

# NATURAL LAW

## DEFINITION

Natural law is a theory asserting that certain rights or values are inherent by virtue of human nature and can be universally understood through human reason. It posits that these laws are immutable and unchangeable, serving as a basis for morality and justice throughout human history.

## EXAMPLES

- Right to life
- Pursuit of happiness
- Family bonds
- Property ownership
- Self-defense
- Truth-telling
- Religious freedom
- Reproduction rights

# Natural Law

**Charles E. Rice**



## **Natural Law:**

*After the Natural Law* John Lawrence Hill, 2016 The natural law worldview developed over the course of almost two thousand years beginning with Plato and Aristotle and culminating with St Thomas Aquinas in the thirteenth century This tradition holds that the world is ordered intelligible and good that there are objective moral truths which we can know and that human beings can achieve true happiness only by following our inborn nature which draws us toward our own perfection Most accounts of the natural law are based on a God centered understanding of the world *After the Natural Law* traces this tradition from Plato and Aristotle to Thomas Aquinas and then describes how and why modern philosophers such as Descartes Locke and Hobbes began to chip away at this foundation The book argues that natural law is a necessary foundation for our most important moral and political values freedom human rights equality responsibility and human dignity among others Without a theory of natural law these values lose their coherence we literally cannot make sense of them given the assumptions of modern philosophy Part I of the book traces the development of natural law theory from Plato and Aristotle through the crowning achievement of Thomas Aquinas Part II explores how modern philosophers have systematically chipped away at the only coherent foundation for these values As a result our most important moral and political ideals today are incoherent Modern political and moral thinkers have been led either to dilute the meaning of such terms as freedom or the moral good or abandon these ideas altogether Thus modern philosophy and political thought are leading us either toward anarchy or totalitarianism The conclusion entitled *Why God Matters* shows how even the philosophical assumptions of the natural law depend on a personal God

*Natural Law and Natural Rights* John Finnis, 2011-04-07 First published in 1980 *Natural Law and Natural Rights* is widely heralded as a seminal contribution to the philosophy of law and an authoritative restatement of natural law doctrine It has offered generations of students and other readers a thorough grounding in the central issues of legal moral and political philosophy from Finnis's distinctive perspective This new edition includes a substantial postscript by the author in which he responds to thirty years of discussion criticism and further work in the field to develop and refine the original theory The book closely integrates the philosophy of law with ethics social theory and political philosophy The author develops a sustained and substantive argument it is not a review of other people's arguments but makes frequent illustrative and critical reference to classical modern and contemporary writers in ethics social and political theory and jurisprudence The preliminary First Part reviews a century of analytical jurisprudence to illustrate the dependence of every descriptive social science upon evaluations by the theorist A fully critical basis for such evaluations is a theory of natural law Standard contemporary objections to natural law theory are reviewed and shown to rest on serious misunderstandings The Second Part develops in ten carefully structured chapters an account of basic human goods and basic requirements of practical reasonableness community and the common good justice the logical structure of rights talk the bases of human rights their specification and their limits authority and the formation of

authoritative rules by non authoritative persons and procedures law the Rule of Law and the derivation of laws from the principles of practical reasonableness the complex relation between legal and moral obligation and the practical and theoretical problems created by unjust laws A final Part develops a vigorous argument about the relation between natural law natural theology and revelation between moral concern and other ultimate questions Natural Law Howard P. Kainz,2004 Is there such a thing as an objective law of morality Natural law theorists maintain that there is and Natural Law probes the history and implications of this powerful concept Tracing the development of natural law from ancient times to the present the book also examines the leading figures transitions and turning points in the idea s evolution and brings a natural law approach to contemporary issues such as abortion homosexuality and assisted suicide The Idea of Natural Rights Brian Tierney,2001 This series originally published by Scholars Press and now available from Eerdmans is intended to foster exploration of the religious dimensions of law the legal dimensions of religion and the interaction of legal and religious ideas institutions and methods Written by leading scholars of law political science and related fields these volumes will help meet the growing demand for literature in the burgeoning interdisciplinary study of law and religion *Research Handbook on Natural Law Theory* Jonathan Crowe,Constance Youngwon Lee,2019 p p1 margin 0 0px 0 0px 0 0px 0 0px font 10 0px Arial p p2 margin 0 0px 0 0px 0 0px 0 0px font 10 0px Arial min height 11 0px span s1 font 10 0px Helvetica This thought provoking Research Handbook provides a snapshot of current research on natural law theory in ethics politics and law showcasing the breadth and diversity of contemporary natural law thought The Research Handbook on Natural Law Theory examines topics such as foundational figures in Western natural law theory natural law ideas in a variety of religious and cultural traditions normative foundations of natural law as well as issues of law and governance Featuring contributions by leading international scholars this Research Handbook offers a valuable resource for scholars in law philosophy religious studies and related fields *Natural Law and the Nature of Law* Jonathan Crowe,2019-04-25 Presents a systematic contemporary defence of the natural law outlook in ethics politics and jurisprudence **The Problem of Natural Law** Douglas Kries,2007-01-01 The Problem of Natural Law takes up the problem of how natural law theory might be made a serious contender in modern moral political and legal debate Author Douglas Kries takes as his starting point the question of how human beings are said to know the natural law which is a question that has traditionally been answered by appealing to the notion of conscience Since Thomas Aquinas articulated the classic formulation of natural law theory the book begins with an analysis of Thomas s notion of conscience It then examines both the philosophical and theological objections that have been raised against the Thomistic notion of conscience and argues that this long standing teaching could and should be bracketed by contemporary natural law theory On the basis of this reformulation of natural law Kries then proceeds to show how reviving natural law theory might be possible in the contemporary context though it will need to be preceded by a reformulation of the natural law theory itself especially with respect to the doctrine of conscience If this is accomplished

Thomistic natural law will be better situated to respond to its three most important contemporary critics the existentialism of Sartre the deontologism of Kant and the political hedonism of Hobbes      *Natural Law* Edith Jemima Simcox,2011-12-22

First published in 1877 this book analyses the laws that govern human relations with society and with the natural world

The Principles of Natural Law Jean Jacques Burlamaqui,1780      **Nature as Reason** Jean Porter,2005 This noteworthy book develops a new theory of the natural law that takes its orientation from the account of the natural law developed by Thomas Aquinas as interpreted and supplemented in the context of scholastic theology in the twelfth and thirteenth centuries Though this history might seem irrelevant to twenty first century life Jean Porter shows that the scholastic approach to the natural law still has much to contribute to the contemporary discussion of Christian ethics Aquinas and his interlocutors provide a way of thinking about the natural law that is distinctively theological while at the same time remaining open to other intellectual perspectives including those of science In the course of her work Porter examines the scholastics assumptions and beliefs about nature Aquinas s account of happiness and the overarching claim that reason can generate moral norms Ultimately Porter argues that a Thomistic theory of the natural law is well suited to provide a starting point for developing a more nuanced account of the relationship between specific beliefs and practices While Aquinas s approach to the natural law may not provide a system of ethical norms that is both universally compelling and detailed enough to be practical it does offer something that is arguably more valuable namely a way of reflecting theologically on the phenomenon of human morality      *The Natural Law* Heinrich Albert Rommen,1979      Natural Law Ethics Philip E. Devine,2000-05-30

The natural law tradition which takes as central to moral discussion an appeal to our common humanity provides a sustainable and attractive approach to problems of ethics and morals This volume presents a contemporary version of natural law ethics one that does not rely for support on the authority of Aristotle or St Thomas Aquinas however much it is indebted to them and their followers for inspiration and arguments The author discusses the mutual relations of four key moral concepts the good virtue duty and rights as well as their application to various issues including environmental concerns homosexuality and suicide While examining the role of morality in a way of life and the relation between morality and religion he defends the natural law tradition against a range of philosophical and theological opponents      **Natural Law** Ben Wood Johnson,2017-06-06 *Natural Law Morality and Obedience* This short opus is part of a collection of a larger body of work which are dedicated to the subject of law or legal obligation This installment focuses on natural law The goal here is to elucidate the essentiality of citizen obedience Another goal here is to make the case that while in theory the notion of natural law seems to contradict the concept known as positive law when it comes to legal obligation in practice of course any distinction if it were to exist at all is negligible This text examines the degree to which natural law as presently understood could explicate the reason people may feel obligated to obey laws The book further explores the rationale for legal obedience in terms of morality and reason It examines popular legal precepts notably positive law and other doctrines related to natural

law The arguments echoed throughout the text are unique But it is important to point out that a full appreciation of the notion of Natural Law may require some anterior understanding about the concept of Legal Theory I encourage you to keep a positive outlook as you navigate the manuscript Contemporary Perspectives on Natural Law Dr Ana Marta

González,2012-10-01 Resorting to natural law is one way of conveying the philosophical conviction that moral norms are not merely conventional rules Accordingly the notion of natural law has a clear metaphysical dimension since it involves the recognition that human beings do not conceive themselves as sheer products of society and history And yet if natural law is to be considered the fundamental law of practical reason it must show also some intrinsic relationship to history and positive law The essays in this book examine this tension between the metaphysical and the practical and how the philosophical elaboration of natural law presents this notion as a limiting concept between metaphysics and ethics between the mutable and the immutable between is and ought and in connection with the latter even the tension between politics and eschatology as a double horizon of ethics This book contributed to by scholars from Europe and America is a major contribution to the renewed interest in natural law It provides the reader with a comprehensive overview of natural law both from a historical and a systematic point of view It ranges from the mediaeval synthesis of Aquinas through the early modern elaborations of natural law up to current discussions on the very possibility and practical relevance of natural law theory for the contemporary mind *The Contribution of Natural Law Theory to Moral and Legal Debate Concerning Suicide, Assisted*

*Suicide, and Euthanasia* Craig Paterson,2010-05-13 **Natural Law** Georg Wilhelm Friedrich Hegel,1975 One of the central problems in the history of moral and political philosophy since antiquity has been to explain how human society and its civil institutions came into being In attempting to solve this problem philosophers developed the idea of natural law which for many centuries was used to describe the system of fundamental rational principles presumed universally to govern human behavior in society By the eighteenth century the doctrine of natural law had engendered the related doctrine of natural rights which gained reinforcement most famously in the American and French revolutions According to this view human society arose through the association of individuals who might have chosen to live alone in scattered isolation and who in coming together were regarded as entering into a social contract In this important early essay first published in English in this definitive translation in 1975 and now returned to print Hegel utterly rejects the notion that society is purposely formed by voluntary association Indeed he goes further than this asserting in effect that the laws brought about in various countries in response to force accident and deliberation are far more fundamental than any law of nature supposed to be valid always and everywhere In expounding his view Hegel not only dispenses with the empiricist explanations of Hobbes Hume and others but also at the heart of this work offers an extended critique of the so called formalist positions of Kant and Fichte *Natural Law, Laws of Nature, Natural Rights* Francis Oakley,2005-09-22 Choice Outstanding Academic Title 2006

The existence and grounding of human or natural rights is a heavily contested issue today not only in the West but in the

debates raging between fundamentalists and liberals or modernists in the Islamic world So too are the revised versions of natural law espoused by thinkers such as John Finnis and Robert George This book focuses on three bodies of theory that developed between the thirteenth and seventeenth centuries 1 the foundational belief in the existence of a moral juridical natural law embodying universal norms of right and wrong and accessible to natural human reason 2 the understanding of scientific uniformities of nature as divinely imposed laws which rose to prominence in the seventeenth century and 3 finally the notion that individuals are bearers of inalienable natural or human rights While seen today as distinct bodies of theory often locked in mutual conflict they grew up inextricably intertwined The book argues that they cannot be properly understood if taken each in isolation from the others

Edmund Burke and the Natural Law Peter James Stanlis, 2015-03-10 Today the idea of natural law as the basic ingredient in moral legal and political thought presents a challenge not faced for almost two hundred years On the surface there would appear to be little room in the contemporary world for a widespread belief in natural law The basic philosophies of the opposition the rationalism of the philosophes the utilitarianism of Bentham the materialism of Marx appear to have made prior philosophies irrelevant Yet these newer philosophies themselves have been overtaken by disillusionment born of conflicts between might and right Many thoughtful people who were loyal to secular belief have become dissatisfied with the lack of normative principles and have turned once more to natural law This first book length study of Edmund Burke and his philosophy originally published in 1958 explores this intellectual giant's relationship to and belief in the natural law It has long been thought that Edmund Burke was an enemy of the natural law and was a proponent of conservative utilitarianism Peter J Stanlis shows that on the contrary Burke was one of the most eloquent and profound defenders of natural law morality and politics in Western civilization A philosopher in the classical tradition of Aristotle and Cicero and in the Scholastic tradition of Aquinas Burke appealed to natural law in the political problems he encountered in American Irish Indian and British affairs and in reaction to the French Revolution This book is as relevant today as it was when it was first published and will be mandatory reading for students of philosophy political science law and history

*50 Questions on the Natural Law* Charles E. Rice, 1999 Charles Rice professor of the jurisprudence of St Thomas Aquinas for the last twenty years at Notre Dame Law School presents a very readable book on the natural law as seen through the teachings of Aquinas and their foundations in reason and Revelation Reflecting on the most persistent questions asked by his students over the years Rice shows how the natural law works and how it is rooted in the nature of the human person whose Creator provided this law as a sure and knowable guide for man to achieve his end of eternal happiness This book presents the teachings of the Catholic Church in her role as arbiter of the applications of the natural law on issues involving the right to life bioethics the family and the economy Charles Rice has produced a firmly grounded and accessible handbook which touches on the most important topics regarding natural law that will benefit readers of all backgrounds

*Written on the Heart* J. Budziszewski, 2009-08-20 J Budziszewski presents and defends the natural law tradition by

expounding the work of leading architects of the theory including Aristotle Thomas Aquinas and John Locke



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## **Table of Contents Natural Law**

1. Understanding the eBook Natural Law
  - The Rise of Digital Reading Natural Law
  - Advantages of eBooks Over Traditional Books
2. Identifying Natural Law
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Natural Law
  - User-Friendly Interface
4. Exploring eBook Recommendations from Natural Law
  - Personalized Recommendations
  - Natural Law User Reviews and Ratings
  - Natural Law and Bestseller Lists
5. Accessing Natural Law Free and Paid eBooks

- 
- Natural Law Public Domain eBooks
  - Natural Law eBook Subscription Services
  - Natural Law Budget-Friendly Options
6. Navigating Natural Law eBook Formats
    - ePub, PDF, MOBI, and More
    - Natural Law Compatibility with Devices
    - Natural Law Enhanced eBook Features
  7. Enhancing Your Reading Experience
    - Adjustable Fonts and Text Sizes of Natural Law
    - Highlighting and Note-Taking Natural Law
    - Interactive Elements Natural Law
  8. Staying Engaged with Natural Law
    - Joining Online Reading Communities
    - Participating in Virtual Book Clubs
    - Following Authors and Publishers Natural Law
  9. Balancing eBooks and Physical Books Natural Law
    - Benefits of a Digital Library
    - Creating a Diverse Reading Collection Natural Law
  10. Overcoming Reading Challenges
    - Dealing with Digital Eye Strain
    - Minimizing Distractions
    - Managing Screen Time
  11. Cultivating a Reading Routine Natural Law
    - Setting Reading Goals Natural Law
    - Carving Out Dedicated Reading Time
  12. Sourcing Reliable Information of Natural Law
    - Fact-Checking eBook Content of Natural Law
    - Distinguishing Credible Sources
  13. Promoting Lifelong Learning
    - Utilizing eBooks for Skill Development

- 
- Exploring Educational eBooks

#### 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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