

# *Natural Law in Today's Society*

How the classical theory of the Natural Law can be more rigorously derived from axioms of natural theology, and how our materialist culture misses the boat.

(A work in progress!)

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# *Plan of this Presentation*

- Why “Natural” Law?
- Axiomatic Systems, in General
- Aquinas' Natural Law Philosophy
- Some Basic Natural Law Axioms
- Natural Law Heuristics
- Natural Law Theories
- Questions about God's design
- Questions about free will/moral agency/the soul
- Conclusions

# *Why “Natural” Law?*

- What makes Natural Law “Natural”?
  - It's based on human nature: spiritual + material.
  - It's naturally knowable by all people.
  - Because of that, it's naturally authoritative.
- Misconceptions or Corruptions:
  - You don't have to believe in God to *accept* it.
  - It's best reduced to purely material axioms.
  - It's archaically tied to Aristotelian philosophy.

# *Axiomatic Systems, in General*

- As old as Euclid's system of geometry
- All axiom systems are “relational.”
  - David Hilbert recast geometry this way
  - Set theory, group theory, real numbers, etc.
  - Quantum physics has axioms
- Russell and Whitehead tried to develop a complete set of axioms for mathematics.
- Kurt Goedel proved this cannot be done.
- Heuristics can illuminate the use of axioms.
- Axiom systems can be modeled.

# *Aquinas' Natural Law Philosophy*

- The natural law is given by God.
- It is naturally authoritative over all human beings.
- It is naturally knowable by all human beings.
- The good is prior to the right.
- “Good” is teleological – fulfilling God's aims.
- Ultimate end: Divine Communion.
- Right action responds without defect to the good.
- Rules can be formulated to avoid these defects.

# *Examples of “The Good”*

- Things essential to human flourishing:
  - Life (air, nourishment, warmth, biological defenses)
  - Knowledge (curiosity, mental challenge)
  - Religion (worship, prayer)
  - Play (humor, games, entertainment, sport)
  - Marriage (sex, partnership, genericity).
- Things ordained to our ultimate end:
  - Agape love – forgiveness, self-sacrifice.
  - Trust in God, and his Son, Jesus.

# *Some Basic Natural Law Axioms*

1. All moral choice seeks the highest available good.
2. All moral choice originates in a responsible moral agent.
3. All good fulfills a purpose (immanent or ultimate).
4. Some purposes support (are instrumental to) others..
5. Groups of purposes can be mutually supportive.
6. Some purposes are root purposes.
7. God's purposes and their relationships are his will for us.
8. All moral agents are among God's root purposes.
9. Good human purposes are naturally instrumental to God's purposes.
10. Real good grows from God's root purposes. All other good is “dead.”
11. God's design (or will) is discernible in major/predominant phenomena.
12. God's design is obscured by natural corruption.

# *Natural Law Heuristics – Part I*

- Scripture has heuristic value for Natural Law.
  - Matthew 7:16 – “By their fruits you will know them.”
  - John 12:24 - “Amen, amen, I say to you, unless a grain of wheat falls to the ground and dies, it remains just a grain of wheat; but if it dies, it produces much fruit.”
- Clearly dominant and “fruitful” physical, biological and social phenomena point to God's design.
  - “Male and female, he created them.”
  - Symmetry and specialization are complementary values.
  - Inequality arises naturally in situational contexts.
  - Many “variations” are naturally fruitful, e.g. coloring, stature, build.
  - Self-sacrifice enhances the herd's chance of survival.
- Dysfunction is identifiable through statistical analysis.
  - Outliers enter through mutation, leave through natural selection.

# *Natural Law Heuristics – Part II*

- All natural relationships are interdependent.
  - All persons are a mix of “dominant” and “corrupt” phenomena.
  - People both have gifts and deficits in different, distinct measures.
  - Thus, both situational equality, and inequality, are natural to the human condition.
  - It is blessed to give, recognizing plenty, and to receive, recognizing need. [Both live out lives of humility.]
- Husband and wife were “designed” to live out an ideal natural interdependence harmonizing ideal natural specialization.

# *Natural Law Heuristics – Part III*

- The natural human enclave is a tribe (it generalizes the family).
- Tribes are overlapping, interdependent and hierarchical.
- Tribes can specialize in function: e.g., industrial, governmental, religious, athletic, artistic, etc.
- The basic tribal sub-unit is a family.
- Tribes can form a nation, which can, in time, form a national “super-tribe.”
- A theory of tribes subsumes family systems theory.
- The essential glue of a tribe is shared identity.
  - Cf. Matthew 25:31-46 – the parable of the sheep and the goats.
- John 15 can be stated: Jesus is the head of “the tribe.”

# *Natural Law Theories*

8. All moral agents are among God's root purposes.
  - A responsible moral agent is one who is endowed with a soul.
  - True free will is impossible under materialistic assumptions, where all motion is calculable up to probability distribution.
  - The most important “tribe” is rooted in God.
    - Cf. John 15:1-8

# *Natural Law Axioms – Part I*

- God “designed” the human person and the universe. Natural Law is based on that design.
  - Physics, chemistry, biology reflect that design.
  - This is complicated by statistical outliers.
- Free will is spiritual and material.
  - Moral responsibility is possible.
  - Physical causation constrains free will.
- Good is Immanent (Personal, Social) or Ultimate
  - Personal Good: the pleasing vs. the healthy.
  - Social Good: good of others, good of humanity.
  - Ultimate Good: communion with God, others.

# *Natural Law Axioms – Part II*

- The goods may conflict.
  - Cocaine, perversion “pleasing” but not “healthy” or “social.”
  - Personal survival vs. survival of others.
  - Genetic tinkering – good of others vs. species.
- Conflict resolution based on hierarchy of goods.
  - Maximizing the capacity for charity is the ultimate good.
  - This follows from our ultimate ends – divine communion.
  - No pain (in the act of charity), no gain!
  - Other goods are derivative.

# *Natural Law Axioms – Part III*

- Examples of conflict resolution:
  - Health preserves capacity for charity.
  - Personal growth enhances it.
  - Pleasing one's self “recharges” us.
  - Avoidance of perversion preserves human dignity.
  - Growth in charity requires progressive sacrifice.
  - Courage in suffering: trust in God, example to others.
  - Submitting to charity preserves communion.
  - NFP preserves the ultimate good of children.

# *Questions about God's design - I*

- Realism vs. Nominalism
  - Realism: human intelligence discovers that design through approximation.
  - Nominalism: human intelligence imposes structure where none exists inherently.
  - The history of science and the durability of physical law favors realism conclusively!
- Intelligible structure vs. no structure?
  - The “anthropic principle” and the “multiverse.”

# *God's Design – Part II*

- Can we recognize God's “signature?”
  - The laws of physics are tuned to support life.
  - The quark structure of baryons reflect Trinity.
  - The hydrogen atom reflects the Incarnation.
  - The genetic code reflects “the Word.”
  - Prenatal influence reflects “the Spirit.”
  - The human family reflects the Trinity and the Mystical Body.

# *God's Design – Part III*

- “The Law of Futility” – Entropy and Chaos
  - The Law of Entropy ensures universal death.
  - Entropy and chaos ensure statistical “outliers” – noise in God's design – are inevitable!
  - Entropy ensures our constant need for energy.
  - Entropy and chaos ensure the endless rise of new threats.
  - Entropy and chaos ensure accidents will happen.
- What does this say about God's purposes?

# *God's Design – Part IV*

- Human Genetics
  - 46 chromosomes in 23 pairs
  - Sexual reproduction (gamete contributes half)
  - Genetic code carries information + noise
- Statistical Outliers – the “Noise”
  - Aneuploidy, when the “23 pairs” math fails
  - Hormonal excess or deficiency and behavior
    - Inherent genetic flaws, neonatal problems or post-natal environment.
    - Cross-gender confusion, sexual perversion.

# *God's Design – Part V*

- The miracle of free will!
- Instinct vs. free will choices
- Limitations in human understanding
- Limitations in human learning
- Virtue vs. vice – stable behavior patterns
- Malleability/brittleness of human behavior

# *Problem of Free Will – Part I*

- Moral culpability requires free will.
- But, what does “free will” mean?
  - “Freedom” is insufficient for culpability.
  - What about “restraint/coercion” from physics?
  - Stephen Hawking's comments on determinism.
- Free will defies physical law!
  - Laws of physics are “deterministic.”
  - Randomness is just a form of determinism.
  - Free will implies we have a non-material soul.

# *Problem of Free Will – Part II*

- Human *life* depends on genuine free will and moral culpability.
  - If all are determined, no one is to blame! What really happens when the foundations of society are rigorously materialistic?
  - Without free will, good vs. evil is unintelligible.
  - Life has no meaning, because it's just a playing out of equations!
  - Without free will, there is no afterlife. There is no real love.
  - Without moral agency, there is only immanent, biological purpose.

# *Problem of Free Will – Part III*

- Free will implies the human soul.
- Key question: When does a human body receive a soul?
  - Real moral choices require a faculty of reason, yet it's absurd to suppose God waits until we're 7 years old (or until we can reason)!
  - Any choice of “ensoulment” before that is arbitrary – except conception itself.
- The human being has infinite value!

# *Applications*

- The Traditional Family
- Sex and Object: chastity according to state
- Science and Fertility
- Internal Discipline – self, couple, family, state
- External Discipline – children, citizens, partners
- Natural vs. Artificial Family Planning
- Dialog vs. Authority vs. “Diversity”

# *Conclusions*

- Man is ordained to choose the good.
- Goods are “ordered” (there is a hierarchy).
  - Absolute and derivative (human life, comfort).
  - Supernatural and natural (*agape, infatuation*).
- Natural Law is “natural” but not “material.”
  - God is the measure of all things.
  - Man is his apprentice.

# *Conclusions*

- Natural Law axioms are most coherent when “relational.”
- No set of Natural Law axioms can be complete (but 12 is a nice number).
- Natural Law is “naturally” buttressed by heuristics and meta-theories.
- Natural Law is properly a field of Natural Theology.
- Free will/moral agency is a core concept in all moral theories/axiom systems.