

efficient method of operating most oil fields, and measures which would facilitate the institution of unitization are socially desirable even if compulsory unitization in lieu of proration is an alternative of questionable value.

Mr. Zimmermann's study should be read by all who want to know how oil conservation developed, how it operates today, and how it is faring against its present critics. It is a significant book about an industry of which Dean Rostow once said: "All things considered, *the oil industry is one of the most striking instances in our history of . . . the driving force, creativeness, and vitality of American business . . .* It is turbulent, active, and aggressive, with a good deal of room for change and growth. . . ." <sup>25</sup>

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CREEDS IN COMPETITION: A CREATIVE FORCE IN AMERICAN CULTURE. By Leo Pfeffer. New York: Harper & Bros., 1958. Pp. 168. \$3.00.

WHILE much has been written on the uniquely American concept of separation of Church and State, most of it has been little more than a thin rehash of familiar Supreme Court opinions. Pfeffer's book is a refreshing exception. Unwilling to confine himself to the traditional list of Church-State topics, he lucidly and objectively discusses such diverse subjects as the Establishment Clause, education, gambling, censorship, blue laws, taxes, divorce, adoption, abortion, birth control, euthanasia, sterilization, sex education in public schools, artificial insemination, conscientious objectors, and welfare laws. In addition, Pfeffer considers the three major religions' attitudes on pacifism, communism, civil liberties, the atomic race, foreign policy, and international relations. The author's sources range from Papal encyclicals and the Talmud through Canadian, Dutch, and American law to Myrdal, Byrd, Ebersole,<sup>1</sup> Cubberly,<sup>2</sup> *The Churchman*, and *The Commonwealth*. Each of the book's sections demonstrates that the legal resolution of a problem mirrors social strife. Each suggests the profound responsibility of the Supreme Court in balancing and containing the activities of the conflicting churches in their attempts to influence governmental action in order to mold the society at large. Seldom does a book capture so well the tip-of-the-iceberg quality of decisional law and the area of social tension and interaction underlying this subject.

The book's purpose is briefly stated as "an examination of the efforts of the major religious forces to shape American culture through governmental action."<sup>3</sup> Religious groups, quite naturally, "seek to translate their own particular hierarchy of social values into categorical imperatives for the community at large . . ."<sup>4</sup> This they accomplish by lobbying, and forming "a series of alliances

25. Quoted in *Am. Petroleum Inst. Q.*, Winter 1959, p. 40. (Emphasis in *Quarterly*.)

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1. EBERSOLE, *CHURCH LOBBYING IN THE NATION'S CAPITAL* (1951).

2. CUBBERLY, *PUBLIC EDUCATION IN THE UNITED STATES* (1934).

3. P. 7.

4. P. 153.

in specific areas among groups whose values are most closely akin in each of the areas."<sup>5</sup> The alliances vary from decade to decade. They unfold a fascinating story of strange bedfellowships and interlocking church coalitions. New methods emerge and, in time, goals themselves are transfigured in the course of the cultural dialogue.

Competition between creeds is the keystone of cultural progress. In a civilization where a growing number habitually think in the same patterns, the vital need for ideological conflict must be stressed. Disinclination to conflict in bodies politic, especially when rationalized with memories of past excesses, leads to apathy and boredom (which, in turn, lay the groundwork for tyranny). To paraphrase John Stuart Mill, tolerance in religion may be a reflection of our decreasing interest in the subject. Hence, it would be socially undesirable to avoid all conflict, even if this end were practically attainable.

Pfeffer traces the liberalizing effect of free competition among various religions and the emergence of the Catholic Church and, to a lesser extent, of the Jewish community as major influences in American cultural life. Although anti-minority activity is still in evidence, the growing vocalism of the minority religions suggests a deepening sense of personal security. American anti-Catholicism or anti-Semitism no longer seem to be social movements, and are, instead, becoming mere personal privileges. With many Jews this privilege becomes slowly disassociated from the deadly variety of anti-Semitism and tends to invite a general commitment to fighting prejudice and discrimination in general, rather than specific anti-Jewish sentiment. To an even greater extent, an awakened Catholic Church has succeeded in diminishing anti-Catholic feeling, and asserts its leadership in nationalist and antiseccular causes.

The above cheerfully presupposes both a better climate for cultural competition and a gradual emergence of competing creeds ready to take their respective places in the "market place" of American culture. Do the results justify such prognostication? Traditionalists equating "religion" with "theology" would be likely to discount the contributions of creeds in which theology plays an ever-decreasing role. Absolutists, identifying all of their life experiences with religious expression, practice, and observances, may find the relatively minor position of observances in our every-day life just as distressing. But "religion," like "philosophy" in the bygone era, is a generic term, embracing many areas of social conduct.<sup>6</sup> In the course of modern secularization, much of what was originally considered "religion" has become a subject of other disciplines, passing under different labels. Thus Pfeffer remarks that for a century and a half American attitudes towards civil rights and church and state relations have been fashioned by an alliance of Protestant dissent and secular humanism while its moral values were fashioned by an alliance of Protestant dissent with Calvin-

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5. *Ibid.*

6. The item "religion" in the *American College Dictionary* reads: "1. The quest for the values of the ideal life, involving three phases: the ideal, the practices for attaining the values of the ideal, and the theology of world view relating the quest to the environing universe." The "practices" will naturally fall into diverse categories of human conduct.

ist puritanism.<sup>7</sup> Nowadays, churches' contributions and pressures, whether they be motivated by theological reasons or by the sheer fact of political weight attaching to any large and well-organized social body, remain just as much in evidence. It is erroneous to suppose that cultural pluralism is restricted to theological disputes; in the current redefinition of the place of the church in American life, churches are admirably suited to exert pressure in favor of their point of view. Whether or not it is linked with theology, the Jewish organized position on foreign affairs relating to the Middle East, or the Catholic approach to welfare laws, gambling, or birth control, tend to become foci of cultural as well as political disagreement, informing the voter and contributing to the cultural interchange. It follows that creeds in competition import significant "creativity" and contribute to the "dialogue." All this seems impliedly documented in Pfeffer's book even if his book lacks the express discussion of "religion" in its new social context.

In an era of heightened inter-creed conflict, particularly between Protestantism and Catholicism, Pfeffer finds religious bodies denying that any competition exists. They seek "Harmony," "Adjustments," "Religious Common Denominators" (Go to the Church of Your Faith!), and even "common antagonists." But "adjustment" may amount to assimilation; "common denominators" avail, by definition, only where a conflict is admitted. Furthermore, the validity of the major premise may be questioned, in that "understanding" and "knowledge" do not inevitably foster amity. Moreover, "there is no practicable way to eliminate conflict save by eliminating competition."<sup>8</sup> "Again to quote Dr. Hager, 'The important task is not . . . the indiscriminate and undisciplined elimination of conflict but, rather, the creation and preservation of devices whereby conflict can be made socially productive.'<sup>9</sup> This, Pfeffer attempts by putting forward seven *verboten*s: force, verbal blows, castigation by chauvinism, economic boycott, suppression of religious activity, governmental intervention, and ecclesiastical sanctions against the government.<sup>10</sup>

Pfeffer's book is objective, scrupulously fair and at times tartly scathing. All these characteristics are most apparent in his treatment of the Catholic Church. He is coolly dispassionate in analyzing the requirement that the "faithful . . . respect and obey duly constituted [civil] authority provided that faith and morals are not endangered, and it is the Church and not the individual that determines whether particular state action endangers faith and morals."<sup>11</sup> He dismisses the Catholic change of position on the released time plan—from indifference to ardent support—"simply, as the result of a re-evaluation of the ratio between the results and the effort required to achieve them."<sup>12</sup> Especially thought-provoking are Pfeffer's insights into the Puritan influence on American Catholicism and his explanation of the Catholic stand on civil liberties. On the other

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7. Pp. 153-54.

8. P. 158.

9. P. 159.

10. Pp. 160-63.

11. P. 144.

12. P. 70.

hand, he generates true fervor in discussing the Catholic side of the parochial school and tax exemption issues, and in reporting on the anti-Catholic persecutions of a century ago.

To be sure, one may justifiably be critical of the author's objectivity. If the purpose of the book is to inform and not to convince, the relative absence of editorializing may be understood; but in such a case more factual evidence should be forthcoming in order to enable the reader to reach his own conclusions. For example: discussing the Catholic argument on the parochial school issue, Pfeffer asserts that homogeneity of neighborhoods tends to deprive the public school of the diversity of ethnic backgrounds deemed to be valuable to education.<sup>13</sup> In the absence of proof one wonders whether this assertion is valid, to what extent the circumstances are different in the parochial schools, and whether the alleged lack of ethnic diversity is balanced in public schools by a religious pluralism. As an argument of the Catholic educator, it is stimulating; as a fact, it is unsupported by evidence. The author further maintains: "The Catholic community cannot indefinitely carry alone the the financial burden of the school system which the Church deems indispensable for the fulfillment of its mission. . . ."<sup>14</sup> Free-associating around this statement, I wonder not only about the "growing needs" of the parochial schools, and the extent to which "indirect aid"—scholarships, grants, libraries—may help the churches to solve this problem within the existing legal framework, but also about that framework's elasticity, and about specific questions, like the current Southern plans for the relinquishment of public education and the disbursement of tuition to parents to send their children to a school of their choice. Pfeffer is indisputably right in predicting imminent changes of paramount importance for Church and State educational relations; and the technique of presenting summaries of both positions, keeping strict neutrality in most of the cases, results in a comprehensive brief for additional argument, but in itself it is neither indicative of the author's views, nor sufficiently detailed and documented for the formulation of our own. And I, grateful for the stimulation which this approach evokes, would have liked to have seen an additional chapter attempting to analyze the legal avenues of future changes.

Finally, the problem-style organization of the book seems to hinder the author's presentation. The discussion of Catholic or Protestant attitudes is piecemeal, scattered in separate sections of every chapter, and discussed recurrently apropos of every problem raised in the book. This organization on the "installment plan" necessitates frequent cross-indexing and cross references in the text.<sup>15</sup> Consequently, the ideal approach to the book is to finish it before one really begins to read it—but then, every book worth re-reading has earned its price. Despite my criticisms, *Creeds in Competition* is such a book.

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13. P. 81.

14. P. 85.

15. *E.g.*, the *Everson* case, which appears eight times throughout the book.

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