

Elements of Natural Law Theory in the Ethics of C.I. Lewis

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Vol. III, No. 1 of Vera Lex carried an ad for Prof. Luizzi's book on C.I. Lewis, A Naturalistic Theory of Justice. Lewis' emphasis on the pragmatic and prudential value of reason and knowledge on behalf of human action ties in closely with the value theory of R.C. Neville, which postulates as a challenge to the rational natural law tradition, that all thought is normative. Neville's book, Reconstruction of Thinking, is reviewed in this issue.

...California is what is called a code-law state: there is a book — or set of books — in which what is the law is, supposedly, completely set forth; and if you wish to know whether some manner of action is legally right in California, then that is — again, supposedly — inferable from something set down in this legal code.

But even in California we sometimes raise a further question: this is the law: the code dictates it; but is it just; ought it to be the law? Is this legal prescription right?

(C. I. Lewis, "Ethics and the Present Scene")

This comment of C. I. Lewis, characterized, of course, by a wedge being driven between the law as it is and the law as it ought to be, is an unmistakable tenet of the legal positivist's credo. Nonetheless, there is no evidence that I am aware of indicating that Lewis ever seriously considered, or grappled with, the tensions between legal positivism and natural law theory. Thus, these comments could be symptomatic merely of an unreflective commitment to the common sense distinction that the positivists rely so heavily on in advocating their position. However, in light of strong theorizing by Lewis in the natural law tradition, although never identified as such, his work should be viewed in a sympathetic light by natural law thinkers despite Lewis' comment above about California law.

More particularly, Lewis' conception of human nature shows the rational creature as one who gleams imperative advice for action at once upon his apprehension of objective fact. Insofar as some natural law thinkers

The most notable and most gratifying peculiarities of the social habit among humans are precisely those which turn upon what can only be described as the preservation of individual moral autonomy. No other species is capable of that manner of group life. But men are capable of deviation from this norm; and the menace of statism lies precisely in that fact.

—C. I. Lewis, *The Individual and the Social Order*

designate as natural laws those directives discoverable by human reason, Lewis might well be considered a member of the natural law family. Lewis urges the pragmatist's insight regarding the close interconnection between knowledge and action, bringing forth that knowledge is valuable for the sake of future action. For example, the very same experience that the human mind may cognize as an objective fact, like "The stove is hot," also signals the doer that "If you touch the stove, you will be burned." Besides these hypothetical im-

In all the world and in all of life there is nothing more important to determine than what is right....We live, however, in an age of skepticism....Men have become doubtful of any bedrock for firm belief, any final ground for unhesitant action, of any principles not relative to circumstance or colored by personal feeling or affected by persuasions which may be only temporary and local. And in this period, as in other and like epochs in history, doubts are voiced whether the distinction of right and wrong, in one or another of its modes, is other than subjective or has any fixed and final sense.

—C.I. Lewis, *Ethics*

peratives that are discoverable by reason and tied to the objective actualities of our experience, a reflective look at man as a rational being delivers up imperatives categorical in character. Thus, from human reason's considering its own nature of being able to understand the past and to allow future action to be enriched with this experience, the human being is commanded categorically to act thusly.

Other categorical dictates of reason in Lewis' ethics include the prudential demand that we create a life good on the whole for ourselves and the moral command similar to the Kantian moral rule. Hence, we can identify in Lewis elements of what some have found to be the touchstone of the natural law tradition — the discovery by human reason of normative advice for human conduct.