
Public Morality and Liberal Society: Essays on Decency, Law, and Pornography. By Harry M. Clor. Notre Dame: University of Notre Dame Press. 1996. ISBN 0-268-03813-9. Pp. ix+235.

The proper relationship between law and morals is "a perennial and intensely debated topic" (1) that has generated an extensive body of literature. Yet it is a problem that appears to be more controversial today than at any other time in history. Harry M. Clor's new book is a welcome addition to this voluminous body of thought, providing both a valuable introduction to this topic for those new to this area of discussion and a cogent argument for the support of public morality for those already familiar with this field.

In a series of five semi-autonomous essays, Clor attempts to establish the grounds for supporting public morality on the basis that such support is justified, first, according to the concerns of community and the necessity of common grounds of moral belief for the sustenance of that community (an argument prominently made by Sir Patrick Devlin) and, second, upon a substantive understanding of human nature and human good (largely drawn from Aristotle). He starts his analysis by noting the ambiguity of the position, held by most Americans towards public morality, which encompasses not only a liberal/libertarian attitude that morality is primarily a private matter to be determined by each individual, but also a belief that certain behaviors are wrong and should be condemned. (He cites as an example the case of the adulterous politician about whom it is often publicly asserted that the politician's private life is of no concern, yet from whom the public will frequently withhold its votes.) He then proceeds to develop his own positive argument for the legal support for a public morality, to consider relevant critiques of this type of support, and to illustrate his argument through a somewhat detailed consideration of the legal regulation of pornography (a topic he is revisiting from his excellent book, *Obscenity and Public Morality* [1969]).

One of the strengths of Clor's work is that he is able to point out the implicit existence of moral judgments present within even those positions that are overtly hostile to the concept of a public morality. This includes not only the minimalist morality explicitly allowed by such thinkers as H.L.A. Hart, but also the moral values implicit in ideas that are asserted to be neutral or merely procedural. Clor's basic approach is one seeking a middle ground, accepting features drawn from both critics and advocates of public morals legislation, while rejecting extreme positions of both sides. Interestingly his basic attitude towards morals is one of Aristotelian moderation, finding a balance between competing drives and interests.

While Clor is generally very clear and precise in his presentation, there are some troubling ambiguities and omissions in his work. For example while he repeatedly uses the terms "liberal society" and "liberalism," he never explains exactly what "liberal" means for him and how it relates to his project. Equally, his presentation of the communal argument could have been strengthened by con-

sidering the work of such communitarian thinkers as Charles Taylor and Iris Marion Young. In particular their understanding of the communal nature of the self could have contributed much to his thesis. Perhaps most troubling is his tendency to identify certain ethical standards present within society and to assert both their value and their legitimacy without a careful consideration of those values.

As an example of this last point Clor repeatedly notes that monogamy is a basic fundamental value held by a society that justifies legislation for public morals in the areas of marriage, prostitution, pornography, education, drug legislation, and gambling (among others). In describing monogamy as an ethical standard he presents a very romantic description of the values it entails (with the added proviso that it provides economic and social benefits for the rearing of children) without addressing the problematic nature of its application in practice. While these values may be legitimate ideals, his failure to address criticisms, such as those leveled by many feminists that the ideal of the family currently expressed by society is oppressive and indeed often dangerous for women (through the pervasive presence of marital abuse), weakens his argument that the presence of this shared "morality" is in fact a public good.

Notwithstanding these criticisms this book is worthy of attention and serious consideration.

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***A Future for Socialism? Political Theology and the "Triumph of Capitalism."* By Harold Wells. Valley Forge: Trinity Press International, 1996. ISBN 1-56338-239-X. Pp. xvii+220.**

Harold Wells, professor of theology at Emmanuel College in Toronto, has written a book about the achievements of socialism, the congruence between socialist ideals and Christian faith, and the ravages wrought by neo-liberal social policies. Wells begins by asking what kind of political orientation is in keeping with Christian faith. He argues that Jesus' proclamation of the coming reign of God, and his death and resurrection, provide a horizon of hope that both "encourages" and "beckons" people to seek the approximation of God's reign in history (45). While one cannot hope to build the kingdom of God, still faith in Jesus Christ provides hope that people can meaningfully work towards "particular, concrete penultimates" (48), overcoming specific evils and alleviating certain sufferings. Wells then discusses the reputed triumph of capitalism, asking what has led to the discrediting of socialist ideals and policies, and offering a theological analysis of the social impact of capitalism. He offers an overview of the various forms of socialism, their limitations and achievements, and concludes that the destructive tendencies of capitalism, the past achievements of socialism, and the congruence between Christian faith and socialist goals all suggest that Christian socialism is a political/theological tradition that should be continued and renewed.

While Wells grounds his argument theologically in the Lordship of Jesus