

AALL NEW VOICES

AALL / YOUR LEGAL
KNOWLEDGE NETWORK™



SUNIL RAO

Read the new post!



On Justice and Mysticism: A Recommended Resource

I recently came across a fascinating article, "[Justice and Mysticism](#)," by Ian Baxter. Baxter was a faculty member at the Osgoode Hall Law School in Toronto, Canada, at the time this article was written in 1963. You might wonder, why am I highlighting an article that was written more than 55 years ago?

Surprisingly, my own cursory research reveals that little has been written in legal scholarship on the subject in the intervening years. Furthermore, a search on Google Scholar reveals that Baxter's article has been cited only twice in all that time. The connection that Baxter makes between justice and mysticism almost seems to lie buried back in 1963.

In 2020, with issues such as economic inequality, healthcare disparities, and racism coming to an explosive head, perhaps one powerful way to respond with vision and clarity is to make space for contemplation. An article on jurisprudence that emphasizes a search for truth rooted in reflection and introspection may be just what the doctor ordered.

Baxter argues that, historically, our understanding of justice and its relationship with legal systems has been based on an incomplete view of reality. Our partial and fragmentary perception of reality stems from an equally fragmentary understanding of the full potential of our own consciousness. In order for a truly just world to be born, we have to recognize, says Baxter, that "communities are not machines." Communities are made up of human beings, and it is those human beings that make and evaluate laws. Judges and lawmakers can't help but reflect their internal condition.

At bottom, says Baxter, our internal condition needs to be transformed. If we cultivate and embrace the mystical impulse that leads us to explore layers of consciousness beyond ordinary emotional and psychological states, the processes and modes of thought necessary to create a just world are far more likely to ensue. Herein lies the relationship between mysticism and justice.

Baxter's approach to justice has similarities to natural law theory. As he notes, the Western natural law world view emphasizes discovering universal principles of law and justice through the use of reason, which can then be worked into human civil and criminal codes. But Baxter embraces a faculty of human consciousness--intuitive understanding--that goes beyond reason.

He takes us on a journey through the literature of the ancient Greeks, such as Plato and the Neo-Platonists; to the thought of ancient India, as revealed in sacred texts such as the Upanishads and the Yoga Sutras of Patanjali; and to the Confucianism and Daoism of ancient China, all by way of illustrating a historical consensus among ancient spiritual traditions that action and justice in society have their roots in the "possibility of intuitive understanding of absolute truth and higher purpose." For Baxter, this intuitive understanding arises when spiritual/mystical practices such as meditation and contemplative prayer are fully integrated into our professional and educational disciplines.

Baxter's vision, articulated so beautifully in 1963, calls for bringing into balance materialist and mystical philosophies of justice and jurisprudence. This call may be more relevant today than ever before. Law librarians who select in the areas of jurisprudence or criminal justice, for example, might well consider keeping an eye out for those sources which fully integrate reason and spirituality to provide a deeper, more holistic vision of the way human beings affect and interact with systems of law and justice.

Recommended Resource: [Baxter, I. F. \(1963\). Justice and Mysticism. Revue Internationale de Philosophie, 353-380.](#)

Sunil Rao; Foreign and International Law Librarian at the University of Wisconsin-Madison Law Library.

About AALL New Voices: AALL welcomes members to share their reflections on any component of law librarianship!

If you would like to participate, please send your submission of about 100-600 words to Megan Mall, AALL's director of content strategy, with "AALL New Voices" in the subject line.