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# Introduction

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## INTRODUCTION

**B**ECAUSE lawyers enjoy arguments they quite naturally dislike definitions which are so destructive of arguments. Legal philosophers share this dislike and even excel their brothers at the Bar in threatening the sanity of legitimate discussion by counseling against ever reaching issue with one's opponent in an argument.<sup>1</sup>

The purpose of the Natural Law Symposium issues of the NOTRE DAME LAWYER is to define Natural Law in terms understandable by all so-called "jurisprudes." It is quite possible that not all of our readers will accept the definition arrived at, but at least they will appreciate that what they call Natural Law is not the same thing as the Natural Law determined by this Symposium.

At the present time when the commonly accepted restraints of law and morality have been thrown into the discard by men who have substituted force in their stead it seems prudent to resort to basic concepts to avert the chaos which is otherwise inevitable. Reason, being common to all mankind, was chosen centuries ago by Grotius as his starting point, and it still possesses many advantages. By reason alone man can arrive at Natural Law, which is the starting point of this Symposium.

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<sup>1</sup> Teufelsdröckh, *Jurisprudence, The Crown of Civilization*, 5 U. of Chi. L. Rev. 171 (1938).

Since Natural Law is a concept which has been much abused by writers of jurisprudential articles it was thought wise to procure a definition of the term from those who were using it indiscriminately. To this end many "jurisprudes" were asked, "What do *you* mean by Natural Law?" The articles appearing in this and in subsequent issues of the NOTRE DAME LAWYER are in response to that question. Other interesting answers were received in informal letters, which unfortunately may not be published for that reason. Excerpts from these letters, such as the following, are very interesting. One writer said, "It is impossible to answer that question, since there are ten or twelve kinds of Natural Law." This, it must be remembered, was in response to a question as to what the writer himself meant by Natural Law. Another wrote, "My idea of Natural Law is that it does not amount to much. In spite of its tremendous influence in the past I would say that it is simply an unproved hypothesis." And an English author replied, in a letter dated August 31, 1939, "I am delighted to learn of your project for a symposium on Natural Law. I am convinced that a revival of Natural Law is inevitable unless Europe falls back into the dark ages."

All who have an opinion as to what Natural Law is, are invited to submit a statement to that effect and enter into our open forum on the subject. The NOTRE DAME LAWYER might not agree with what you have to say and it cannot guarantee you "safe conduct" once it is said, since others might attack your statements in an effort to refute them.

We wish to thank the many who have submitted answers to our query, and the many well wishers who have commended this idea of the Symposium, and who have declared that Notre Dame was the logical place for the development of Natural Law in America.

*James J. Kearney.*

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