN LAW. By Miriam Theresa Rooney, LL.B., Ph.D.

This is a reprint from the Proceedings of the American Catholic Philosophical Association twentieth annual meeting, Milwaukee, Wisconsin, December 28, 1945. The writer again makes a strong plea for an adequate philosophy of legislation which is based on the principles of natural law. The making of laws is now regarded as a phenomenon of community life which has become identified with democratic procedures. We therefore hear much of public opinion and of rule by the majority. 'Democracy tends to become a process of majority assent to legislative measures which bear little relation to juristic foundations'. But a law is not necessarily right or just because it is agreeable to many or to even the majority. Law when divorced from fundamental principles becomes very readily an instrument of control and domination possibly by a minority'. What has happened is that juristic theory has followed the trend of recent philosophical speculation to such an extent that it reflects, though in a rather clumsy way, the polarities of positivism and absolutism which have divided professional philosophers, especially in the English-speaking

world, during the last century. We have been offered but two alternatives—either that there is no higher law and in fact no law at all other than that which is spelled out in written statutes and codes, or else that there is an ideal law which is humanly conceived out of attributes agreed upon as desirable, which the law should work towards making effective in precise and positive terms. Both are based on the arrogant assumption that man is the master of his own fate and creator of the universe in which he lives. The more recent so-called existential philosophy seems destined only to accelerate this trend. The trouble is that the old doctrine of a natural law has been rejected. Unless law is to be purely man-made there must be a return to the natural law. 'The essence of a sound legal order is the recognition of a relationship, a relationship like truth, between knowing subject and objects known, a relationship between man, the subject of the legal order, and the natural order which is other and distinct from him in essence even while he participates in its operation'.

We have here a useful study, but certain turns of phrase or expression do not make for clarity or accuracy of statement.

AMBROSE FARRELL, O.P.

ARCHÆOLOGY AND SOCIETY. By Grahame Clark. (Methuen; 10s. 6d.)

Mr J. G. D. Clark, of Peterhouse, Lecturer in Archæology in the University of Cambridge, Ph.D., and author of several learned books on this subject, has given us a most delightful and fascinating book. It is written for the ordinary reader, but has particular value for him whose studies do not take him directly into the field of achæology but who nevertheless constantly depends on, and takes for granted, the reliability of the evidences produced by the expert. Such a person, if he has not had experience of digging, has surely often asked himself questions, when he uses evidence of an inscription, a coin, a ruined city wall, a trace of a settlement, etc., or accepts a conjectural date or chronology. He has asked himself how did the archæologists ever light on that particular site? How is it that certain remains have been preserved and others perished, and what do these things look like when they are actually dug up? How do the diggers actually set about their job, and how do they avoid destroying things while they dig? (And what exactly is the process of those *tours de force* of the excavator who recovers through the imprint in mud the exact form of an object long decayed?) What principles are there by which any chronology can be arrived at? And finally how does the archæologist set about interpreting the evidence he has found, and what deductions can he legitimately make from it?

These are precisely the questions (and in that order) that the author of this book answers. For the body of the book is devoted to five chapters entitled Discovery, Preservation, Excavation, Chronology and Interpretation. And it is good to listen to an expert explain-