

THE NATURAL LAW ¹

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THE controversy roused by the Pope's address last autumn to Italian obstetricians was at its height when on a Sunday evening I sat listening to the second of Lord Radcliffe's Reith Lectures. His scholarly exposition of the natural law seemed to silence the din of ill-informed and sentimental criticism which had assailed the Holy Father's calm and authoritative statement of moral judgments which were the ordinary teaching of the Church. It was not that Lord Radcliffe stood forth as a champion of natural law; the pleasure one felt was due merely to this reminder of a concept which had been the corner-stone of ethics for a millennium. For the attack on the Pope's teaching in this particular allocution, like the modern propaganda in favour of birth control and euthanasia, of divorce and artificial insemination, was made in ignorance or in contempt of that fundamental law of nature which in fact governs most of these grave problems. That law goes almost unrecognised outside the Catholic Church. It seems opportune, therefore, to introduce this series of articles in *BLACKFRIARS* with an account of the natural law and its relationship with law in general.

The word 'law' is used in a variety of senses today. It may mean the decree of a legislator, usually the human ruler, regulating the external conduct of the human subject; or it may mean a scientific law, like the law of gravitation, which is regarded as merely the expression of the behaviour of inanimate objects as discerned by a process of induction from observation and experiment.

But the medieval mind took a wider sweep, and subsumed under the name 'law' all these various meanings. First of all it considered the eternal law which was the plan of the all-wise Creator for the harmonious progress of the whole universe of his creation. This existed from all eternity in the wisdom of God and was directed immediately to the well-being of his creatures and ultimately to his own glory. It is like a canopy under which all

¹ This is the introductory article to a series on 'Some Contemporary Moral Problems', which will appear each month in *BLACKFRIARS*.

other laws must abide. It is reflected in the law of nature which is a participation of the eternal law.

It would be impious to suppose that God had no plan in creation. The universe was created for his glory, to which the activities of all his creatures should contribute by fulfilling the law which he had laid down for them. Every one of these creatures, animate or inanimate, brute or rational, is subject to a law which is manifested in its own nature. We know from observation that the stars in their courses, the earth and its elements, proceed according to rigorous rule. The discovery of the laws which govern them is the preoccupation of astronomer, chemist and physicist. The 'laws' which the scientist enunciates are indeed the fruit of his induction, but were it not that God had given a stable and controlled nature to the works of his hands there would not be that uniformity of nature without which all scientific labour would be inconclusive. The Creator has imposed on these inanimate beings the laws to which they must always conform. These nothing can change. Man can indeed contrive an interplay between them, but the results of this are determined.

The same is true of the vegetable kingdom. The seed will grow into the plant, which will come to flower and fruit according to its own nature. The gardener can introduce varieties of size, shape and colour; but these again are only resultants of other forces with the native tendencies of the plant.

Even the brute animals, though they have a certain consciousness of their activities and the purpose of them, move under the iron law of nature. They are led by their instincts of self-preservation and the reproduction of their kind; but they have no intelligence and therefore no free will. The law is there, and they must obey. Their behaviour can to some degree be controlled by man, but that control is limited to the deployment of other native instincts of the animal.

So far the law of nature is not only immutable as a directive tendency; it is inescapable. Everything goes according to plan, so that all the works of the Lord do bless the Lord, contributing to the perfection of the entire scheme of creation. Nature may be red in tooth and claw, but it is always obedient.

But when we come to man we meet an intelligence which is capable of appreciating the law and, with that, a free will which can rebel against the law. Man's characteristic activity is the

exercise of free choice. The law is not imposed on him so much as proposed to him for his willing acceptance. And this carries us into the sphere of morals and to that aspect of the law of nature which is most strictly called the natural law or the moral law. It is here that we confront the problems which are the subjects of this series of articles. There are many acts of men and women which are as completely determined as are the acts of the lower creations—bodily functions, growth, decay and the like. But these, while they are the acts of men, are not specifically 'human acts'. They do not concern us here except in so far as they are sometimes ignorantly or perversely adduced as instances of the approved breach of natural law.

The truth is that the moral law of nature is as universal and immutable as any other part of the law of nature. Moreover it is rooted in our nature itself. By the light of natural reason man is enabled to see how he should behave in his human acts and relations so as to fulfil God's designs for himself as an individual or as an integral part of the universe. His conduct is not to be dictated by mere sentiment, by expediency, or by the will of a human lawgiver unless this conforms with the natural law. The broad lines of conduct are indicated by a law which is written in the fleshly tables of the heart, and which everywhere and at all times men have recognised. Good must be done and evil avoided; God must be worshipped; parents must be honoured; our neighbour's life and property must be respected; truth must be observed among men. Here are some of the most obvious elements of the moral law. So much is clear to all men. When the conduct of certain uncivilised peoples seems to exhibit a lack of appreciation of these laws, it can usually be shown that they accept the terms of the law itself though they misconceive the interpretation of it. Thus some tribes have the habit of killing off their old people, but they have come to think that this is the best way of caring for them. That may sound silly, but is it any sillier than the modern plea for euthanasia? It is always to be remembered that as a result of original sin and subsequent depravity, human reason has been clouded in its appreciation of God's design; moreover, there may be variations in the applications of the law owing to variation of its subject-matter. Nevertheless, there is a considerable core of moral teaching which is universally perceived by reason and accepted. It is not to be denied, however, that certain remote

conclusions which are to be drawn from the more obvious principles, and which are themselves therefore of the natural law, cannot be known to all men.

It was to correct some of the more glaring effects of this moral blindness that God gave to Moses the positive law of the decalogue, the matter of which was already contained in the natural law. This together with certain moral teachings of the New Testament constitutes the divine positive law. It is further supplemented by ecclesiastical positive law, whereby the Church, an infallible guide in morals as well as in faith, makes known to us the will of God in regions uncharted by the light of reason. But be it noted that the Church which has the power to bind and to loose can make further laws of her own from which she can dispense, and this function is not to be confused with her right and duty to make known obscure or doubtful elements in the law of nature. Thus, disciplining us to strive more effectively for our true end, she imposes laws of fasting and abstinence, and she can dispense from them; she makes laws to govern the rites of valid marriage, and can alter them; she can enjoin celibacy on the clergy and make exceptions to it; but when she is asserting the general law of monogamy or denouncing the evil of abortion she is merely expounding the natural law, and she can never abrogate that.

Whenever such problems of the natural law come up for discussion and a certain course approved by human sentiment is condemned by the Church, those outside the fold are apt to ask by what authority the Church interferes in such matters; or they may accuse her of obscurantism in refusing to march with the times; even Catholics sometimes expect a dispensation which she cannot grant. The Church acting as God's vice-gerent has authority to make known his law; that law is permanent, although, as I have said, its applications may vary with new circumstances, and what is known to be a principle of the law cannot be changed. But the very idea of natural law has faded from modern thought. When the philosopher is confronted with it he pushes it aside as part of the outmoded furniture of the middle ages. Permanence is repugnant to the relativist who believes in the evolution of morals as of everything else. And of course the existentialist can find no place for a law which is discovered in essences. Still the Church stands by the law, and moreover she declares that it binds not only her own subjects but all men.

Everyone will allow that there are certain instinctive appreciations of good and evil. Other precepts of the law can be discovered from universal conduct, or rather from the universal conscience. It is not that men will not lie and steal and kill, but they know that they are doing wrong when they do these things. This sense of guilt may be overlaid as the result of evil propaganda, but the effective smothering of conscience takes a long time. Even today after half a century of clever and unremitting popularising of birth control, many still find it repulsive, and many who practise it are at pains to 'rationalise' their conduct.

And what is the sanction of the natural law? The pagan philosopher could go no further than to say that to disobey the law of one's nature was to behave as less than a man. Does not that same idea linger in our use of the term 'unnatural' crime? But the Christian who knows that a personal God is the author of nature and the promulgator of its laws, and who has had revealed to him that his eternal destiny for happiness with God is bound up with the observance of the law, recognises that the sanction is failure to achieve that end which is the only adequate satisfaction of man's desires.

A further and more immediate sanction is often sought in nature's own reprisals for the violation of nature. There is truth in this, but the argument should not be pressed too hard. The man who riots in drunkenness and impurity is commonly seen to be punished in his own body or in the persons of his children. Yet many of the sins against the law of nature are deliberately carried out with the intention of securing the health or comfort of the individual and his family. Sometimes it is easy to show that this is a fatally shortsighted policy, but that is not so obvious as to enable one to establish an effective deterrent.

But I think that the argument may be presented in a rather different way with more hope of success. For the believer the most telling consideration should be the evil of offending God and the revealed consequences of sin. But the law of nature binds unbelievers also, and we know only too well that many believers will risk eternity for present pleasure, if that does not selfishly involve injury to others. (Is not this sense of unworthy selfishness in itself an unrecognised witness to the natural law?) The sinner thinks that, being able to control the forces of nature, he will do so for his own profit. What he fails to appreciate is this: he is not

dealing with a 'closed system' as the physicist does in his calculations and tries to do in his laboratory. The ripples spread too far when we are disturbing the placidity of human nature; our own reactions are more than we can estimate; our inter-relations with others in the present and the future are utterly beyond our computation. In its very essence the natural law reflects God's plan for the natural well-being of his creatures. He has given them a nature which has an appetency for their natural happiness, to say nothing for the moment of the supernatural end as known by revelation. Look at the broad principles of the law and see how they are directed to universal harmony. If we obey that law we shall do no wrong to ourselves or others; if we break it none can tell what the outcome will be, and we shall certainly carry the burden of a guilty conscience, nature's own reproof. Even in the comparatively narrow precincts of our own family a carefully managed restriction may result in a childless old age or in the spoiling of children. That is the simplest possible case, but even in this attempt at a closed system we cannot begin to estimate all the repercussions of our bad action on society at large. Natural impulses may be controlled for prudential reasons; but to frustrate the issue of a natural act, to interfere positively with nature by an act which is against the moral law of nature, is always wrong. It is therefore punishable in the next world, but also it is apt to have very serious and incalculable consequences for ourselves and others in this.

But, it is argued, we are always interfering with the law of nature: the shaving of a beard, any surgical operation, all the great work of preserving and lengthening life—are not these as much an interference with the law of nature as is abortion or sterilisation of the unfit? Are these things wrong? I have already indicated the answer. In all these cases one is controlling the activities of physical nature. These laws you cannot break. It is only the moral law that can be broken. Every human act, if it is an external act, impinges on the laws of physical nature; but its goodness or badness depends on whether or not it is conformable to the moral law. To save a woman's life by excising a cancer is a good moral act; to save a mother's life by destroying the fruit of her womb is a bad act. It is not bad because it is forbidden; it is forbidden because it is bad. It is bad because it attempts to frustrate God's eternal plan.

Were it not for the natural law in all its governance of human

and subordinate creation our universe would be a chaos. God's law is a help, not a hindrance. It is a moral guide to men whom revelation has not reached, and it is not superseded by the positive law known to those who have been enlightened still further by revelation. It reaches to the most secret places of our thoughts and desires. Emphasised, clarified, and sometimes supplemented by positive law, divine and human, ecclesiastical, and even sometimes by the civil law, it makes known to us God's will. I say 'even sometimes by the civil law', for some civil laws are bad laws, and as such according to St Thomas they are not true laws but violences. We should not chafe under this guidance, but be ever grateful for it, as for our Father's hand leading us along to happiness, and we should be grateful to the Church which reaches out to help us when by our own folly and perversity we have lost touch with the law of God.



THE DYING GOD¹

Pagan, Psychological and Christian: Differences

VICTOR WHITE, O.P.

IN my last talk I drew attention to some of the striking similarities between—on the one hand—the traditional Christian rites of Holy Week, and several incidents in the Gospel narrative of the Passion and Resurrection of Christ, and—on the other hand—the so-called pattern of the Dying and Rising God which emerged largely as the result of Frazer's researches in *The Golden Bough*. Fifty years or so ago, it seems to have been widely supposed that these discoveries of similarity between Christian and pagan mysteries, collected by scholars like Robertson Smith and Frazer, popularised in tendentious paper-backs by writers like Grant Allen, somehow made nonsense of Christianity. And it must be admitted that they did make nonsense of a great many nineteenth-century ideas *about* Christianity; at least they made it impossible to regard it just as some sort of transcendental ethic,

¹ The unabridged script of the last of a series of five talks, transmitted on the B.B.C. Third Programme on November 16th, 1951. The previous talk was printed in our last issue.