The Ethical Roots of Law

Pacifico A. Ortiz, S.J.

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The Article posits that natural law jurisprudence based on St. Thomas' philosophy is the foundation of the law. As such, the law is seen as an intrinsic part of man's social and political being, a manifestation of his nature and customs whose utility is to attain the common good. While this may imply that the law may be modified as the welfare of the people dictates, the Author warns against the weakening effects that such changes may cause to the binding force of the law.

Apart from the law's usefulness, the Article likewise analyzes the relation between justice and the law, and states that the law has no validity unless it embodies justice. This becomes a concrete reality when legislators and judges make and adjudicate the law by taking into consideration the particular factual situation of each case, all the while recognizing that while the law is stable, it is also dynamic. The Article ends by emphasizing that through the intersection of the legal and the natural, must always look at the law, not from its technical, but always from its ethical center.