

February 1970

Personal Growth: Up-Dating the Natural Law

Warren T. Reich

Follow this and additional works at: <https://epublications.marquette.edu/lnq>

Recommended Citation

Reich, Warren T. (1970) "Personal Growth: Up-Dating the Natural Law," *The Linacre Quarterly*: Vol. 37: No. 1, Article 7.

Available at: <https://epublications.marquette.edu/lnq/vol37/iss1/7>



Rev. Reich is an assistant professor of Moral Theology at the Catholic University of America. He has published works on conscience, natural law, sexual ethics and medical ethics in theological journals and books in this country and in Germany. He is presently Secretary of the Catholic Theological Society of America.

Personal Growth: Up-Dating the Natural Law

Warren T. Reich, S.T.

In his first editorial, the new editor of the *Linacre Quarterly* presented a challenge to moral theologians to contribute sound theological opinion to discussions on some pressing contemporary problems so as to give guidance where possible in controversial areas within the framework of our traditional beliefs and concepts (November, 1969, pp. 211-212). Certainly any reader of this journal will contest the words of Dr. Mullooly that

"we are living in a peculiar, revolutionary age where everything that has been taken for granted is suddenly being questioned from every conceivable angle." Man naturally wants to remove confusion from his life, and it would be indisputably beneficial if one could resolve the ethical and moral questions generated by the rapid advance of modern science. This article will go very far in accomplishing that. Rather, it will attempt to lay a natural

processes: these areas of life are "given," and unchanging natural law precepts are "already there." Man is free either to accept them and live according to them, or to reject them. It is true that these notions were disseminated by Catholic theologians and clergy, but it is also clear from recent philosophical and theological research that these presuppositions find a firm basis neither in Scripture nor in traditional Catholic theology.

law foundation for approaching some of the problems of the day. In line with the purpose of this issue, it will attempt to show how the natural law theory is not an outside watchdog guarding the ethics of psychiatry, psychology, mental health services and other areas of medical practice touching on these specialties, but instead that the natural law grows out of and is based on some concepts quite familiar to these areas of scientific and medical concern.

What is the natural law and how certain is it? There are a number of popular assumptions among Catholics and about "Catholic teaching on the natural law" among those of other faiths which need exposing. It is sometimes assumed that when all else fails in giving sure answers there is the natural law to fall back on, because it is unchanging. It is further supposed that the natural law refers to a series of formulated assertions on what man ought to do in many areas of his life, that these "precepts of the natural law" are solidly based on the unchanging nature of man as rational animal, and that these precepts are incontestable because they come from God the author of nature. For example, it is presumed that man does not have many moral perplexities in face of the "natural institution" which is marriage or the natural biological

It should be stated from the outset that Catholic moral teaching has not always relied on natural law teaching, that there have been many good but differing natural law theories employed by Catholic theology, that the Church's magisterium has employed some very different approaches to the natural law from time to time and has altered some significant natural law teachings, and that no natural law system has been revealed or confirmed by revelation. (The Bible shows very little interest in essential descriptions of man on which a natural law theory could be developed; rather, it is concerned with human existence and human behavior in light of the call of grace from God.)

Due to these variables, and because we are now faced with the need to rely more and more on Scripture and to speak a common voice with our separated Christian brethren in addressing ourselves to the moral problems of the day, there are some who suggest that the natural law should be scrapped, that it has had its day. However, there are many of us in the field of Catholic moral theology who believe that, if viewed in a true Christian fashion and if based on the best available knowledge of the meaning of man, a natural law theory is not only viable but indispensable to Christian morality. Some of the components of a Christian natural law theory as conceived by theologians nowadays, in the light of the teaching of Aquinas and contemporary anthropological philosophy and theology, can be summarized under two headings.

1. *In the proper sense of the term, the natural law is an unformulated moral law.* St. Thomas gives a simple

definition: natural law is the rational creature's participation in the divine law (S. Theol., I-II, 91, 2). The divine law *par excellence* is the *eternal law* of God which reigns over the entire universe. It is the plan of divine wisdom which is given promulgation in time by creation and revelation. The natural moral law corresponds primarily to the eternal law promulgated in creation. Aquinas adds that all beings are subject to the eternal law (divine providence) and for this reason have an inherent inclination to a corresponding way of acting. In other words, the eternal law (the divine command governing the sum total of reality) is so much at the very heart of things that it is identical with the innermost nature and activity of a being. This natural inclination or natural tendency toward a goal which runs through the entire order of creation may be called the natural law, but it is not yet a natural *moral* law. Perhaps a scientific law of nature may be deduced from the operation of nature itself; but the natural *moral* law, as the *specific* moral law of *man*, is a law of *reason*. The merely natural order of creation constitutes an ontological presupposition for what we mean by the natural moral law: it must be penetrated by reason before we know what moral demands it holds in store for us.

This means that men, in striving for their final goal, are not subjected to a set of ready-made and eternally valid laws which they only need to carry out. Man is not directed in a passive way by the eternal law: he shares in it actively by his own foresight and care. Aquinas taught that man shares in divine providence by being provident for himself and others (S. Theol. I-II, 91, 2). In a true sense, then, we can say that, most radically, man is a law

unto himself – not in some arbitrary fashion (for that would be opposed to the givenness of the ontological presuppositions presented in creation), but because the “natural inclination to his goal” is a mandate which must be first recognized by his own reason and then carried out in free responsibility.

What we are saying is that the natural moral law is objective, but this does not mean that it is only a summary of already-given precepts which we may immediately find as such in the world of nature. Rather, the natural moral law is man himself in his total reality, man as capable and morally obliged to recognize and pursue the basic demands for his self-realization. Or, to put it another way, man as a person has the task not simply of recognizing the realities and facts found in this world of man and to place himself in the service of these realities: he has to humanize all these given data of his given nature through his discreet use of reason (illuminated by faith).

This understanding of the natural moral law should not be alien to the world of today, for modern man is becoming more and more aware of his autonomy, of his need for freedom from physical, psychological, social, political and economic slaveries, and of his spiritual powers. But is it asking too much of man accurately to recognize and pursue his true self-realization in the sight of God and to make this relevant to the law of his conduct in every situation? Hardly. Traditional Catholic moral theology has put great emphasis on the notion of *synderesis* (sometimes called “natural conscience” or “fundamental conscience”) – the deep and irreversible tendency of man to the good, of the personal goodness of the entire man moving him to know the basic

goods of his nature infallibly and quasi-intuitively, to pursue and affirm and do the good, and to avoid the evil. This is clearly a great responsibility and a great risk: to embrace one's own law of freedom, not through merely superimposed norms nor through innate moral ideas, but through an active rational orientation whereby man derives the (obliging) moral law of free action from reality.

2. *The natural moral law is also a formulated law, but in a secondary and derived sense.* We could not even speak of a natural moral law of man unless we acknowledge that it is possible to derive specific obligations and to formulate them as universally valid on the basis of a rational insight into certain ultimate ontological structures valid for all men. Obviously the validity of any such precepts of the natural moral law depends entirely on whether and to what extent general structures of human existence can be known and verified. It is precisely here that we are faced with many perplexing questions nowadays. What is the meaning of man? Can this meaning be defined once and for all? Are the mere and obvious animality and rationality of man adequate expressions of his meaning? Does not man himself undergo significant changes in the course of history? For that matter, does man not undergo some important changes in his individual lifetime? And is not our knowledge of man itself conditioned by historical process and cultural presuppositions? Do we ever have a grasp on absolute truth, even in a few basic human matters, or is it not always a question of *perspectives* of the knowledge of truth? These questions cannot be easily brushed aside.

A knowledge of the meaning of man cannot adequately be acquired

through the empirical method, because no matter how carefully empirical data may be gathered, it never gets beyond the realm of pure fact. It does not attain to the knowledge of essences. The social scientist or anthropologist may be able to tell us what man has always considered just or unjust, but he can never tell us what *must* be considered just, based on the nature of man himself.

Because we *are* looking for what *must* be considered good based on the nature of man himself, we are looking for an *a priori* law governing human nature and man's conduct. For this, philosophical reflection is indispensable – a deduction on the very meaning of man and the essential categories of his being resulting from a rational penetration of what is true on the empirical, factual level. According to St. Thomas, the moral imperatives which are known from the basic structures of human nature are self-evident “first principles.” It cannot be demonstrated that the good is (naturally) to be done and sought after and the evil is to be avoided. But if one does not accept this first principle and such other principles which self-evidently embody it (the good of preserving life, of the brotherhood of all men, of man's dependence on God), then one fails to understand one's own nature. In fact, man implicitly affirms them even in denying them, for their very denial involves their use.

Therefore, when Catholic theology speaks of those demands of the natural moral law which are always and universally valid, it is speaking of the self-evident laws of one's own created nature. All other more precise and concrete moral dictates come from the application and interpretation of these

basic principles — an application and interpretation which is historically conditioned and which, in many cases, must be somewhat tentative. This means that our most certain principles are necessarily very general and rather abstract. They are nonetheless obligatory, but they can specify concrete moral demands only in a general way and after a thorough scrutiny of contemporary ways of thinking about the various activities of man.

For instance, it is clear that man has a natural inclination to self-preservation, but man's God-endowed provident reason only gives rise to a very general moral dictate on this score: that there is a moral duty to see to it that life is respected and preserved. It is a further step, requiring more data and more possibly inadequate distinctions, to formulate a negative absolute precept such as "thou shalt not kill" or "thou shalt not commit suicide" and apply them (by way of interpretation) to all imaginable kinds of free lethal activity. Traditional Catholic moral theology has always made exceptions to these norms, and we are not completely satisfied with all these exceptions today (e.g. capital punishment).

Another example is to be found in the sexual, procreative life of man. It is more self-evident to deduce that "sexuality demands some form of regulation," but if one is to deduce "thou shalt not practice birth control," this must result from an accurate knowledge of not only the biological processes, but the psychology and sociology of sexual behavior as well. If one is content to deduce the dominant moral obligation only from natural biological processes, and then relies only on thirteenth century biology which did not know, for instance, that woman produces germ cells, one will arrive at a historically

conditioned conclusion which subsequent discoveries can render woefully inadequate.

Even so basic a natural law norm as "thou shalt not lie" is obviously subjected to constant re-assessment and re-formulation as human interdependency and human communications change. In each of these cases there is an unchanging, morally obliging principle which, however, depends on a progressing knowledge of the changing human condition in order to find (obliging) expression in a more particularized concrete norm which will be applicable to (having truthfully arisen from) definite historical situations.

The three quite general examples of natural moral laws just given (self-preservation, procreation, truth) which are easily discovered by an elemental reflection on the structures of human existence, are also examples of the multi-leveled analysis of the "human construct" advocated by Aquinas. He said that "the (concrete) good" is known from those things to which man has a natural *inclination* and which are naturally apprehended by reason as being good, and consequently as objects of pursuit (their contraries would be evil and objects to be avoided). The precepts of natural law, then, correspond to natural *inclinations on three different levels* of man: man as substance, man as animal, and man as rational (S. Theol. I-II 94, 2).

Today's philosophical outlook, however, would see man more as a total unity. The contemporary notion of "person" is having a strong effect on natural law theory. Personalism (we are not speaking of some superficial or sentimental or merely existential attitude) sees man not only as a subsisting substance, as passively experiencing

vegetable and animal functions, and as thinking; but as a loving, valuing and acting person who essentially transcends the mere thing. This personalist understanding of the meaning of man considers the person's "substantial essence" to be important, but above all its perfection through which alone it is complete. This self-perfection is achieved "by nature" through the personal relations of dialogical existence. Thus the individual not only becomes truly a person through personal reciprocity (love), but is led to a personal God through other finite persons. There is a most decisive penetration of the various aspects of human existence at a level prior to and embracing the functions of all of man's faculties.

It can now be said that man's "inclination" to be more fully a person is the most radical sign of "the good" in man, and this tendency penetrates and gives new meaning to every "level" of human existence. Interpersonal principles are now an integral (though still emerging) component of natural law theory, because there has appeared in the past 20 or 30 years a more carefully established ontology of inter-subjectivity. Hence natural law theory is no longer a stranger to the truly "personal" in man; it is seeking to become more interpersonally orientated. It can be said, in summary, that the natural moral law has as its most radical "precept" the obligation of man to personal growth in authentic human self-realization: all other "precepts" can be subsumed under this heading.

The concrete commands of the natural moral law must take as their starting-point, then, not man in the abstract, but man in the concrete. The search for the moral law of man is not completed, because the meaning of personal and historical man has not

been frozen. New truths become apparent when man is viewed more in a total personal dimension. New truths of the natural law emerge in an industrial period which were not true in an agrarian era. Furthermore, man as evolutionary seems to experience thresholds of dramatic modifications of his situation or disposition, and this calls for a renewed analysis of the "ought" of the human condition, in the light of the universally valid, largely unformulated natural moral law (as illumined by the faith of the Gospel of love).

These observations on the natural law have, by necessity, been brief and limited. There are many other aspects of the use of a natural law theory which would have to be treated elsewhere, among them: the relationship of the natural law to the Gospel law of love, and the role of the Church's magisterium in assisting mankind to arrive at an ever more certain self-understanding of its natural moral law. But these introductory comments on a natural law theory, partial as they may be, should hopefully find some acceptance among psychologists, psychiatrists and medical men generally, for these specialists also begin with an lend aid to the concrete man in the here-and-now world, they frequently recognize within individual men the transcendental (universal) dictates of the natural and radical good of man, and they are apt to consider authentic self-realization, or total personal growth (physical, psychological, social, moral and spiritual), as the law of man. In removing the obstacles to and actively assisting this growth to human self-fulfillment, these specialists are making man free to participate in the divine law by making it possible for him to fulfill the innermost nature of his being — the natural and radical striving toward the good, ultimately the Absolute Good.