

Natural Law Theory



Normative Ethics: What practically constitutes morality? Aims to put forward a **method by which the right moral action can be discovered**, but **MANY** conflicting methods.

Meta Ethics: The study of ethical language and concepts. Before we can **decide what constitutes good/ bad behaviour we must define terms such as good/ bad etc.**

Applied Ethics: Employing moral theories to **make decisions about a real issue**, e.g. abortion.

Absolutist: a moral judgement that relies upon a fixed truth. No regard for consequences. Therefore stealing is always wrong.

Relativist: considers specific situations/circumstances. There are no fixed rules.

Subjectivist: judgements are based on personal opinion not on any fixed rules.

Objectivist: Judgements are made on an **impartial absolute fixed value system.**

Teleological: focused on the end result of the action.

Deontological: focused on the intention, rather than the outcome

The basic principles of Natural Law Theory:

God or the Gods has ordered the universe in a certain way.



This order is structured and has a purpose.



The order is deliberate- this has an impact for humans.



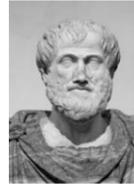
They must conform to the Natural Law made by God.



To stick to the Natural Law is morally GOOD. To go against the Natural Law is BAD.



Aristotle and Natural Law



Material substances: a physical object.

Rational form: concepts such as justice, truth and beauty.

Form and Substance **CANNOT** be separated. All things have material substance and a reason for their nature (rational form).

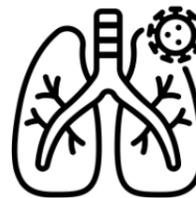
This is true of parts of the body. For an eye to function it requires the material substance of the eyeball and the rational form of sight.

For Aristotle the final end is **EUDAIMONIA**. This is **happiness**. But an even better definition is the contentment felt when a thing **achieves its purpose**.

If animate objects are designed to achieve eudaimonia and everything worked together properly, everything would be in harmony.

Example: human body. Organs working in sync and if one stops working it has a knock on effect. Eg. Bad lungs will often lead to a bad heart.

If someone's organs are working in harmony they are happy.



So if each individual in society strives to fulfil their own purpose, all of society will exist harmoniously.

There is a link between the natural order of things and morality. If we go against this order things are no longer harmonious and become wrong.



Natural Law Theory: Aquinas



"Good is to be done and pursued, and evil is to be avoided." Aquinas

The telos (purpose) of all humans = achieving heaven and a union with God. He gave this telos a connection to **MORALITY**. He believed human happiness could only be achieved by pursuing certain 'goods'. Therefore, in order to achieve happiness (aka get to heaven) Christians ought to live in accordance with Natural Law.

In order to help us achieve our telos Aquinas highlighted **FIVE Primary Precepts**. The primary precepts are **DESCRIPTIVE**.

1. The preservation of life.
2. Human procreation.
3. The advancement of knowledge and learning.
4. Living in a peaceful and harmonious community.
5. The worship of God.

It is the role the secondary precepts to be **PRESCRIPTIVE**. (Tell us what to do). The secondary precepts are just a practical implementation of the five primary precepts.

Aquinas did not direct exactly how the primary precepts ought to be implemented in all situations. We must use our reason to decide what ought to be done. **REASON:** the ability to analyse an argument, to criticize it and to evaluate it. According to Aquinas humans are capable of reason because they were created in the image of God. (Genesis 1:26)

1. The preservation of life. **Do not kill.**
2. Human procreation. **Contraception is wrong.**
3. The advancement of knowledge and learning. **Education should be free.**
4. Living in a peaceful and harmonious community. **Do not lie.**
5. The worship of God. **Go to church.**

What is immoral?

Essentially something is wrong if it causes the end to be different from the formal cause and does not follow the Primary Precepts.

Formal cause of war= process of protecting a country. End= a safe, protected country. But what actually happens is you end up destroying the country during the war. You have gone against the formal cause. The end will also change from protection to destruction. Therefore, war is **WRONG**.

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Natural Law Theory: Extended detail

Virtue: a quality considered morally good or desirable.

Vice: immoral behaviour or quality.

According to Aquinas there were 4 basic cardinal virtues.

1. Justice
2. Prudence
3. Temperance
4. Fortitude.

All of the virtues link to the primary precepts. You need all the virtues to follow the primary precepts. Vices prevent us from following the primary precepts. Therefore, must be avoided. Eg. Sloth, Gluttony and Lust.

Natural Law Theory is an **absolutist theory**. It tells us what we should and should not do. These rules should always be followed in all situations.

- You **SHOULD** worship God.
- You **SHOULD** procreate.
- You **SHOULD NOT** kill

However, despite being absolutist not all situations are clear and obvious.

In some moral dilemmas it is possible to apply The Law or Doctrine of Double effect.

The Doctrine of Double Effect says that if doing something morally good has a morally bad side-effect it's ethically OK to do it providing the bad side-effect wasn't intended. This is true even if you foresaw that the bad effect would probably happen.

Eg. A pregnant woman who has cancer can have chemotherapy as her primary intention is to save her life. However the secondary outcome/ double effect is the death of the foetus.

A doctor can give a suffering/ dying patient a large dose of morphine with the intention of easing pain, with the secondary consequence of hastening death.

The intention determines the morality of the action...but is it always possible to judge intention. **Harold Shipman**.



- ✓ Unites major monotheistic religions.
- ✓ Emphasises widely supported values. Eg. Preservation of life
- ✓ A human telos that is not hedonistic provides counterbalance to modern materialistic and hedonistic trends.
- ✓ It focuses on the value of human life.
- ✓ Emphasises social harmony.



- It seems incompatible with the message of love being the Golden Rule (see Situation Ethics). Joseph Fletcher argued that Jesus opposed legalism.
- Is it possible to judge what is natural? Modern medicine blurs these lines. Coma example.
- Are we really rational beings when considering moral dilemmas?
- Kai Nielsen – Natural Law Theory assumes all humans are the same, yet modern genetic studies show we are hard wired to be different **NATURALLY**. Eh. Homosexuality.
- Peter Vardy- individual problems do not fit into Natural Law Theory.
- It limits human freedom and does not take into account exceptions. Use alongside Vardy.
- Commits the Naturalistic Fallacy- just because nature is a certain way does not mean it ought to be.