

Louisiana Law Review

Volume 13 | Number 4

May 1953

SCIENCE AND THE GOALS OF MAN: A STUDY IN SEMANTIC ORIENTATION, by Anatol Rapoport. Harper & Brothers, New York, 1950. Pp. xxviii, 262. \$3.50.

Harold G. Wren

Repository Citation

Harold G. Wren, *SCIENCE AND THE GOALS OF MAN: A STUDY IN SEMANTIC ORIENTATION*, by Anatol Rapoport. Harper & Brothers, New York, 1950. Pp. xxviii, 262. \$3.50., 13 La. L. Rev. (1953)

Available at: <https://digitalcommons.law.lsu.edu/lalrev/vol13/iss4/20>

This Book Review is brought to you for free and open access by the Law Reviews and Journals at LSU Law Digital Commons. It has been accepted for inclusion in Louisiana Law Review by an authorized editor of LSU Law Digital Commons. For more information, please contact kreed25@lsu.edu.

political ventures and philosophy, with what the author believes to have been the basis for each. There is no mention of his wife in connection with any period of his life and only once is his son, Phillip, mentioned, even though his associations with many other persons who must have had infinitely less influence upon him are remarked.

One is left with the feeling that in attempting to magnify the political effect of the things he did, the author has somehow not done justice to Willkie, the man.

*Stuart D. Lunn**

SCIENCE AND THE GOALS OF MAN: A STUDY IN SEMANTIC ORIENTATION, by Anatol Rapoport. Harper & Brothers, New York, 1950. Pp. xxviii, 262. \$3.50.

When a law journal carries a review of a book published three years ago, it perhaps behooves the reviewer to make some explanation of the apparent tardiness. In reality, Dr. Rapoport's book will continue to be timely so long as science remains an "end to which human beings are to be made the means, rather than the means to producing a race of free individuals."¹ His work is significant because it indicates how the social scientist—and the lawyer—may ultimately be able to make predictive judgments with reference to human affairs, with the detachment of the astronomer who predicts an eclipse. With predictability as the sole criterion of truth, the distinction between descriptive and normative assertions will be eliminated.

Dr. Rapoport is admittedly in great debt to the late Alfred Korzybski. At a time when the legal realists were beginning to reveal the clay feet of Austinian jurisprudence, Korzybski published his general formulation for a metaphysics which would remove the social sciences' onus of Aristotelianism.² While the relatively small influence of Korzybski among social scientists—to say nothing of lawyers—may be chiefly due to a preference for a simple absolutist faith, some of this lack of reception might be because Korzybski's writings are hard to read, repetitious, and often uninteresting.

It is for this reason that Dr. Rapoport has made such an

* Member, Shreveport Bar.

1. Huxley, *Brave New World*, foreword to 2 ed., 1946, p. 14.

2. Korzybski, *Science and Sanity*, 1 ed., 1933, 2 ed., 1941, 3 ed., 1948.

important contribution to the social sciences. In a small book of approximately two hundred fifty pages of text, he has outlined, in an extremely lucid style, what has come to be known as "general semantics." For purposes of the study, he has divided the book into three important aspects of being human: communication, orientation, and values. Communication, the traditional concern of "semantics" as the term is narrowly used, is deftly explained by the author's pointing out how human beings abstract from their environment, classify and symbolize their abstractions, transmit these symbols by means of language, and almost invariably disagree because of defects in transmission.

With proper orientation, these imperfections of communication can be eradicated. The first step in the social scientist's reorientation is the elimination of the defects of his Aristotelian heritage, namely, the habits of allness,³ identification,⁴ and two-valued orientation.⁵ After this catharsis he must develop a multi-valued orientation, be careful to distinguish between levels of abstraction, define his terms in such a way as to connect them (not necessarily by the definition itself, but by a chain of definitions) to the levels of common experience, and use the only criterion of truth: the criterion of predictability. While a complete reorientation to a non-Aristotelian language structure is admittedly difficult, such a reorientation is, in the opinion of the author (and also of the reviewer), as essential to any advance in the social sciences as the theory of relativity was to the development of the atomic bomb.

But where does the non-Aristotelian get his values? Dr. Rapoport points out that under a truly non-Aristotelian metaphysics, the scientist's only preference is for the "best available map of reality." Beyond that, his values flow directly from the scientific practice itself. The reader might then complain: "But

3. ". . . the habit of identifying a thing with the class in which it has been placed (by definition) or with a property described to it (by induction)." Rapoport, p. 123.

4. ". . . confusing words or other symbols with the things they stand for." Rapoport, p. 126.

5. ". . . 'either-or' (two-valued) orientation. Its source can be easily traced to the second and third Aristotelian 'laws of thought.' (2) 'A is B' and 'A is not B' cannot both be true assertions; (3) One of the assertions 'A is B' or 'A is not B' must be true." Rapoport, p. 130. Such an orientation causes the lawyer to think in terms of dichotomies. Securities must be either stocks or bonds, there must be either a contract or no contract, a tort or no tort, decisions must be "sound" or "unsound," etc. Cf.: "No physicist will derive much meaning from St. Thomas Aquinas' assertion that a thing is either cold or hot. The physicist uses a thermometer." Rapoport, p. 131.

I don't see how you can ever get an *ought* out of an *is*." The difficulty with this statement is that it presupposes the Aristotelian distinction between normative and descriptive assertions. The "is" of identity which Aristotelianism has inflicted upon us must be completely obliterated, and the only "ought" in science is the preference for the best map—the one that gives the greatest predictability.

One of the most valuable things about Dr. Rapoport's work is that it introduces the person who is not familiar with general semantics to the field, by means of a very clearly written book with illustrations that cannot help but drive the writer's points home. For those who have some acquaintanceship with Korszybski's writings, much of what they have read will become infinitely clearer to them. Above all, the reviewer feels that the lawyer will be particularly helped by this book. To the extent that it helps him get away from allness, identification, either-or orientation, elementalism,⁶ and absolutism,⁷ he cannot help but improve his ability to manipulate doctrine, regardless of what his goals may be. This is to say nothing of the even more important development of an overall legal science having at least some of the predictability of the physical sciences.

In a recent address at the University of Mississippi School of Law, Dean Wesley Sturges of the Yale Law School stated that the primary objective of legal education is to put the student in a position where he will be able to make rational policy determinations. Of all the forms of education which have been developed in this country, he went on to say, our present system of legal education, despite its flaws, is still the best yet devised for the preparation of leaders for our twentieth century society.

The law teacher soon learns that no matter how hard he tries to get at "the underlying policy considerations" of a particular set of doctrines, he invariably ends up with a reformulation which has all the appearances of another doctrine. This is not to say that such reformulations are of no value. Indeed, recasting doctrine in policy oriented terms is of tremendous value in the extirpation of the chaos of traditional positivist legal education.

6. "... a tendency to take seriously the divisions and dichotomies implied by language, to believe in the existence of separate independent 'qualities' or 'categories,' simply because words have been invented to stand for them." Rapoport, p. 132.

7. "Failure to recognize the intimate connection between the observer and the observed may be called 'absolutism.'" Rapoport, p. 141.

The legal realists demonstrated that such a legal education is inadequate to achieve the kind of predictability necessary for man to order his own affairs. Their revolt against earlier doctrinaire systems of jurisprudence was quite successful insofar as it exposed what now seems to be the rather obvious fact that the jurist uses doctrine—that is, the “law” in the law books—as a tool to reach results which he deems desirable for certain “policy” reasons, which often remain unexpressed.

But from what source does he derive his “policy”? From the “living law”?⁸ From the “natural law”? From a set of “values”⁹ that can be said to be the ultimate desiderata of all members of his society? From Leninist-Stalinist “fundamental principles”? Or, perhaps from “Big Brother”?

To use Aristotelian terms, the content of legal realism was descriptive, rather than normative. As a result, no attempt was made to describe the source of the judge’s “policy,” other than to say that it may have come from what he learned at his mother’s knee, from “common sense,” or perhaps as a result of forgetting his bicarbonate on the day of a particular decision.

In more recent times, there has been a greater attempt to develop a structure that would not be merely critical of the law in the law books, but would set up a framework for analysis of the entire institution of law, and at the same time give this institution a direction along policy-oriented lines.¹⁰ Before this very laudable objective can be completely successful, however, the legal scientist must first attain a completely non-Aristotelian orientation. Dr. Rapoport’s book will certainly get him off to a right start.

*Harold G. Wren**

8. See Northrop, *Contemporary Jurisprudence and International Law*, 61 *Yale L.J.* 623 (1952).

9. See Lasswell and McDougal, *Legal Education and Public Policy: Professional Training in the Public Interest*, 52 *Yale L.J.* 203 (1943); McDougal, *The Role of Law in World Politics*, 20 *Miss. L.J.* 253 (1949); McDougal, *Comparative Study of Law for Policy Purposes: Value Clarification as an Instrument of Democratic World Order*, 1 *Am. J. Com. Law* 24 (1952), 61 *Yale L.J.* 915 (1952).

10. *Ibid.*

* Associate Professor of Law, University of Mississippi.