

INTRODUCTORY ADDRESS

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To one who reached maturity at the turn of the century, a purview of the intervening fifty years presents many and somewhat surprising changes in the thinking, conduct, and judgment as well as in the standards of men. These changes may not have had their origin or their cause in this span, but during this period they reached a degree of fruition.

It may be asked, — are not men today of the same human nature as those of ages past? Human nature is always the same, but still we observe changes in thought and conduct and judgment which have come about gradually, almost imperceptibly. The realization of this change begets amazement at first glance. Students of contemporary trends in social, political and economic life have registered and charted these developments, but in many instances these observers have not been as sensitive in analysis as were the experts of other days. The subject of history in the educational curriculum today has not the place of honor and distinction it formerly occupied. History as a subject has lost its objectivity. It has succumbed to propaganda. The average student in secular

colleges has not acquired by experience or study or contact the scope of learning of his elders, nor is he guided by the same bases of comparison. Hence the present day student, denied the advantage of a scale of comparative values, offers a lesser resistance to error.

Yes, man is the same human creature. He possesses the same faculties of mind and body, but he employs these powers, particularly those of the mind, in a pursuit of the distorted views of a perverted pragmatism. In the study of philosophy the student of other years learned the laws of thought and of logic. In the study of history he followed the established standards of accurate interpretation of related facts. As he delved into language he found laws of comparison, if not of similarity, in the basic structures governing lingual expression.

In all pursuits there was law, there was a rule, a guide to be regarded and observed. There was at least a custom derived from and respected in long usage.

In our day the expressed aim and purpose of many is to depart from everything that is fixed or stable. When I use the term "fixed," I apply to it the primary meaning of the term — the sense of firm, permanent, definite, fastened.

The twentieth century has produced in the intellectual circles of the world a departure from fixed principles, from permanent standards, from commonly accepted practices. These former foundations are now classified as archaic by the fluctuating standards of academic freedom, a freedom wherein nothing is fixed, nothing at least in thought or in law.

Those who hoped for a refinement of application in the fundamental principles of Constitutional and Crim-

inal Law, have witnessed rather a departure from all principle — a flight from that which is fixed — to that which is constantly in flux, to the ever-changing “NOW.” That “NOW,” which is ever being consumed by the incoming future and immediately discarded as the future becomes the present, leaves little, if any, impression of the past. And the residue that inevitably remains is paid the dubious compliment of being speedily ignored.

The disciples of the “NOW” have no norm of measurement. They abjure the fixed, the basic, the absolute. Natural Law, revealed law, the law of practice, have been rejected. Has the Natural Law been abandoned because its acceptance presupposes a Lawmaker and the imperious necessity of belief in a Supreme Being?

Our jurists in denying the absolutes, in reality deny the very principles and practices upon which our courts exist and operate. If there is nothing fixed, then there is no need of a court — certainly not a court of law. A court of arbitration is not a court of law. If law is constantly in flux, there is no need of a judge. A judgment presupposes a fact, a happening, a condition, a principle which is to be judged in relation to something that has stability. If that “something” has no stability, wherein shall be the judgment?

If we contrast the beginning of the century with its mid-mark, we may come to some possible explanation at least of the evident divergence in thought and conduct that characterizes our confused days. Surely it cannot be denied that law, rule, practice, principle, are terms with meaning — terms which throughout the centuries have represented the basic foundations of life and determined the relations of men in life.

Our present day chaos, the unprecedented condition of our current negotiations between men and nations, our national disintegration, the abandonment of conventional conduct, the departure from the wholesome in dress, the breakdown of morals in the family, the exploitation of immorality in the press, in the cinema and in art — these are all striking evidences that departure from the “fixed” produces a crumbling of the foundations. In past ages and in other places such departure has resulted in the decay of civilization. In our age can it be otherwise?

Adherence to the “fixed” is alone the medium of order. In the maintenance of that order is happiness. Discord creates friction, and friction begets disintegration with ultimate destruction. Because of the forgetfulness of fundamentals and the ignoring of law and of precedent, the Korean negotiations have become a ridiculous farce.

Flight from the “fixed” leads to the conclusion that law is nothing more or less than the mandate of a sovereign possessing the power to enforce his dictates. The recent hemispheric wars and the present Korean war exemplify and manifest the evil of such a philosophy. Its fruits are seen in shameful atrocity killings and in the fashioning of weapons so terrible to contemplate that either side fears to loose the awful thunder. Statesmanship, leadership, character, accomplishment, integrity, honesty, these are concepts that wither and die in the belief that law is force.

Departure from the Natural Law is a characteristic of totalitarian philosophy. Departure from and ridicule of the Natural Law are intrinsic to all material conceptions of life. Here in America, where there is not appalling ignorance of the Natural Law, there is often its startling

misrepresentation. Surprised indeed was the speaker a few years ago to receive from jurists and lawyers of prominence, written expressions admitting a lack of knowledge of the Natural Law. Evidently, the noble and historic concept of the Natural Law was not taught in law school or had not received merited consideration in the formative period.

When we define Natural Law as a rule of action, mandatory in form, as reason itself affirms, established and promulgated by the Author of nature and imposed upon all men through their very nature, then we realize that the comprehension of such a definition and its application to the problems of the day are of tremendous importance for the world in which we live. Natural Law is a law inherent in man and in nature — the gift of the Creator. Man today is loathe to acknowledge his Maker. Hence the misrepresentation of the Natural Law, the ignorance of the Natural Law, the denial of the Natural Law which creates a vacuum into which seeps the doctrine of atheism, the spread of a morality rooted in force, and the supremacy of the omniscient State.

If we fly from fixed and fundamental principles, we may expect neither constructive thought nor constructive living nor the preservation even of the norms upon which our security rests. Atheism, destruction, the denial of human rights, are attributes of Communism. Our knowledge of the operation of the Soviet government spells nothing less than the perversion of what constitutes civilization. The contrast offered to this nihilism by the groups assembled here today is extremely interesting and stimulating. As I view the program of these sessions I venture to foresee in the presentation of the doctrines and

beliefs of the ancient civilizations here represented a continuity, an adherence and a devotion to a code of life that is fixed and permanent and stable. I am confident that these discussions will have many lessons for the world of contemporary thought.