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Trend Toward Sanity

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Trend Toward Sanity

The speech of John Foster Dulles before the United Nations Assembly in September sounded a note that has been very much needed in political philosophy. He said that the moral law, an absolute morality, must be the final test of any political policy.

This seems pretty old stuff to many people but it burst upon American political philosophy with the suddenness of a thunderclap. That is not to say that no political philosophers were aware before Mr. Dulles of this need. But they were mostly talking in an intellectual ghetto; whereas Mr. Dulles was heard respectfully by the whole world. Fortunately his statement is not the only bolt in what promises to develop into a fair sized storm.

Just the week before, *Time* magazine, which may be depended upon to record any considerable movement in the United States, asserted the need of a Chief Justice of the United States Supreme Court to succeed Mr. Vinson, who would turn back the attack upon basic morality which Justice Oliver Wendell Holmes had made the vogue.

What Mr. Holmes' philosophy was may be understood from a comparison he himself made once when writing to his friend Laski: "When we were boys we used to run tiddledies on the frog pond in the Common—that is jump from piece to piece of ice, each being enough to jump from but sinking under you if you stopped. . . . Having ideas was like running tiddledies—if you stopped too long on one, it sank under you."

This agnosticism was as fashionable outside political philosophy as it was in it. Thinking was hopping from idea to idea, but it was not *knowing*; that supposed a basic and objective truth to be known and to be used as a standard of measurement for other thoughts. Dewey's educational theory for example offered another phase of the same thing. It knew no standard, no finality. "Education," said Dewey, "is all one with growing; it has no end beyond itself." "There is nothing to which education is subordinate save more education." "Education is that process of continuous reconstruction of experience which adds to the meaning of experience

and which increases ability to direct the course of subsequent experience."

Mr. Holmes hopped from idea to idea. Mr. Dewey from experience to experience. The tiddlies on the Boston frog pond had one advantage over both activities. The pond had a shore.

This despair of knowing explains the cult of obscurity in letters and art. Why bother to be understood, when to be misunderstood amounts to the same thing, and to be completely unintelligible is to be most real? Gertrude Stein, one of the goddesses of modern letters, ended a bewildered life with the bewildering words: "What is the answer?" And then after a pause, she added, "What is the question?"

The speech of Mr. Dulles and other tendencies reflected in *Time* magazine are indications of a turning tide of awareness not only of the question but also of the substantial answer. Confirmation of this comes from unexpected quarters. A recent book *Thomism and Aristotelianism* by Henry V. Jaffa of Ohio State University comes out for a return to a constant standard of morality and endeavors to see whether this cannot be done without a return to Thomism, which the author regrets to find so closely linked with Aristotelianism!

The news of these developments along the philosophical front arouses sobering reflections concerning the recent visit of William Alexander Sutherland to the Philippines a few weeks ago. Mr. Sutherland was superintendent of the Filipino *pensionados* to the United States from 1903 to 1908. When we consider that these *pensionados* were educated in the universities in which this philosophical bewilderment flourished, we understand many things that have taken place in the Philippines since that day.

The tide seems to be turning in the United States but in the Philippines it is just coming to the flood. One of the *pensionados* singled out by Mr. Sutherland for special mention, as one of the "Four Immortals" who studied law in Indiana University, was Dean Jorge Bocobo. Dean Bocobo as Chairman of the Commission for the Revision of the Code declared about a year ago that the new code was abandoning the old philosophy and was embracing positivism in its place. *The Sentinel* (November 18, 1952) quoted Dean Bocobo as follows: "The Philosophy of the Penal Code in force is classical, while that of the project is positivistic."

It may be asked whether Dean Bocobo, or at least some one who thinks as he, did not also help frame the executive order which provided for the recodification of Philippine Law. For it is stated in that order that "all existing substantive laws are to be revised in conformity . . . *with modern trends in legislation and the progressive principles of law.*"

The Philippines has long been in possession of the principles stated by Secretary Dulles. Even the indoctrination of a considerable number at the top was not able to shake the fundamental good sense of Filipino jurists, legislators and citizens.

The objective of the executive order, "modern trends," embodies the highest ideal of the secular mind: to stand on the current cake of ice. The fact that one modern cake which is winning popularity in influential circles is the natural law philosophy may therefore obtain for it a hearing it would not otherwise get.

L. A. C.
