

THE PHILOSOPHICAL REVIEW

SOCIAL IDEALS AND THE LAW¹

I

WE have welcomed in recent years the renewal of the ancient alliance between philosophy and the natural sciences. My message to the members of the American Philosophical Association at this time is to urge the revival of the equally ancient and honorable alliance between philosophy and the law. Philosophy needs an interest in the law to recover for itself the motivation that belongs only to matters of felt importance, and the respect that is accorded only to those who are making a contribution to the life of their times. The law needs philosophy to restore to itself that direction, clarification, and background, which it appears to have lost in this era of revolution and new deals. It is no accident that the philosophers of the grand tradition from Plato, Aristotle, and Thomas Aquinas, to Spinoza, Kant, and T. H. Green, found in the law the culmination and application of their philosophies. It is no accident because it was an original and continuous motivation in all their researches and speculations. And it is no accident that the great jurists and statesmen have been men of profound ethical, political, and metaphysical philosophies. To judge the right and to enact the just presupposes a social philosophy, and a social philosophy demands as background a metaphysical or religious *Weltanschauung*.

The relationship between the two fields has been variously conceived. According to Aristotle ethics is a part of politics. The legislative and judicial processes, he thinks, are directed towards ends, and these ends are identical with the ends of life itself. Ethics, therefore, is the branch of politics which investigates the ends of

¹ The presidential address to the western division of the American Philosophical Association at the State University of Iowa, April 24, 1936.