

Dr. James S. Spiegel, Christian Ethics, Session 8, Natural Law Ethics

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This is Dr. James S. Spiegel in his teaching on Christian Ethics. This is session 8, Natural Law Ethics.

Okay, so having discussed Divine Command Theory, we're going to look at another major theological tradition in moral theory, and that's natural law ethics.

This one dates back to, especially Augustine and Thomas Aquinas, but the roots of natural law ethics go back to ancient Greece, Socratic philosophy, especially Aristotle, and the Stoics. So, here's a summary of some of the main themes of natural law ethics. We begin with the idea that everything has a telos, a purpose, an aim, or a function.

That certainly applies to man-made objects, clocks, shoes, ships, and everything else that we make. You know, these things have a purpose, an end, a function that they're supposed to serve. But this also includes human beings, the idea that human beings have a function or a purpose, which is something that's clear in Christian theology.

God made human beings a certain way. He made our organs a certain way to serve various purposes. And if we look closely at the way that we were designed and our design plan, we can essentially infer from those various functions certain moral truths.

So, the source of the telos of every natural object and human being is God. He made the world to be a functional, rational system. He designed all the things that he did for certain ends.

So, what we can infer from that is that there are certain natural laws. And some of these are descriptive, and others are prescriptive. In physics, for example, we can talk about various laws of gravity, the inverse square law, the laws of thermodynamics, the strong and weak nuclear forces, Avogadro's constant.

All of these regularities in nature are created by God to serve certain purposes, to make life as we know it possible. So, we call those natural laws or laws of nature. But there are also prescriptive laws that tell us how we should act, what sorts of behaviors we should adopt, and what kinds of conduct will be most beneficial to us.

So that's natural law. And as we observe these natural moral laws or prescriptions, things tend to go well for us. But as we deviate, then things tend to go bad.

And again, this has to do with how well we are fulfilling our telos, or our design plan in terms of our conduct. So, if we lie, we cheat, we steal, or we misbehave sexually, and we violate these natural prescriptions, things go bad for us. There are bad consequences and painful consequences.

Now, we're able to discover these natural laws because God made us rational; we're made in God's image, and so he has, as it were, tuned our minds to be alert to these various natural laws and how we ought to live in a general sense. As Aquinas puts it, we know our basic ends, and those things include self-preservation, pursuing understanding, educating our offspring, and avoiding harming or offending others. Now, this approach to ethics is not just philosophical, but it's also theological.

There are, in fact, biblical roots. We find these in Romans 1, Psalm 40, Jeremiah 31, Romans 2, Hebrews 8, and a few other places. Here's a key passage in Romans 2, where Paul writes, when Gentiles, who do not have the law, do by nature things required by the law, they are a law for themselves, even though they do not have the law.

They show that the requirements of the law are written on their hearts, their consciences also bearing witness, and their thoughts sometimes accusing them and at other times even defending them. So, there seems to be the idea here that we have a natural, inborn, or innate sense of right and wrong, of at least the fundamental prescriptions for our behavior, that even those who have no exposure to a special revelation are aware of, and hence Paul says these things are written on the hearts, which is a well-known metaphor. So, let's look a little more closely at a major natural law theorist, Thomas Aquinas.

He breaks down different categories of law. He provides us with a bit of a taxonomy that's helpful here. His general definition of law is an ordinance of reason for the common good promulgated by one who has cared for a community, and of course, this can apply and does apply, at multiple levels from federal or national governments all the way down to local governments, and families, and churches.

But the most encompassing category of law is what he calls eternal law, and that is just the sum of all of God's decrees that govern the universe, and natural law is that aspect of eternal law that is discernible by reason. It's that aspect of eternal law that we can figure out by, through our rational inquiry, and again, this aspect of eternal law that we can discover is aimed at our natural good, for our benefit, and that includes certain primary precepts, which are, as has been called, moral principles that we can't not know. These are things that no matter who you are, no matter what amount of education you've had, assuming you're basically cognitively functional, you will know, such as that you should pursue good and avoid evil, you should love your neighbor.

Moral principles that we can't not know. J. Budziszewski uses that phrase frequently in his work. He's a contemporary natural law theorist that we'll talk about in a moment.

Then, there are secondary precepts. These are moral norms that are derived from the primary precepts with applications that are still general, but they are derived from the primary precepts, including that we should not lie to people, and we should say return what belongs to others. Those are general applications of the idea of pursuing good, avoiding evil, and loving our neighbor, for example.

Thirdly, there's divine law, which is that aspect of the eternal law that is found or expressed in scripture, and that includes all sorts of things that go beyond natural law that we could not figure out through rational inquiry alone. We need a special revelation for that. And then, finally, there's human law, which refers to applications of natural law to civil society and perhaps also applications of divine law.

So, we have traffic laws, stop signs, speed limits, and so on. Those are designed in order to preserve life and to help society maintain a certain order and safety. They're certainly not things that we would get from scripture, but they are laws that enhance human life.

There are also laws that have been instituted in society that are basically direct applications of biblical laws, like laws against adultery that used to be common in the United States. So, human laws may apply certain insights from natural law, divine law, or both. Now, our reasoning or our thinking about natural law may be perverted, obscured, or warped in various ways, and Aquinas identifies some of these ways.

One of these is through passion, as one is overcome by strong emotions, such as anger. If someone has done something unjust to you, you might overreact and think that they deserve some sort of response that goes beyond real justice, and that can your anger can cloud your thinking, as well as sexual passions and other passions can cloud our thinking and obscure our understanding of natural law. Evil habits can also distort our thinking about natural law.

For example, repeated viewing of pornography can warp a person's understanding of sexual morality and natural law as it applies to that. Evil dispositions of nature is another category identified by Aquinas. Perhaps a genetic predisposition to alcoholism. There are certain genetic roots to that tendency or propensity.

Maybe that qualifies as an example of what Aquinas is talking about here. Vicious custom would be another, such as growing up in a society that approves of certain forms of illicit behavior, such as adultery or sexual promiscuity, or I think Aquinas

gives the example of approvals of bribery. If the community in which you were raised approves of certain forms of evil or immoral behavior, then to the extent that you're impacted by that, that may distort your understanding of natural law.

And then, finally, evil persuasion. As a person may be convinced by certain philosophical arguments that a particular kind of behavior is morally permissible when it's not, then their thinking about natural law is distorted to that extent. This list is probably not exhaustive, but those are some of the ways that Aquinas notes where thinking about natural law may be perverted.

Now, there are a number of objections that have been made regarding natural law and one of those is that there can't be natural law because there are no moral principles that can be rejected by someone. We can always find someone who is a proponent of some very wicked behavior, you know, whether it's mass murder or rape or the worst things that we can think of. We might call them sociopaths, but they still are out there.

And how should we respond to that? That's J. Bochenski and his response. He's got a couple of replies here. He says that we can know things that we don't know we know.

And so even though a person may deny, at least tacitly deny a certain natural law, that doesn't necessarily mean they don't know that natural law. They might be denying what they actually know. So, there are things that we can know that we don't know that we know.

And that's certainly the case in other areas, like in logic. A person can know the law of non-contradiction, which says that something cannot both be and not be at the same time and in the same respect without knowing that they know that. Maybe we'll take some explaining to them the concept and they say, well, yeah, I knew that.

I didn't know what that was called. So, there are things that we can know that we don't know we know. And it's also possible to repress or suppress things that we know.

So even though a person may deny that all human beings have rights, that people of all races and both genders have the same rights, it doesn't mean they don't really know it. They're suppressing that or repressing it. They're not wanting to acknowledge that for some reason or another.

And so, they know it, but they don't want to admit they know it. So, I think those are a couple of helpful responses to this objection. Another objection is that there can't be a natural law because people invent new values.

So Bochenski replies to this by noting that this is just false. People cannot invent values, at least true values, any more than they can invent, say, a new primary color. It might seem that way.

They might talk in terms that could sound persuasive along those lines. I have a new value and then give a name to it. But as Bochenski notes, that's probably, or it is just a new label for an old and well-known true value.

So that's how he responds to those objections. So, for all the insights of natural law ethics, there are certain limits. One that has been noted is that it provides little help regarding certain specific moral issues or dilemmas.

For example, the moral issue of distributive justice. How should goods and resources be distributed in a just society? Drug legalization. Even if drugs are immoral, recreational drugs, at least if many of them are immoral, the question still remains: should those recreational drugs be legal in a pluralistic society? Issues like this are difficult in any case, and natural law ethics seems minimally helpful in these cases.

And also, sometimes it's difficult to tell whether certain actions do or do not fulfill one's telos. In connection with this, there is the complaint by many critics of natural law ethics that just because something is unnatural doesn't mean that it's immoral, right? So, the tongue was not made to lick postage stamps, for example, or envelopes. But that doesn't mean that it's immoral to use the tongue for that purpose.

So, by extension, we need to be very careful what we attempt to read off bodily functions in terms of what's morally appropriate and what's not. Just because the most natural or obvious use of a particular bodily organ is one thing doesn't mean that it's immoral to use it in another context. So that's just one of the kind of abiding challenges in natural law ethics.

So, that's natural law ethics.

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