

Symphony of Reason

PNW Philosophy Magazine

Vol III, Issue 2, Fall 2022

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Table of Contents

Autobiographies

Student Voices, Faculty Voices	2
--------------------------------	---

Foreword

Prof. David J. Detmer	5
-----------------------	---

Paper

Caroline R. Weber: “Taking Shelter in the Way”	8
--	---

Long Essay

Prof. Kevin A. Kliver: “Commands, Rules, or Principles? Fundamentals of Law in Society”	14
--	----

Philosophical Poetry & Reflections on Love

Christopher J. Morrison: “Traits”	30
-----------------------------------	----

Kayla M. Vasilko: “A World of Regret”	32
---------------------------------------	----

Kayla M. Vasilko: “The World outside Ours”	33
--	----

Jadon H. Hearn: “Motivated Love”	34
“Poem Note”	36

Kayla M. Vasilko: “Mosaic”	39
----------------------------	----

Prof. Deepa Majumdar: “On Modern ‘Love’ – a Farce”!	41
---	----

Autobiographies



STUDENT VOICES



Jadon H. Hearn

I am a junior majoring in biological science with a concentration in health science and I am also minoring in psychology. After graduating I plan to attend veterinary school in hope of becoming a certified DVM, with an aspiration of finding an interesting specialty in this field. When proposing the question of who is my favorite philosopher, I would have to say, James Rachels. Professor Conroy and I spent a lot of time breaking down his ideas about "Killing vs Letting Die" and he made many arguable points that were not only straightforward but also sensible. He also touched on both sides of the argument in fairness and gave clear-cut examples of why he thought this way. Though basing my favorite philosopher on one argument may seem senseless, I learned a lot from that article and was able to further my understanding of philosophy and how it should be perceived.

Christopher J. Morrison

I am studying Secondary Education with a concentration in English. I am a senior but have just begun my fieldwork. My hobbies include creating music, writing, working in student organizations, helping those in need, and spreading kindness. My career goal is to teach High School English in a fully inclusive manner. I am a fan of Aristotle and his thoughts on virtues.

Kayla M. Vasilko

I am just completing my third semester in the PNW communication studies Masters program. I'm working as a graduate teaching assistant for the Department of Communication and Creative Arts, and a service-learning graduate administrative professional for the Purdue Office of Engagement. I believe that kindness and positivity are directly correlated

with success, and I promote these in the work I do with my students and outreach, for S.H.I.N.E (students helping ignite needed esteem), for the community, and through writing. I strive to make a positive difference in the world, and hope that I never stop standing beside those who may be standing all alone. Some of my favorite philosophers are Epictetus, Buddha, and Aristotle. I appreciate Aristotle's view of the ergon (work) of a human being, which, he argues, "consists in activity of the rational part of the soul in accordance with virtue."

Caroline R. Weber

*I am an undergraduate completing my junior year; my major is Liberal Studies, with Humanities as my primary focus. I don't have any concrete plans post-graduation, but I hope that earning my degree will help bring me closer to the person I'd like to be and better my understanding of reality. Of the philosophers I've studied, my favorites are Socrates and Fyodor Dostoevsky. My first introduction to philosophy was with Plato's dialogues, of which, my favorite is the Symposium; Socrates' description of a lover of wisdom ascending to the sight of divine beauty made me reconsider what it means to love and the roots of desire and continues to encourage me to keep striving for Truth. Every time I read it, I feel my priorities being corrected and I am reminded to search deeper for what's real rather than be concerned with my ego and other futile things. As for Dostoevsky, I wasn't sure if it was right to name him a philosopher, but after reading *The Brothers Karamazov* I had the same experience as reading Plato, and I was again persuaded to change the way I thought about the world. The way Dostoevsky's books deal with suffering and look to theology for some sort of salvation, yet never really reach a satisfying conclusion, except that suffering isn't bearable without hope -- resonates with its readers. Like Socrates, I think Dostoevsky recognized something divine that is underlying the things in this world. However, I think that Dostoevsky takes it further when, for instance, he writes about a terminally ill character advising his brother to ask even the birds for forgiveness. You get the sense that there is something uniting us with all of life and that we are all responsible for one another and need to help each other ascend to higher truths.*



FACULTY VOICES



Prof. Kevin A. Kliver

I have received my BA in philosophy and my MA in English both from Purdue Calumet in Hammond, Indiana. I have just recently finished my certification from Purdue Northwest which qualifies me as an instructor of philosophy by having accumulating 18 credit-hours as a graduate student in philosophy while holding a Masters Degree in another academic discipline from the humanities. My future goal is to take the graduate-level credits I have recently earned and apply them to a PhD program in philosophy. Some of my favorite philosophers of the western tradition are Aristotle, Renee Descartes, Edmund Husserl, and Jean-Paul Sartre.

Prof. Deepa Majumdar

I specialize in Neoplatonism (Plotinus), with research interests and publications also in comparative wisdom – especially Indian thought (Advaita Vedānta) and Plotinus. In the western tradition, I have further interests in ancient and medieval philosophy, and Descartes' meditations.

I also write essays and poetry. I have published essays on topics as diverse as technology and the pandemic. I have also published one volume of philosophical poetry. In my spare time, I love gardening, cooking, and listening to Indian music.

FOREWORD

Prof. David Detmer

Like its predecessors, the current issue of *Symphony of Reason*, Purdue University Northwest's philosophy magazine, offers its readers a great variety of thought-provoking writings. Prose and poetry, East and West, philosophy, religion, law, and love – all of these may be found here!

Caroline R. Weber starts things off with a guided tour through *The Dhammapada*, the work that collects the teachings of the Buddha. Though many Americans are unfamiliar with the religions of the East, Weber makes the point that Buddhism, a non-theistic religion that focuses on “healing advice on how to live a joyful life,” may well appeal to “the younger and more skeptical generation’s wish to ease suffering.”

Next up is Kevin A. Kliver’s scholarly and insightful essay on the philosophy of law. Focusing primarily on the ideas of H. L. A. Hart and Ronald Dworkin, two of the leading legal theorists of the last sixty years, Kliver tackles the contentious issue of the connection between law and morality. Readers will have little difficulty discerning the relevance of this issue to the current political climate in the United States.

Christopher J. Morrison’s “Traits” is the initial entry in this issue’s poetry section. Morrison pulls off the difficult feat of creating high art about a dismal contemporary subject, the pandemic. And the point he makes about our virtues (and vices) in this context is one that Aristotle would have appreciated!

The prolific Kayla Vasilko, a regular contributor to this magazine, follows with two elegant poems, both of which address environmental concerns from both an ethical and an aesthetic standpoint. (And there is more to them than that. You must read them yourself!)

The issue concludes with a kind of symposium on love. Jadon Hearn contributes two writings on this subject – a love poem and a substantial “Poem Note” explicating not only the poem but also her intriguing thoughts on love more generally.

Kayla Vasilko then returns with “Mosaic,” which I would describe as a prose poem, defined as “a piece of writing in prose having obvious poetic qualities, including intensity, compactness, prominent rhythms, and imagery” (Oxford Languages English Dictionary). Somehow, she

succeeds in maintaining a high literary quality throughout the piece even though it is studded with quotations from such philosophers as Plato, Kant, Aristotle, the Buddha, and Augustine.

The symposium (and this issue) concludes with an essay by Dr. Deepa Majumdar, the editor and founder of *The Symphony of Reason*. In its first paragraph Dr. Majumdar asserts that today “people are lonelier than ever before.” As this quotation might suggest, her essay is not on love generally, but rather is focused more specifically on *modern* love. However, when referring to modern love in her title, she puts the word “love” inside quotation marks. If you read her essay—which you should – you will see why!



PAPER

Taking Shelter in the Way

Caroline Weber

“In *The Dhammapada*, the Buddha takes spiritual novices by the hand and guides them through the journey to enlightenment. He identifies the origin of our pain and offers us shelter in the light of truth, and so the poetic chapters of *The Dhammapada* will ignite the hearts of the spiritually starved and inspire them to make their way across the river to freedom.”

Over 2,000 years ago, before his enlightenment, Siddhartha Gautama of the Sakyas was a young man blessed with good fortune; yet like many young people today, despite having a privileged life, he was discontented. His depression eventually drove him to depart from his world and devote himself to the pursuit of what he later named *Nirvana*. When he achieved this, he became awake and therefore acquired the name of the Buddha.¹ He saw *Nirvana* as life’s goal and made it his mission to preach the way to the rest of the world. When asked to describe the *nirvanic* experience, he insisted that it was something incomprehensible. However, he did accept one positive characterization: “bliss, yes bliss my friends, is *nirvana*.”² For instance, the Buddha did not acknowledge belief in a personal God, like in his former Hindu religion. His mission avoided fruitless debate over theories that in reality surpass comprehension. Instead, the Buddha’s main focus was to teach a way of life that sets humanity on the path to *Nirvana* because he knew that the ultimate end, once achieved, would hold the answers in its experience.

In the current age, where secularism is more popular and the idea of a personal God, which is the accepted

¹ H. Smith, “Buddhism,” in *The World's Religions* (San Francisco: HarperSanFrancisco, 1991), 82.

² Smith, 114.

truth in nearly all true religions, is a difficult hurdle for the younger and more skeptical generation, an introduction to Buddhism, with its more practical focus and healing advice on how to live a joyful life will appeal to their wish to ease suffering. Though the Buddha never personally put his teachings in writing, after his death his disciples put together *The Dhammapada*, a masterful and concise collection of Buddhist teachings, containing poetic verses preaching the Buddha's powerful message of freedom. People seeking reprieve from grief, but skeptical about spiritualism should therefore be introduced to the Buddha's teachings through *The Dhammapada*, which preaches the sweetness of the life of detachment from worldly desire without the aspect of a personal God and instead concentrates on appeals to human reason and experience to reveal the consequences of desire, the power of self-mastery, and the realization of the path to freedom from suffering.

Throughout *The Dhammapada*, Buddha urges his listeners to discriminate the true from the false and accept that everything they see and desire is impermanent and fated to pass away. Consequently, we should not rest our happiness there because it will always end in suffering. In "The World" (Ch. 13), he explains that we are born into a world that is full of delusion. He recommends that this world be considered like a dream, a facade. It exists in darkness. People who live in the world are trapped by desire and have yet to reach the light. By contrast, those who are pure, who have conquered delusion, and can see the light, or truth, are likened to birds flying to the sun, towards heaven.³

Even so, living in a world so full of enticing distractions makes it difficult at first to let go. In Chapter Four, "Flowers," desires are compared to flowers-arrows. Eventually, we become so distracted, searching in vain for satisfaction from the flowers of sense-gratification in the world that death overcomes us without hope for escape. Although the object of desire may seem appealing at first, we will find ourselves wanting more. Our eyes will always be looking at the ground for a better flower that will fulfill us. Death will take us again before we can see any light.⁴

By the same token, we cling to our own bodies, hoping for gratification. Yet, the obsession and dependence on the body are completely irrational, because of the reality of old age and inevitable decay. In Chapter Eleven, "Old Age", the Buddha begins with gravity, "The world is on fire! / And you are laughing?"⁵ A striking image is created by these couple of lines alone. The

³ Buddha, *Dhammapada*, trans. T. Byrom, www.thebigview.com, 9.

⁴ Byrom, 4

⁵ Byrom, 8

Buddha is dismayed by the lack of awareness of humanity's predicament. While the world falls apart around them, and their frail bodies sicken and break, the fools, made insane by delusion, continue to laugh. They've identified themselves with something that is certain to die and so have confused what is false with something true. But experience and history reveal that attachment to the body will certainly cause great suffering.

As a result, the fool gets turned round and round, misled by one craving after another, and he misses "The Way." In Chapter Five, "The Fool," Buddha describes how long and dreadful the wandering of the fool is as he passes from life to life. He admits that at first a fool's bad behavior might be enjoyable to him, but in the end his wrong doings will catch up with him.⁶ For instance, drunkenness in the moment might be a pleasurable experience, but in the morning the pleasure turns to sickness. On the flip side, in Chapter Nine, "Mischief," it is explained that the righteous man may suffer, but eventually his goodness will flower.⁷ It is a process of making good moral choices that accumulate merit over time. Thus, the Buddha encourages us to not belittle our efforts, because our virtue is the sum of our daily uphill steps. In Chapter Sixteen, "Pleasure," our good deeds are likened to friends and family who receive with us with gladness.⁸ This analogy delivers a beautiful image showing how much comfort we can expect from living a selfless life and to take joy in giving, because what we give will be returned to us.

What is left now, after realizing the death of living a fool in the world, is to go beyond it and follow "The Way." The Buddha introduces "The Way" in Chapter Twenty as the only path to rid oneself of suffering, through the process of practicing the eightfold path and the four noble truths.⁹ To achieve such a feat requires self-mastery. Just as we are the authors of our wrongdoing, so also, we are the sources of our virtues, as explained in Chapter 12, "Yourself."¹⁰ Therefore some focus needs to be placed on ourselves, before ever striving to teach others. By practicing the way and discovering the master within us and serving that master, we will no longer be slaves to desire.

The most crucial step in mastering ourselves, is to take control of our minds. In Chapter Three, "Mind," the Buddha claims our most dangerous enemies are our own "unguarded" thoughts, and

⁶ Byrom, 5

⁷ Byrom, 7

⁸ Byrom, 11

⁹ Byrom, 13

¹⁰ Byrom, 9.

conversely, mastery of our thoughts will be our greatest help.¹¹ To understand this in contemporary America, one can reflect on the lifestyle of a professional athlete. Athletes work hard every day in order to master their bodies and perfect their performance. In the same way, one has to work arduously and practice to achieve mastery of the mind.

While it would be uplifting to have a friend alongside, when we, as followers, take the more difficult and fulfilling path, the Buddha advises his disciples that it is better to travel alone than with poor company, but there is consolation in right living.¹² In Chapter 23, “The Elephant,” the Buddha describes to the reader the sweetness of living a meaningful life, and the happiness in doing something good before one departs from the world. To have friends when in need, is sweet. It’s worth noting that he uses the word “need” as opposed to “want” when referring to companionship because when we want, again we have fallen into the trap of desire.¹³ In Chapter Fifteen, “Joy,” readers are assured that by following the enlightened and keeping their company, they will find their family.¹⁴

In Chapter Eight, “The Thousands,” the Buddha again stresses the superiority of “the way,” compared to an idle life, by poetically describing the amazing impact a life of clarity has on joy – compared to the long road of delusion. He explains that it is better to “live one moment in the moment of the way beyond the way.”¹⁵ From this, I draw the conclusion that those who live a life in the dark never make a positive impact on the world, and those who are successful in the world but never win the internal fight always raging within them will never find peace. Even in his long life, a wretched man doesn’t inspire anyone, but a person who has begun to wake up to the four truths, and lives by them will become an example of truth itself.¹⁶ As previously stated, “The Way” is like a light, and those living in the way are also illumined.¹⁷ A light shining in the darkness is a guide for those who are lost. Therefore in Chapter Seven, “The Master,” the enlightened are inspirations just by existing.¹⁸

As the seeker travels further on the path of light, the weight of the world will be shaken off little by little because he is steadily emptying himself of desire. In Chapter 25, “The Seeker,” the

¹¹ Byrom, 4

¹² Byrom, 5.

¹³ Byrom, 15.

¹⁴ Byrom, 11.

¹⁵ Byrom, 7.

¹⁶ Byrom, 7.

¹⁷ Byrom, 13.

¹⁸ Byrom, 6-7

Buddha assures his disciples that to be free is “the beginning of life,” of mastery, patience, etc.¹⁹ – and encourages the seeker to “shine.”²⁰

Eventually, the path will lead to the realization of *Nirvana*. In Chapter 6, “The Wise Man,”-the Buddha uses a metaphor of crossing a river to help explain the journey of the wise person who has attained freedom. The people of the world are stuck on this side of the river, but those who are awake, cross to the other side and are untouched by death. They are free from death because they no longer have any attachment to the things that pass away, which is everything in this world and so they are removed from it.²¹ In Chapter 26, “The True Master,” we are shown the essence of the master. He has reached the end and all is accomplished. He finds fulfillment in emptiness because he truly wants nothing. He is complete.²²

In *The Dhammapada*, the Buddha takes spiritual novices by the hand and guides them through the journey to enlightenment. He identifies the origin of our pain and offers us shelter in the light of truth, and so the poetic chapters of *The Dhammapada* will ignite the hearts of the spiritually starved and inspire them to make their way across the river to freedom.

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¹⁹ Byrom, 17

²⁰ Byrom, 18.

²¹ Byrom, 6

²² Byrom, 18-19.



LONG ESSAY

Commands, Rules, or Principles? Fundamentals of Law in Society

Prof. Kevin Kliver

“... the connection between law and morality has become at best vague and at worst nonexistent. Natural law, the notion that law in society is necessarily connected to some morally relevant aspect of nature, in all its many varieties, has fallen to the wayside in favor of a concept of law, which views the foundations of a legal system, not as moral and prescriptive, but instead as historical and descriptive.”

When looking at the philosophy of law in contemporary historical context, the connection between law and morality has become at best vague and at worst nonexistent. Natural law, the notion that law in society is necessarily connected to some morally relevant aspect of nature, in all its many varieties, has fallen to the wayside in favor of a concept of law, which views the foundations of a legal system, not as moral and prescriptive, but instead as historical and descriptive. Legal positivism, a prominent idea of jurisprudence, which suggests there is no fundamental connection between law and morality, places rules and the compliance of rules at the basis of all systems of law. Two primary yet competing proponents of legal positivism, John Austin and H. L. A. Hart, hold the view that rules are the basis of any legal system.¹ But Austin and Hart diverge drastically on the reason for how this is the case. Austin’s view stipulates that laws exist foundationally as rules that must be followed to avoid some type of legal retribution in the form of punishment

¹ John Austin, *Lectures on Jurisprudence or the Philosophy of Positive Law*. Originally published in 1874. H. L. A. Hart, *The Concept of Law* (Oxford University Press, 2012). Originally published in 1961.

by the state. Hart's basis for law, on the other hand, is what he refers to as a master-rule used by officials in society to test all other rules and laws therein. Continuing on with this great debate on the concept of law in society is Ronald Dworkin, who disagrees with both the natural law and legal positivism perspectives, and in my estimation, holds a view on jurisprudence that is somewhere between the morally based theory of natural law and the rule-based theory of legal positivism. In this respect, Dworkin holds that laws, fundamentally speaking, are more than mere rules. They are, moreover, moral principles, and these principles reflect and affirm certain rights of individual members of society. With this very brief background in mind, the goal of this project is to provide further detail on the opposing viewpoints of Austin, Hart, and Dworkin through an informative analysis of some of the most crucial details of their individual philosophies of law. I, also, intend to explain how Dworkin's approach to jurisprudence through his rules as principles theory provides a legitimate basis for law that is lacking in both Austin's and Hart's respective positions. And finally, I will attempt to show that Hart's master-rule for society, his rule of recognition, ignores an important element of law that Dworkin's view does not, namely, that of moral principles and rights.

Traditionally, legal positivism traces its roots back to as far as the father of utilitarianism, Jeremy Bentham (1748-1832), but for my purposes here, I will begin the discussion with the English legal scholar John Austin (1790-1859) who was also a utilitarian and highly influenced by Bentham himself. Austin believed, much like Bentham, that natural law is nothing more than a philosophical fabrication. On this, Bentham writes what would ultimately become one motivation for Austin's positivism when stating, "*Natural rights* is simple nonsense: natural and imprescriptible rights, rhetorical nonsense—nonsense upon stilts."² Though Bentham and Austin both agree on this basic point for legal positivism and the underlying implications of utilitarianism within it, they highly disagree on how their versions of utilitarianism apply to the concept of positive law. On this, one scholar writes, "Like Bentham, Austin defends a version of utilitarianism. What is interesting to note, however, is that while he articulates the Principle of Utility in Lectures 2-4, his comments are not deeply linked to the chain of the development of the concept of utility, *per se*. Rather, Austin employs the concept of Utility to justify the distinctions

² Samuel Zinaich Jr., *A Brief History of Natural Law and Legal Positivism* (n. p., 2017), 43.

between and the foundation of positive law.”³ It is this point on Austin’s positive law to which I will now turn.

Based on Austin’s account of utilitarianism, he constructs a philosophy of law that is fundamentally command-based. This version of legal positivism states that the foundation of any legal system is nothing more than a set of rules, stated as laws, which members of society are obligated to obey. In respect to this idea, Austin claims, “Every positive law, or every law simply and strictly so called, is set by a sovereign person, or a sovereign body of persons, to a member or members of the independent political society wherein that person or body is sovereign or supreme. Or (changing the expression) it is set by a monarch, or sovereign member. to a person or persons in a state of subjection to its author.”⁴ Moreover, citizens will obey the rules of society due to a fear of some severe punishment carried out by state officials whenever citizens are found disobeying the rules of the state. Similarly, Austin defines a duty to law in terms of sanctions when he writes, “The evil which will probably be incurred in case a command be disobeyed or (to use an equivalent expression) in case a duty be broken, is frequently called a sanction. The command of the duty is said to be sanctioned by the chance of incurring the evil. Some sanctions are called punishments.”⁵ What Austin means is that unlike the theory of natural law, the practice of law has no direct connection to morality, whatsoever. Instead, Austin’s positivism holds that fundamentally, a legal system is a set of rules backed by threats of punishment, or sanctions, by legally governing executives. The manner in which this type of legal positivism relates to Austin’s utilitarianism is, that to prevent harm in society and the pains that come with that harm, officials must construct laws, or sanctions, that are backed by threats of punishment for acts of civil disobedience against the rules of society. Austin continues to discuss the connection between utility and law in stating, “Utility would be the test of our conduct ultimately, but not immediately: the immediate test of the rules to which our conduct would conform, but not the immediate test of specific or individual actions. Our rules would be fashioned on utility; our conduct, on our rules.”⁶ Here, Austin claims that rules of society are in place for the sole reason of utility, and the actions of individuals are, then, checked against those rules. Moreover, what Austin specifically means by utility is the avoidance of pain and the gravitation towards pleasure, which, for Austin, is a fact

³ Zinaich Jr., 44.

⁴ John Austin, *Lectures on Jurisprudence or the Philosophy of Positive Law*. Originally published in 1874, 116.

⁵ Austin, 13.

⁶ Austin, 35.

of human existence, only. Therefore, Austin's notion of utility as the basis for rules and laws in society has no implication of moral objectivism because rules and laws are fundamentally based on non-moral claims about pains and pleasures of human beings. Consequently, Austin views the purpose and nature of rules in society as being merely a descriptive story about physiological facts of human existence—not a prescriptive one about moral standards and principles. In this way, Austin maintains a utility-based version of positive law without a direct connection to utilitarianism as an objective moral theory.

Keeping these ideas of Austin's to a minimum but still in mind, I will now turn to the British philosopher of law H. L. A. Hart (1907-1992) and his contemporary version of legal positivism. In his seminal work *The Concept of Law*, Hart shows how Austin makes a crucial mistake by assuming that punishment for disobeying laws is all there is to the foundation of a legal system.⁷ Hart takes on this crucial concept of Austin's by showing how the foundation of law is more complex than Austin's command theory of legal positivism suggests. Hart asserts, "The theory of law as coercive orders meets at the onset with the objection that there are varieties of law found in all systems which, in three principle respects, do not fit this description."⁸ For my purposes here, I will focus on the second of these three principle respects because it is a direct attack on Austin's view on the foundation of a legal system as a set of sanctions, or rules backed by threats from an authority. Austin, recall, states that laws are in fact orders given by a sovereign authority, but Hart acknowledges that laws, especially in a constitution-based society, are not orders as much as they are legal statutes. A distinction between orders and statutes at first glance seems to be mere semantics, but one major difference between these two concepts is that sanctions grant rights that orders do not. This is something Hart notes when claiming, "statutes are unlike orders in that they do not require people to do things, but may confer powers on them; they do not impose duties but offer facilities for the free creation of legal rights and duties within the coercive framework of the law."⁹ By stating this, Hart explains how a statute backed by threats and a rule backed by threats are two significantly different ideas because statutes, unlike basic rules, not only enforce obligations, they also grant rights to citizens. This is a phenomenon that does not occur with Austin's position on the foundation of law as orders backed by threats from sovereign officials because Austin's command theory sees legal rules as orders only, and much like a soldier under

⁷ H. L. A. Hart, *The Concept of Law* (Oxford University Press, 2012). Originally published in 1961.

⁸ Hart, 48.

⁹ Hart, 48.

the strict command of his corporal, such a theory does not include the corollary rights that members of society receive under a system of law.

Hart's approach to legal positivism, then, does not necessarily exclude Austin's notion of laws backed by threats as part of a system of law. It simply accounts for the foundation of a legal system through a more complex methodology. That methodology is the subsequent topic for this essay. Hart distinguishes two types of rules that, unlike Austin, have very little to do with commands enforced through sanctions. Instead, Hart differentiates between primary and secondary rules for society. According to Hart, primary rules are the basic laws of society that regulate behavior of its members. For example, tax laws, traffic laws, and statutory laws would go under the heading of primary rules due to the fact they involve legislation that has been passed and must be obeyed to avoid legal retribution. As Hart puts it, "Under rules of the one type, which may well be considered the basic or primary type, beings are required to do or abstain from certain actions, whether they wish or not."¹⁰ Hart's primary rules differ from his secondary rules because secondary rules have more to do with adjudication than they do enacted legislation. Secondary rules are the rules that grant judges and officials the legal power to adjudicate specific cases as well as change the primary rules which have been passed as law. In respect to secondary rules, Hart writes, "secondary rules are all concerned with the primary rules themselves. They specify the ways in which the primary rules may be conclusively ascertained, introduced, eliminated, varied, and the fact of their violation conclusively determined."¹¹ In summation, Hart explains primary and secondary rules as, "Rules of the first type impose duties; rules of the second type confer powers, public or private. Rules of the first type concern actions involving physical movement or changes; rules of the second type provide for operations which lead not merely to physical movement and change, but to the creation or variation of duties or obligations"¹² Given these distinctions between primary and secondary rules, I will now turn to Hart's rules of the second type more exclusively and discuss his three types of secondary rules which include the rule of recognition.

¹⁰ Hart, 81.

¹¹ Hart, 94.

¹² Hart, 81.

¹³ Hart, 94.

Hart's secondary rules are more sophisticated in nature than his rules of the primary type because of how they act as his foundation for law in society. Let me explain how this is the case by way of another distinction. In *The Concept of Law*, Hart describes three types of secondary rules. The first is to identify the legal obligations that come from them. On this, Hart writes, "The simplest form of remedy for the *uncertainty* of the regime of primary rules is the introduction of what we shall call a 'rule of recognition'. This will specify some feature or features, possession of which, by a suggested rule is taken as a conclusive affirmative indication that it is a rule of the group, to be approved by the social pressure it exerts."¹³ To Hart, this is one main reason for why the rule of recognition is the foundation for any legal system, something I will come back to in detail shortly. Hart's second type of secondary rule is his rules of change, which he explains as, "The remedy for the static quality of the regime of primary rules consists in the introduction of what we shall call 'rules of change'. The simplest form of such a rule is that which empowers an individual or body of persons to introduce new primary rules for the conduct of life of the group, or of some class within it, and to eliminate old rules."¹⁴ Rules of change, in short, is a set of secondary rules that provide details on who can change the law and what procedures those individuals would utilize during times of legal change.

Rules of adjudication are Hart's third and final type of secondary rule and functions by, "empowering individuals to make authoritative determinations of the questions whether, on a particular occasion, a primary rule has been broken."¹⁵ Hart adds to this by stating, "The minimal form of adjudication consists in such determinations, and we shall call the secondary rules which confer the power to make them 'rules of adjudication'. Besides identifying the individuals who are to adjudicate, such rules will also define the procedure to be followed."¹⁶ Together, these three secondary rules, Hart suggests, form the foundation for law of a society.

As I mentioned earlier, the secondary rules in general are fundamental to the concept of law for H. L. A. Hart; whereas, primary rules have no such status. For Hart, secondary rules are fundamental to law because they are rules that validate, give unity to, and test primary rules of

¹⁴ Hart, 96.

¹⁵ Hart, 97.

¹⁶ Hart, 97.

¹⁷ Hart, 105.

obligation and provide the framework for change and adjudication of those rules. For example, constitutional law, common law, and criminal law would go under the heading of secondary rules due to the fact they involve the potential for actual procedural changes in the social contract and / or fundamentally assist in the adjudication of individual cases based on the process and procedures of the law. For these reasons, Hart specifies only one master-rule and captures it under the heading of his first type of secondary rule: the rule of recognition. Hart speaks to this idea when writing, “The rule of recognition providing the criteria by which the validity of other rules of the system is assessed is in an important sense, which we shall try to clarify, an *ultimate* rule: and where, as is usual, there are several criteria ranked in order of relative subordination and primacy one of them is supreme.”¹⁷ This implies that Hart believes no natural or moral law can be directly fundamental to the theory and practice of a legal system. As an alternative, Hart offers one master-rule, the rule of recognition, which acts as the foundation for law in society. It does this by fulfilling all the functions of the secondary rules of recognition, change, and adjudication by decreeing certain officials for and procedures of all primary rules of obligation.

Next in this chronology of legal positivism is the American jurist and philosopher Ronald Dworkin (1931-2013). In his collection of revised essays titled *Taking Rights Seriously*, Dworkin mounts an attack on Hart’s positive law by positing rules as principles with moral content that reflect and uphold the rights of individual members of society.¹⁸ To elaborate on this concept of rules as principles, Dworkin first conveys the idea of primary and secondary rules expressed by Hart, and then attempts to refute them as the sole foundations of law. Dworkin does so in his essays “The Model of Rules I” and “The Model of Rules II” from *Taking Rights Seriously* where he reiterates Hart’s legal positivism:

- (a) The law of a community is a set of special rules used by the community directly or indirectly for the purpose of determining which behavior will be punished or coerced by the public power. These special rules can be identified and distinguished by specific criteria, by tests having to do, not with their content, but with their *pedigree* or the manner in which they were adopted or developed.
- (b) The set of these valid legal rules is exhaustive of ‘the law’, so that if someone’s case is not clearly covered by such a rule (because there is none that seem appropriate, or those that seem appropriate are vague, or for some other reason)

¹⁸ Ronald Dworkin, *Taking Rights Seriously* (Massachusetts: Harvard University Press, 1977).

then that case cannot be decided by ‘applying the law.’ It must be decided by some official, like a judge, ‘exercising his discretion.’

- (c) To say that someone has a ‘legal obligation’ is to say that his case falls under a valid legal rule that requires him to do or to forbear from doing something.¹⁹

One can plainly see that (a) through (c) from above is not only an outline of contemporary legal positivism, but is also a blueprint of Hart’s primary rules of obligation and his secondary rules of recognition, adjudication, and change. Dworkin’s terminology, however, is slightly different from Hart’s, so I will now lay out the formal similarities of (a) through (c) in line with the different terminology being used by Dworkin to express Hart’s standpoint.

Let’s start with (c) and work backwards. For Dworkin, (c) spells out the “legal obligation” that is, simply stated, the public’s requirement to follow basic laws that have been passed by the state. In conjunction with Hart’s view, this is analogous to a set of primary rules of obligation that are the laws in society that must be followed. The principle in (b) states that a judge or some other public official has the power of “exercising his discretion,” especially when the law provides no rule to fall back on for exception cases. This particular point seems to parallel Hart’s secondary rule of change as well as his secondary rule of adjudication. I will begin with the latter. Appointed governmental officials use their discretion when applying the law, and these appointed officials adjudicate based on the processes and procedures of law that have already been put into place through rules of recognition in society. Furthermore, the cases that do not apply to the law as currently written are not exempt. When atypical cases appear in court and the frequency of them rises, a change in the law will need to be made. When this happens, legal positivism suggests executive officials will need to change the law using their own discretion in conjunction with the existing legal system.

Finally, (a) seems similar to Hart’s secondary rule of recognition as the foundation of a legal system. This is so because when Dworkin writes about the law of a community as “a special set of rules,” he is referring to Hart’s rule of recognition which is also a very significant and complex set of rules. Additionally, (a) marks the importance of the pedigree of these special rules which is a further point on the similarity between Dworkin’s writing here and Hart’s rule of recognition. Now that I have attempted to clarify the connections between Dworkin’s writing from the

¹⁹ Dworkin, 17.

beginning of “The Model of Rules I” and Hart’s version of legal positivism, I will delve into Ronald Dworkin’s critique of H. L. A. Hart.

Contrary to Hart, Dworkin sees law and the foundation of law not as a set of rules that follow from and refer back to a master-rule of recognition, but as a set of principles that both reflect and bestow rights onto members of society. This is something I will come back to in the pages to come. For now, however, I will focus on Dworkin’s general distinction between rules and principles as an objection to Hart’s foundation of positive law. Dworkin provides one major differentiation between rules and principles in the following passage:

We argue for a particular principle by grappling with a whole set of shifting, developing and interacting standards (themselves principles rather than rule) about institutional responsibility, statutory interpretation, the persuasive force of various sorts of precedent, the relation of all these to contemporary moral practices, and hosts of the other standards. We could not bolt all of these together into a single ‘rule’, even a complex one, and if we could the result would bear little to Hart’s picture of a rule of recognition, which is the picture of a fairly stable master rule specifying ‘some feature or features, possession of which by a suggested rule is taken as a conclusive affirmative indication that it is a rule. . .’²⁰

Similar to the Austin-Hart debate where Hart holds that laws as commands are an insufficient concept for the foundation of law, Dworkin holds that laws as rules, even a master-rule of recognition, are also an insufficient concept for the foundation of law. Dworkin states that laws as principles, different from laws as rules, define the foundation of a legal system, not a master-rule of recognition. With that in mind, my next purpose for this essay will be to provide a more detailed account of Dworkin’s theory of law as principles through his book, *Law’s Empire*, and show how these principles both reveal and affirm basic rights of individuals that rules simply cannot.

Dworkin’s *Law’s Empire* provides his fullest account of a philosophy of law based on the idea of legal rules as moral principles, and I will now turn to that work on jurisprudence. In *Law’s Empire*, Dworkin sets out to provide a more structured theory for his foundation of law based on principles instead of rules. A good starting point for my purposes comes from Dworkin’s distinction between propositions of law and grounds of law. For Dworkin, propositions of law are similar to Hart’s primary rules, and Dworkin’s grounds for law are almost identical to Hart’s

²⁰ Dworkin, 40.

master-rule of recognition. As Dworkin puts it, “Let us call the ‘propositions of law’ all the various statements and claims people make about what the law allows or prohibits or entitles them to have.”²¹ From here, Dworkin discusses how the propositions of law can either be general or specific, and he provides examples of this from case law and the American constitution. The point here is that propositions of law are, for Dworkin, what primary rules are for Hart. Grounds of law, on the other hand, are analogous to Hart’s rule of recognition because they test, validate, and unite propositions of law in the same way Hart’s secondary rules act in conjunction with his primary rules of obligation. This is reflected in *Law’s Empire* by way of an example when Dworkin writes, “The more familiar propositions furnish what I shall call ‘grounds’ of law. The proposition that no one may drive over 55 miles an hour in California is true, most people think, because a majority of that state’s legislators said ‘aye’ or raised their hands when a text to that effect lay on their desks.”²² As one can purely see from this statement, not only are grounds of law rules which propositions of law are to be tested by, but another characteristic they share with Hart’s rule of recognition is that of the sovereign or executive official who creates and enforces the rules of society.

Most people are aware that there is debate and disagreement throughout any legal system about how the law should be interpreted. That is why a second distinction is made in *Law’s Empire* where Dworkin differentiates between empirical disagreement and theoretical disagreement. According to Dworkin, “Now we can distinguish two ways in which lawyers and judges might disagree about the truth of a proposition of law. They might agree about the grounds of law—about when the truth or falsity of other, more familiar propositions makes a particular proposition of law true or false—but disagree about whether those grounds are in fact satisfied in a particular case.”²³ Later in the same chapter, Dworkin continues by adding, “Or they might disagree about the grounds of law, about which other kinds of propositions, when true, make a particular proposition of law true.”²⁴ Dworkin’s main point here is that empirical disagreements arise exclusively through diverging positions on propositions of law; whereas, theoretical disagreements

²¹ Ronald Dworkin, *Law’s Empire* (Massachusetts: Harvard University Press, 1986), 4.

²² Dworkin, 4.

²³ Dworkin, 4.

²⁴ Dworkin, 5.

²⁵ Dworkin, 13.

arise exclusively through diverging positions on grounds of law. These distinctions, as we will soon see, are integral to Dworkin's attack on Hart's master-rule of recognition.

Dworkin's next point is an objection against Hart's legal positivism more than it is a clarification of terms, but the terms just clarified are at the forefront of Dworkin's objection. Dworkin begins his rejoinder with the basic assumption that citizens and officials debate and disagree in both the empirical and theoretical senses all the time. On this Dworkin writes, "Legal practice, unlike many other social phenomena, is *argumentative*. Every actor in the practice understands that what it permits or requires depends on the truth of certain propositions that are given sense only by and within the practice; the practice consists in large part in deploying and arguing about these propositions."²⁵ Ultimately, Dworkin believes that Hart's master-rule, and by extension his legal positivism, is seriously flawed due to the fact that officials and citizens constantly disagree and dispute over propositions and grounds of law, but for Hart's rule of recognition to make sense whatsoever, it would seem useless, if not impossible, for officials and citizens to debate over grounds of law. This is because for a master-rule of recognition to make sense, it must be a rule, set of rules, or common practice that *answers* questions about the law, not *generates* questions about the law. For if all primary rules are validated and tested through the master-rule of recognition, and it is "nonsense on stilts" to look for any deeper validation beyond that master-rule, then it seems contradictory to also imply, as Hart does, that no real theoretical disagreement about the master-rule of recognition would exist within society. The idea, more simply stated, is this: if there is nothing more fundamental to law than a master-rule of recognition, then it is nonsensical to debate and disagree over the master-rule. However, people and officials in society do so continually and with unmitigated conviction.

The problem of theoretical disagreement seems to be much less problematic for Dworkin than it is for Hart. This is because moral principles as fundamental to law allow for constructive theoretical disagreement and debate in society, due to the fact that principles by nature are highly argumentative, social-moral concepts. Moreover, society, as a whole, disagrees on principles, has competing views on the right principles for the community and the individual, debates on the law as it currently exists, and has diverging positions on what the right procedure is when applying the law. With all of this in mind, it seems as though both law of society and the notion of moral

principles have a significant similarity: they are both highly debatable social standards which are disputed by executive officials and the general public alike. On the other hand, Hart's master-rule of recognition, as we have already seen through Dworkin's critique, is not, and quite possibly cannot be argumentative or moral in nature.

My final point on Dworkin addresses an idea that was briefly mentioned in this essay earlier that laws as moral principles reflect and affirm the rights of persons. I will explain this idea in more detail primarily through Dworkin's concept of law as integrity that states the legal system of a community or society naturally and phenomenologically accords specific rights to its members. Dworkin highlights two primary rights in his theory, those of equality and liberty, but for the purposes of this project, I will be looking at the notion of rights more generally. According to *Taking Rights Seriously*, "The institution of rights is therefore crucial, because it represents the majority's promise to the minorities that their dignity and equality will be respected."²⁶ This quote elucidates the importance of rights to a social institution, but when placed in the context of law as integrity, Dworkin's notion of rights becomes even more clear. As Dworkin puts it, "The adjudicative principle of integrity instructs judges to identify legal rights and duties, so far as possible, on the assumption that they were all created by a single author—the community personified—expressing a coherent conception of justice and fairness."²⁷ In addition, Dworkin asserts, "According to the law as integrity, propositions of law are true if they figure in or follow from the principles of justice, fairness, and procedural due process that provide the best constructive interpretation of the community's legal practice."²⁸ These statements shed light on Dworkin's idea of law as integrity, but this last one also initiates a question: what is the best "constructive interpretation" of the law? For Dworkin, the notion of constructive interpretation is, "a matter of imposing purpose on an object or practice in order to make of it the best possible example of the form or genre to which it is taken to belong."²⁹ There is a lot to unravel in everything that has been said here, but in putting all this together, Dworkin's overall idea is this: by virtue of the genre of community that every legal system is under, there is sense of continuity

²⁶ Ronald Dworkin, *Taking Rights Seriously* (Massachusetts: Harvard University Press, 1977), 205.

²⁷ Ronald Dworkin, *Law's Empire* (Massachusetts: Harvard University Press, 1986), 225.

²⁸ Dworkin, 225.

²⁹ Dworkin, 52.

in the terms and ideas that explain and reflect that genre of community. This, at least in part, results from “the majority’s promise to the minorities that their dignity and equality will be respected.”³⁰ Moreover, rights being granted to individuals through laws of society as principles is imperative to law as integrity as defined above, and the legal system of a society and the judges of that system must respect this when adjudicating and modifying the law. This is because the genre and general concept of community necessarily involves the notion of rights of individuals to, for example, not be harmed, receive equal pay for equal work, and be free from false imprisonment.

One way to look at the notion of community when it comes to law as integrity is that the genre of community requires judges and executive officials to adjudicate and enact laws while keeping the current legal system in mind. More importantly, when adjudicating the law, executive officials should act as though the law had been constructed by the community itself, a point that highlights the importance of community within the context of law. This is done based on the legal system as it continues to exist in conjunction with the overall genre and concept of community. Whether it be through commands, rules, or principles, law must be law *of* something. In the case of Dworkin’s law as integrity, law is law of *the community*, not of art, sport, or fashion, and the notion of law of community entails moral principles which are discussed and debated as well as grant, reflect, and affirm the rights of individual members of society. This is something that these other three genres of art, sport, and fashion do not necessarily entail. One main point here is that legal authorities must respect the community as defined through law, just as integrity and the law should reflect that respect for the community itself. As Dworkin puts it, “The Government will not re-establish respect for law without giving the law some claim to respect. It cannot do that if it neglects the one feature that distinguishes law from ordered brutality. If the government does not take rights seriously, then it does not take law seriously either.”³¹

Having thoroughly discussed the debate on the philosophy of law between Austin and Hart as well as Hart and Dworkin, I will now talk about the ideas of moral and social progress in the context of legal change by way of my own example. The difference between social and moral progress lies in how something is right either because it is good for society, which is social progress, or because it is good by the nature of the thing in question; this is moral progress. The

³⁰ Ronald Dworkin, *Taking Rights Seriously* (Massachusetts: Harvard University Press, 1977), 205.

³¹ Dworkin, 205.

thirteenth amendment of the U. S. constitution, for example, ultimately abolished slavery, changing American law and society forever, and most people think the thirteenth amendment is a positive feature of our written constitution. But why do most people think that? For Hart and his master-rule of recognition, this must be due to nothing more than the benefits of social progress in abolishing slavery. This is because both Austin and Hart, as we have seen, leave no room for a fundamental connection between law and morality given their respective versions of legal positivism; so, ending slavery for Hart cannot be due to any sort of moral progress. On the other hand, Dworkin, as we have also seen, would allow for moral progress in law and society given his theory of laws as principles, and unlike Austin and Hart, would see the abolishment of slavery not only as a social-legal act, but as a moral-legal act as well. My point here is this: The abolishment of slavery as a legal act, by nature of what slavery entails in a community, and by nature of the genre of community, indicates to most people in society, by nature of what is meant by people in society, that the act of slavery is morally wrong in principle. Conversely, any law of society, as law of society, that abolishes slavery is therefore morally right in principle and in practice. Make no mistake, my intent here is not to advocate a theory of natural law as the foundation of positive law; instead, my approach, as well as Dworkin's, is more phenomenological in nature, meaning that I am not, whatsoever, appealing to a sense of realism or any kind of mystical, universal principles in my analysis. With that in mind, it is still difficult to say with certainty that the abolishment of slavery reflects a sense of moral progress in society, but let us continue with our example in an attempt to clarify and advocate this view.

One could argue that ending slavery in any particular society is nothing more than social progress in terms of, say, the welfare or economy *of the state*, and as we have noticed, this view can be arduous to overcome. But how about we look at this example in the inverse? Most, if not all societies around the world have in one way or another abolished slavery. However, what if it were to become advantageous for a country to reestablish slavery by law in the interest of social progress? From this line of reasoning, the standards of social progress would insist that in the interest of the state, slavery would once again become legal. Nevertheless, any intelligent person knows that just does not happen, but why not? Dworkin has a readymade reply for this question: Laws are not commands backed by threats by the sovereign, and they are not master-rules of recognition that do not allow for theoretical disagreement about the grounds of law. Laws are principles that reflect and affirm the rights of persons. Consequently, by abolishing slavery,

additional members and officials in the community will begin to understand the true moral ramifications of enslaving persons. This also advances a community's understanding of the rights of persons and the legal principles which are associated with those rights. Because of this very powerful moral pull, a law placing men and woman back into slavery would never be ratified, let alone enacted. When compared to Austin and Hart, this idea can only make sense under Dworkin's model of laws as principles.

If Dworkin is correct, then the legal positivism of both Austin and Hart falls short of fully capturing the nature of rules and laws in society. The reason is that Austin and Hart do not include as part of their positive law theories the fundamental idea of laws as moral principles. To Dworkin, however, the notion of laws as principles does not show that laws necessarily reflect any set moral principle from any specific moral theory, but instead, laws, for Dworkin, are by nature, in and of themselves, moral principles. Without this concept, the law would have no foundation. It would crumble and fall like a stack of books without a base to hold them up.

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**PHILOSOPHICAL POETRY &
REFLECTIONS ON LOVE**



Traits



Christopher Morrison

*Embedded into beds, couches, and chairs
Doors sealed shut, pried only for shopping and doctor visits
Living in fear for myself
Living in fear of myself.*

*Nocturnal, sleepless nights
Paranoid that my loved ones will die
Crying for people I have never met
And will never get to meet.*

*Staring at a screen to see a smiling face
Wishing to receive physical embrace
Longing for a hug
For it has been far too long.*

*Unsure about the future
Continuing my degree, careers, money
Another axis spin
Another failure.
Then the pandemic happened.*

*Everything was business as usual,
Except I found myself having heart burn,
For those struggling,
Failing to adjust to their new lifestyle
New as well was hope,
That people will become empathetic,
To the reality I am bonded to.*

*I know now that I am a selfish person,
Who only holds selfless traits.*

*Two shots as soon as I could get them,
So that I do not kill somebody's everything
Those same shots to keep me alive,
And to protect my everything.*

*I know now that I am a selfish person,
Who only holds selfless traits.*

*Upset as I watch others' empathy wither away with the virus,
As mine does the same as the virus remains
I know now that I am a selfish person,
Who only holds selfless traits.*



A World of Regret



Kayla Vasilko

*I miss the fireflies.
Dancing through the forests –
a synchronized laser show of
stars, candle flames, summer's ballet.
I miss the frogs, the toads
that lounge on the edge of the water.
Stealthy hunters, watching the dragonflies tease
the water's surface, striking only with their elastic tongues.
Hopping lily pads like gymnasts,
croaking out their songs like a midnight choir.
I miss the birds.
The hummer's lighthearted chirp, more dolphin than bird.
The robins and cardinals, the grosbeaks singing, the rain
is done, the rain is done, the rain is done!
The deep moan of the mourning dove wondering
why nature has to pay
for our mistakes.*



The World outside Ours



Kayla Vasilko

*There is no question of place.
Indirectly, there is an acknowledgement:
warm breezes or cold rain;
kindness or cruelty;
never right, never left,
just footsteps.
A wall or a passageway.
An environment, soft or unyielding,
for a cat.
There is breath, without memory
of each step taken
to exhale. There is comfort
and daylight; there is darkness too.
There are intrigue and quiet
sounds more deafening than thunder,
perplexities like tunnels and
mysteries, some forgotten.
There is hunger,
there is rest and chase.
There is trust, but it is nameless,
never called into question.
There is creativity, there is confidence,
There is happiness, most of all.*



Motivated Love



Jadon Hearn

*We love them,
We love them not,
And yet that's not the truth at all.
For what we love most
Is that through their eyes
We see something beyond what we are.*

*An Image of sorts
Of what we wish to be,
Happy,
Accompanied,
Needed.
Such selfish thoughts
And devious ways:
Could love truly be what people say?*

*This dream we are living
Through the presence of others,
Demanding unfathomable desires, means
We have yet to know ourselves.*

*Allowing our wants to prevail,
Our needs to be satisfied,
Nothing could possibly be better
Than a love quite like this:*

*A deal two make
In disguise of a promise,
To gluttonously self-indulge in a game
Masked by the delicacies of love,*



*To spoil oneself through the existence of the other,
Basking in the rays of total bliss.*



Poem Note



Jadon Hearn

“... we humans thrive on the feeling of being wanted and needed, regardless of how much we deny it. Moreover ... we self-indulge in the pleasures of being wanted and needed and ... this drives us to naturally yearn for such a feeling even if we understand the price that comes with it. Most of the time these feelings that we chase, result in a one-sided love or in *limerence* ...”


Love is such a complicated and perplexing topic, and yet could be so beautiful all the same. How does one come to terms with discussing what love truly is? We humans already have trouble confessing to such an emotion. So how could we understand what we feel or what defines its entity or being? Nevertheless, I have discovered two possibilities on what I believe love might be. It could be an extension of our unfathomable emotion of happiness, or it could be an entity that revolves around self-serving motives. Now you may wonder, how could love possibly use motives, if it's such an innocent feeling?

Well for starters, what is an individual getting out of loving someone? If your answer is nothing, you would be wrong. Even the purest love has intentions, even if it's simply happiness. Many loving individuals can look at their "loved ones" and question their purpose and objectively consider the outcome of keeping that loved one around or caring for them. Though this way of thinking may consciously conquer the minds of a handful of these loving individuals, the majority of this population has yet to succumb to the terms of its conscious will, so that it continues to dwell within what it believes true love to be. However, referencing back to

the question at hand, such actions, through the character of their love, have motives. These motives can revolve around feelings of loneliness, and desires for happiness, satisfaction, longing, control, and a shared future, as well as other desires. Moreover, I strongly believe that these motives are the definable force of love, and a situation can be termed as such, if the degree of the motives are executed equally by both individuals, even if the motives differ. Also, a strong relationship – whether with family, friends, self, or a partner – revolves around finding the right individuals to execute these motives through. To elaborate, love happens when you have this beautiful work of art in your mind and this image represents every motive or desires you want or need from a person. However, your picture is not complete, without a proper display of your work, which can be done through the usage of a frame. Now, the question is, what frame complements your art the best and brings light to every awakening detail?

These motives that define love, are not a one-sided concept (except for self-love) where only one person has motives and the other is oblivious of them. As I stated before, both loving individuals must have motives to have a strong relationship. This phenomenon can be looked upon as being selfish or self-absorbed. However, how can one be selfish if both parties are executing the same *virtuous* agenda? There is a possibility of a one-sided love, where one individual simply has little to no motivation for tolerating another and will stay with a partner out of pity, which would then define the terms of selfishness. More than likely this occurrence will not last long due to a lack of motivation from both sides of the arrangement. Additionally, when referencing back to what drives love, this occurrence will not only nullify the term, but will be defined as *limerence*.

Nevertheless, motive-driven love is neither a weakness nor a strength. It is simply human nature. I believe that humans are born to be selfish creatures who will always seek out their desires and wants until they are satisfied. Sometimes we subconsciously desire something we don't truly understand, which leads to an obsession with executing motives through the presence of another. For example, if an individual is consciously content with his loneliness but subconsciously wishes to be accompanied by another, this individual may become fanatical in trying to satisfy his motive and will seek this obsession through a friendship, partnership, or a family member, whose company will satisfy the loneliness-driven motive. Though situations such as the example given can result in manipulation, if the two driving motives present within a relationship (one from each partner) are virtuous, I would still define it as love. Additionally, whether or not we are conscious, I believe we humans thrive on the feeling of being wanted and needed, regardless of how much we deny it.



Moreover, I believe that we self-indulge in the pleasures of being wanted and needed and that this drives us to naturally yearn for such a feeling even if we understand the price that comes with it. Most of the time these feelings that we chase, result in a one-sided love or in *limerence*, where the strength of our motives fails to match that of the one we claim to love, thereby nullifying its terms.



Mosaic



Kayla Vasilko

“El amor es encontrar el conocimiento con la maravilla, el cielo con una base y un cañón con alas.”

Love is meeting knowledge with wonder, the sky with a foundation, and a canyon with wings.

~Kayla Vasilko

“When met with silence, earthly love brought laughter—booming and melodic. It echoed so strongly it bounced off the stars and the night was reminded of the beauty of love unhindered. It became a salve that healed sadness—the very first breath of joy and music, like the wind dancing unchained.”

This epigraph portrays the vision that should pair with thoughts of love and its definition. For, love is more than knowing someone. Love is being in awe of all that this person can teach you; it is support that can bolster a galaxy; it is space filled only with endless time to explore. It has been said that *“love is a trap”* (Coelho), but love is uncontainable. To be framed, it must be fragmented, and yet, *“love is the pursuit of the whole”* (Plato).

Love sparked first when the night was born alone with desolation. Because *“love is a matter of feeling, not of will...”* (Kant), it exploded into infinite flames. The night was intrigued by an existence outside of its own and welcomed the flames into its atmosphere. It was then that the stars were born; they showed the night that their solidarity dispelled standing alone.

The stars became interconnected in their pursuit to capture the beauty of what was below them, for love is *“...the beauty of the soul...”* (Augustine) and *“...the*

cause of unity in all things” (Aristotle). But love is not without obstacles. It is not perfect. Moreover, “*t* ...” (Vaswani). Shaken from their constellations, the stars fell to earth and allowed love to continue to shine with their brilliance. For, stars are meant to radiate boundlessly. As a result, we should radiate “*boundless love towards the entire world*” (Buddha).

On earth, love was needed in so many different directions that it could no longer be drawn from the stars alone. Upon this expansion beyond the stars, earthly love gained “*the hands to help others*” (St. Augustine).

When met with the cold, earthly love brought snow—crystalline and tranquil. The snow fell like the stars and coated the earth. Although cold, snow became a blanket of unprecedented warmth—the very first breath of hope and harmony, ebbing and flowing with the sun.

When met with silence, earthly love brought laughter—booming and melodic. It echoed so strongly it bounced off the stars and the night was reminded of the beauty of love unhindered. It became a salve that healed sadness—the very first breath of joy and music, like the wind dancing unchained.

When met with questions, earthly love brought a road—endless, and winding. Made of more than stone and sand, this road was different at every turn. Surrounded by every sight seen and to be seen, earthly love became a place for the lover and beloved to walk side by side, sharing the very first breath of unbridled and sincere communication and compassion.

When met with mountains, earthly love painted them with trees—soaring and majestic. The past, present, and future changed from a line to a cycle. They became tapestries of life—the very first breath of memory, inspiration, and growth.

When met with a closed door, strong and compelling earthly love slipped through the cracks—unwavering, even when restrained. Reaching the end of land, it discovered the vastness of sea. If challenged by hatred, it did not seek the path of destruction but chose the height of infinity. In the face of walls, it seeped in through windows, catching the kiss of the sun and illumining the window glass in an endless spectrum—coloring the world with the reflection of the sun.

“Since love grows within you, so beauty grows. For love is the beauty of the soul.”
~ **St Augustine**



On Modern “Love” – a Farce!



Prof. Deepa Majumdar

This essay is dedicated to the youth of today who are paying the price for mistakes made by my generation!

“Modern man’s search for love is futile because he seeks it in all the wrong places and in the wrong ways – in soulless things, in superficial human characteristics, and in and through the body, which can never be the source of love.”

Centuries later posterity will perhaps marvel at our frenetic search for love – something irrational, yet instrumentally rational in its calculating comport. Something frantic and futile. Why frantic? Because the world has never been as worldly as it is today. As a result, people are lonelier than ever before. A desire-laden age, modernity carves individuality – a superficial “I” that culminates in the selfie! The great Platonist, Plotinus (204/5-270 CE) would have been aghast at the somatic-narcissistic connotations of the selfie. According to Porphyry, Plotinus seemed ashamed of “being in the body.”¹ Moreover, he “objected so strongly to sitting to a painter or sculptor” that he said:²

Why really, is it not enough to have to carry the image in which nature has encased us, without your requesting me to agree to leave behind me a longer-lasting image of the image, as if it was something genuinely worth looking at?”³

¹ Plotinus *Ennead I*, trans. A.H. Armstrong (Cambridge: Harvard University Press, 1966), 3.

² *Ennead I*, 3.

³ *Ennead I*, 3.

Given its inordinate focus on the “I,” modernity traps the individual in a cell of loneliness. Hardly the abundant and profound solitude of the hermit who focuses on the highest verities, modern man’s self-imposed cell of unwholesome seclusion is more about property rights than search for the higher self.

Materialism and the capacity to love are mutually destructive, and hence, mutually exclusive, so that the presence of the one implies the absence of the other. We turn to material things (money, possessions, etc.) when the world fails us and we are starved of healthy and wholesome forms of love. Conversely, we lose the ability to love others, when we worship material things and mammon. Needy and isolated, modern man seeks love in frantic ways. Losing his soul by succumbing to the appetites, he is in love with soulless material things that cannot love him back. Materialism, which represents this most unrequited of all loves, exacerbates his need for love as a measure of self-completion and self-knowledge. It adds to his inner emptiness. In despair, he turns to the insentient Internet and social media for human friendship, and to animals for sentient companionship. His need for love, therefore, cannot help but be *frantic*.

When selfish and deluded, his search for love is also *futile*. Two people cannot exist in a vacuum. Bereft of community and family, the modern individual turns to the beloved to satisfy *all* his emotional needs – which is more than what any single person can give another. Sometimes he looks for a therapist in the beloved. But a relationship of therapy is not friendship. If anything, the culture of therapy has led to parasitic relationships of co-dependency, wherein two people drain each other. Sometimes the relationship consists of intellectual discussions *about the relationship!* An “it” therefore creeps in – not the higher ideal that would bind the two persons into one, as the late Pope John Paul II suggested – but a third entity – namely this discussion *about the relationship*. The couple therefore becomes he-she-and-it.

A self-centered person does not have the love necessary even for ordinary attachment. With incapacity for attachment masquerading as detachment, couples today tiptoe around each other, ever fearful of breakups and walkouts. A deathly politeness replaces the banter and easy intimacy of true trust and friendship. Insincerity rules the day, because under modernity, hypocrisy is more fantastic than technology. Most of our human relationships today are about words rather than deeds. But words can lie. Words can beguile. Words, without matching deeds, are mere husks, with no substance to them. Insincere verbiage cannot satiate the thirst for love. Finally, our

inordinate descent into the body has proscribed friendship, because lust and love move in opposite directions, defeating each other.

Modern man's search for love is futile because he seeks it in all the wrong places and in the wrong ways – in soulless things, in superficial human characteristics, and in and through the body, which can never be the source of love. Moreover, he projects his desires onto the beloved, thus blinding himself through acute subjectivity that adds to the futility of his search. When selfish, love is inevitably blind, blinding, attached, obsessive – even addictive. But when unselfish, love is detached, mature, didactic-and-edifying, chaste, and full of a spirit of service that teaches this truism – to love is to sacrifice, but without self-abnegation. In short, one must be true to the beloved *and* oneself, in order to be true in love.

Love comes at myriad levels – from the highest *agape*, which manifests itself as compassion, to love at the lowest level, which is love of evil. Love, therefore, draws its moral quality from that of its object. Romantic love is somewhere in-between. Driven by a thirst for self-knowledge, romantic love is really a form of self-love. We need the other as a mirror for our self-knowledge. But when it sublimates infatuation through unselfishness, even romantic love reaches beyond the self. Now sincere and stable, it becomes capable of fulfilling the fundamental purpose of love, which is to *know* the other – a knowledge easily thwarted by lust and selfishness. To love, therefore, is to know. A faint mimesis of *agape*, this level of love, therefore, promises both self-knowledge and knowledge of the other. Love, therefore, is, as Kayla Vasilko says, “meeting knowledge with wonder” – not merely the knowledge the other can teach us (which Kayla refers to), but a *relational* knowledge *of* the other. Yet, because romantic love can be intoxicating in its infatuation – or state of “limerence” (Jadon Hearn) – and because falling in love comes laden with hidden motives (as Jadon points out), romantic love is often deluded, subjective, and narcissistic. It therefore fails to know oneself or the other.

The capacity for higher love comes from unselfishness. One must first glean love through unselfish ethical actions towards others outside the couple – then bring “home” this love to offer one's family. Moreover, the monogamous relationship demands great moral discipline. Not long ago, marital love meant self-sacrifice. Couples spent a lifetime serving each other. Standing as a bulwark of stability in between the vulnerable at the two ends of life (children and the elderly), mothers and fathers gave their all for their beloved children and the elderly. No sacrifice was too great, no labor too much. In turn, children took care of their parents, prioritizing them above all

personal desires and pleasures. Love took the form of a profound and unshakeable sense of duty, which sanctified love, making it *personal* – not institutional, nor contractarian (as is the case with lust). Sublimating desire, which makes love frenetic, this sense of duty purified ordinary romantic love, strengthening it and extending its life.

This was the stoic generation I saw – a children-and-elderly-centered generation that did not divulge their problems or shed tears before their wards. Rarely, if ever, did they use the word “love.” Instead, they read it in each other’s eyes and proved it through quiet actions. Perhaps they understood (better than we do) that to give love is greater than to receive it. But perhaps we understand (better than they did) that it is better to be hurt than to hurt another – a sad truism we have had to learn through heartaches and mistakes.

Hopefully, in a few generations, we will return to the children-and-elderly-centered ideals of our forebears, now improved by greater equality.

Bibliography

Plotinus Ennead I. Translated by A. H. Armstrong. Cambridge: Harvard University Press, 1966.

