**Chapter 11 The Natural Law**

 **A. Eternal Law**

1. This expresses the relationship between the Creator and creation.

 a. The divine reason or the will of God commanding that the natural

 order of things be preserved and forbidding that it be distorted.

 2. The eternal law includes physical laws and moral laws.

 a. God directs all creatures toward their ends.

 b. Non-free beings to the physical laws inherent in their nature.

 c. Free beings by the moral law to which they are expected to freely

 conform their conduct.

 3. St. Thomas Aquinas’ Three Parts of the Eternal Law

 a. God rules the world. God has a plan in creating the world and directs

 all things to the ends he has given them. God is not indifferent as to

 whether his plan will be carried out.

 b. He rules the world by law. It possesses the five characteristics for a

 definition of the Law. It establishes order and harmony in creation

 and it is embedded in the very essence of the creatures governed.

 c. It is an eternal law. The intellect and will of God are identified with

 his essence which is eternal and unchangeable.

 4. Promulgation is adapted to the nature of the creature.

 a. Active promulgation: God decree to make the law known to creatures

 if and when they exist.

 b. Passive promulgation: The actual knowing of the law by the creatures

 and this is not eternal.

 5. Eternal law means the law in the lawgiver rather than the law in the subject

 bound by it.

 **B. Definition of Natural Law**

1. It is the eternal law in God. AS applied to creatures, it is called the natural

 law.

 a. In all things in nature, there are constant and uniform inclinations to

 attain definite ends.

 b. The temporal effect of the eternal law in creatures is called the

 natural law because it is grounded in nature itself and manifests

 itself through the nature or essence or constitution of things.

 c. Physical law: An aspect of the natural law governing non-rational

 creatures.

 d. Natural moral law is the aspect of the natural law governing rational

 creatures.

 2. Man is both a physical and moral being.

 a. On the physical side, man is governed by physical laws just as the rest

 of material creation.

 b. On the moral side, by his knowledge of the moral law and the

 freedom of applying it to his human acts, man becomes a partaker in

 his own governance.

 c. He is allowed to freely cooperate with God in achieving the plan of

 creation.

 3. St. Thomas Aquinas’ definition of the moral law: *It is nothing else than the*

 *rational creature’s participation in the eternal law.*

 **C. Problems**

1. How can a law be made known to man through his nature?

 a. What is the proof that God has imposed a natural law on man?

 2. Various positions:

 a. Possibility of natural law

 b. Existence of natural law.

 c. Knowledge of the natural law.

 d. Unchangeableness of the natural law.

 **D. Possibility of the Natural Law**

1. It is promulgated to man through his rational nature. BUT, we are not talking

 about natural law in terms of innate ideas.

 a. Man’s nature is rational and he finds the natural law by use of his

 reason in drawing conclusions about his own nature.

 b. Man has a natural interest in and facility for forming rules of conduct.

 He is self-reflective and can evaluate and criticize his own actions.

 He can understand the needs of his own nature and the suitability of

 his deeds to his needs. He can compare his conduct with his nature.

 c. Natural law is manifested to reason not by any external sign, but

 simply by a rationally conducted examination of his human nature

 with all its parts and relations and in particular in its relation to God,

 the Supreme Law Giver.

 2. Formal or virtual views of Natural Law

 a. Formally: These are the actual judgments of practical reason on what

 ought to be done or not done. Natural law is the sum of these

 judgments.

 b. Virtually: This is practical reason insofar as it has a natural tendency

 for making moral judgments.

 c. Natural law exists virtually in every rational being before his reason is

 sufficiently developed to form the actual judgments.

 **E. Existence of the Natural Law**

1. By the eternal law God wills that all creatures attain the ends he has given

 them. Since he who wills an end also wills the necessary means to the end,

 God must guide man to his end by use of adequate means.

a. The means must be powerful enough to produce the effect.

 b. It must be suited to man’s free and rational nature.

 2. The only means that is efficacious and suited to man’s nature is the natural

 law.

 a. It must be a law with real binding force.

 b. It must be a moral law so that man may truly exercise his freedom.

 c. It must be a natural law. Man can also find that his nature is the

 means that will guide him to his end.

 **F. Knowledge by the Natural Law**

1. Dilemma:

 a. We know a-priori from the demands of the natural law itself that it

 must be sufficiently known to the generality of mankind.

 b. We also know a-posteriori from experience that there is much

 controversy and disagreement of opinion on matters of morality,

 betokening a widespread ignorance.

 c. Some disagreements are in regard to the application of the Law,

 others deal with the very principles of morality.

 2. Natural Law consists of precepts of varying degrees of importance for the

 welfare of humanity; the more fundamental principles can be known, but

 the reasoned conclusions derived from them can be unknown.

 3. Levels in the knowledge of the Natural Law:

 a. There is one first principle of the Natural Law: It is described as:

 DO GOOD AND AVOID EVIL. Lead a life in accord with reason. Seek

 your final end.

 b. Common principles based on the first principle: they express the

 natural inclinations man has in common with all substances: PRESERVE

 YOUR OWN BEING. Or with animals: CARE FOR YOUR OFFSPRING. Or

 man’s reason: DO NOT MURDER. TREAT OTHERS WITH FAIRNESS.

* The need for moral formation may not be commonly recognized, but it is a very important factor.

 c. There are remote conclusions derived by a complicated process of

 reasoning. These are seen as secondary precepts of the natural law or

 remote conclusions. These include examples such as SUICIDE, MERCY

 KILLING, DIVORCE AND POLYGAMY.

 d. Applications of the principles of natural law to particular cases. One

 may err in the application of the principles to a concrete case.

 4. Argument

 a. The more common and general principles are based on the first

 principle.

 b. Ignorance of these principles would make moral life and human

 society utterly unlivable.

 c. God sees to it that we do not fail to know the general [rinciples of

 morality, but lets us use our own reason in working out the details of

 a complete moral system.

 5. Apparent Exceptions to the Natural Law

 a. Are the facts certain?

 b. Are moral implications properly interpreted?

 c. Is this a general principle or a remote conclusion?

 d. Is it a moral precept or its application?

 e. Are these normal or mature people?

 f. Is their ignorance really invincible?

 **G. Unchangeableness of Natural Law**

 **1.** Natural law is founded in principle on unchanging human nature.

 2. Laws come into Being by enactment and abolished by repeal.

 a. Laws are changed by amendment. Can these principles of positive law

 be applied to the Natural Law?

 b. Extrinsic change of the law happens through the Lawgiver.

 c. Intrinsic change of the Law happens when the law becomes useless or

 harmful.

 d. Exception means that the person ceases to be one on whom the law is

 imposed.

 e. Dispensation is the relaxation of the Law by a legitimate authority in

 a particular case.

 3. Objectively, the Natural Law cannot undergo a change or relaxation. Thus

 there are three principles

 a. The Natural Law is intrinsically unchangeable. If the human race is

 essentially unchangeable what is in harmony with human nature us

 unchangeable.

 b. The Natural Law is extrinsically unchangeable. God would not change

 the Law without contradicting himself.

 c. There is no exemption or dispensation from the Natural Law. If this

 were to be possible, then man would have to be exempted or

 dispensed from his human nature.

 4. Responses to the three propositions:

 a. Could God change human nature and thus the natural law? This is

 simply seen as idle speculation with no roots in practical reality.

 b. Why can’t natural law change? Human beings are subject to change

 because of their imperfect character. God’s laws are not subject to

 such imperfect limitations.

 c. God was free to create man, but man must live in accord with the

 nature he was given.

 d. God cannot grant free creatures the permission to act contrary to

 their natures.