

Coinherence is indeed a golden thread in the closely woven Christian reality. But coinherence is a relationship. In some sense it says much more (at least to ears dulled by the repetition of words) than does communion. But communion is closer to substance, and on that account closer to reality *as* reality. It is poetically thrilling to find everywhere, as a consequence of the Incarnation, the coinherence of matter and deity. In the Eucharist, however, ambiguities are involved, and if it is possible to say that ' consubstantiality is doubtfully orthodox,' this can only be if substance no longer has any meaning to the modern mind. If substance is a reality and, under God, the reality in which all others—action, relation, presence, and the rest—are founded, then we must listen attentively to St. Thomas when he concludes (III^a pars. Q LXXV Art. 2) ' haec positio vitanda est tanquam hæretica.'

BERNARD KELLY, T.O.S.D.

PLURALISM AND THE LAW. By Miriam Theresa Rooney. (Reprinted from *The New Scholasticism*, XIII, October 4th, 1939.)

The present essay, reprinted from *The New Scholasticism*, is a forceful and enlightened criticism of Mr. Harold Laski's Pluralism, particularly as affecting Law. It may be taken as supplementary to a former work by the same writer, *Law, Lawlessness and Sanction*. The application indeed of the doctrine of Pluralism to Sociological Jurisprudence inevitably makes force the sanction of a lawlessness as a source of social chaos. It is here shown that Laski's Pluralism is the logical outcome of James's Pragmatism under other combined influences chiefly of Holmes, Pound and Duguit.

Pragmatism as a system relies on trial and error as the test of goodness and truth, and is a type of applied Utilitarianism making that which works the criterion of truth and morality. Pluralism is a vague term suggestive of a tendency rather than an achievement, and perhaps for that reason a proper definition of it as a system is not found in this paper. However, a little more explicit elaboration of its meaning would have prepared the reader for the sufficiently difficult pages which follow.

The Laski political theory is a species of socialistic determinism hardly consistent within itself. There is no room for the individual man except to function in a pluralistic world and within a society essentially federalized. The legalizing of social function must be achieved by a socializing of the law. Law is

to be dictated by social interests of a material kind, and will receive its force from the acceptance of the group-will. It does not appear how exactly in reality the group-will may become ultimately effective, unless it be through a dictatorship becoming a law to itself, and therefore imposing itself by force on the many. This in fact is exactly what happens in totalitarian states, notwithstanding the power to vote.

It would appear that to avoid the consequences of his theory, Mr. Laski defines democracy in terms of opportunity to express demands and to register dissent. In his view democracy can only function through an oligarchy, 'an aristocracy by delegation.' The individual must sink his private interests and he is expected to concede as morally justifiable whatever experience shows to be useful for social welfare. Material social welfare is indeed the criterion of both law and morality, both receiving their legality by satisfying 'human demands at the maximum which is socially possible.' Mr. Laski continues to propose a change of government bolstered by a new legal system, which 'by labour unions, controlling the instruments of production and regulating distribution according to its demands,' will replace the present regime in America and elsewhere. Communism is the 'new religion' for bringing about 'federalism of functions.' In the new circumstances which have thus been created, and in order to create them, legal institutions must undergo a reform whereby the primary purpose of law should be made to be not order, but the regulation of property.

Law in this way becomes no more than an economic measure. As Miss Rooney points out, 'because property represents power and force to him (Mr. Laski), his idea of regulating it requires the meeting of force with force. Naturally, not order but chaos results.' Laski's law in fact offers a sanction for mob-rule within national and international spheres, and might well make economics a justification for war. Some such ideas as these must be in the minds of those who would fan into flame a world war as a means to social reform.

In Laski's pluralistic system there is no room for the individual free man, except as an economic factor in the social machine which runs at man's expense. After a refutation of the pluralistic theory, the essay ends by rightly saying that the restoration of autonomy to law as a social science must find support in metaphysics 'if the proper relations between law, man and society are to be maintained and strengthened.'

AMBROSE FARRELL, O.P.