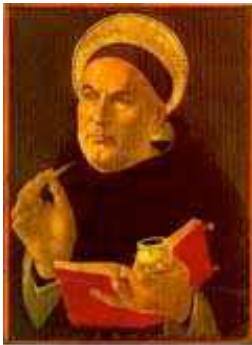




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St. Thomas Aquinas

(Before reading the following lecture, you should review the RealPlayer presentation for Module Eight, entitled “Natural Law and Natural Rights”)

Natural Law and Natural Rights

In the slide show for this module, I examined the immensely influential natural law perspective in ethics that stems from the work of St. Thomas Aquinas and informs much of Catholic thinking about ethics even today. I then showed how this tradition, when it intersected with modern political theories and views of reason, produced in John Locke another immensely influential tradition, the idea that all human beings are created with inalienable natural rights that deserve to be enforced and protect us all from the worst that others can do to us. But should we uncritically accept these perspectives? For this and the final two lectures of the course, you'll be reading theories of the right along with criticisms of those theories (along the lines of Voltaire, Huxley and Camus from previous modules, but more philosophical).

I. Aquinas: God and the good for humans

A. BACKGROUND

Thomas Aquinas (1225-1274), made a saint after his death, is the best-known Catholic theologian and philosopher and the pre-eminent thinker of the medieval period in philosophy. Aquinas was influenced significantly by the work of Aristotle, and adapted the Greek thinker's method and basic metaphysical presuppositions in light of the dominant Christian outlook of the time. His best-known work is the mammoth *Summa Theologiae*, written between 1266 and 1273. Because of his focus on Christian virtues and rewards in heaven, and because of his usage of natural law as the foundation of ethics, Aquinas's moral thought is quite different to Aristotle's.

B. THE ARGUMENT

1. Aquinas is very Aristotelian in how he begins this excerpt from the *Summa Theologiae*: he says that we can use reason in two ways, *practical* and *speculative* (he is following Aristotle's line of discussion in the *Nicomachean Ethics* and other works). While both employments of reason are founded on “self-evident principles,” according to Aquinas we use speculative reason to study the regularities of the world, while our practical reason allows us to study the changeable and difficult subject of human nature (throughout the history of philosophy, the word “practical” has meant something quite different from what it does today; it has been associated with ethics, obligations, and human nature). For Aquinas as for Aristotle, all our reasoning works outward from self-evident principles—a few that Aquinas mentions are, “Every whole is greater than its

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parts” and “Things equal to one and the same are equal to one another.” These are self-evidently true just as long as you know the definitions of the key words “whole” (it’s something made of parts) and “equal.” But take a look at another of his examples: “Man is a rational being.” This is Aristotle’s definition of what a human is (actually, he said we are “rational animals”). Is this self-evident? After all, not every human acts rational all the time (or even most of the time) and some of us are even born without the ability to be rational (perhaps autistic and severely mentally retarded persons?). Is Aquinas confused here?

2. The self-evident principle on which all natural law is based is, on the one hand, more amenable to common sense than “Man is a rational being.” On the other hand, it is more problematic. It is, “Do good and avoid evil,” and it is based on Aquinas’s notion of good, “...that *good is that which all things seek after*” (p. 247). Aquinas believes, as did Aristotle, that the proper understanding of the term “natural” was that things “naturally” seek their own good—plants reach for the sunlight and animals eat the plants to survive. They do this not because God commands them to do so (remember, natural law is *not* a Divine Command Theory (DCT) of ethics) but because God’s creation is a *rational* one, in which things obey certain physical laws (planets go round in their orbits, radioactive materials decay) as well as natural laws (relating to the *good* of things, as we have seen). So, the rational aspect of the world is found in the idea that God has created things to do what is best for them—but of course, things would not get interesting unless we sometimes did what was *not* best for us. This is Aquinas’s definition of *immorality*.
3. Note on p. 248 the three areas in which Aquinas thinks we typically exercise our natural inclination to seek our own good:
 - preservation of human life “every substance seeks the preservation of its own being, according to its nature” (see the next reading on this!).
 - principles of the natural law “which nature has taught to all animals,” such as sexual intercourse, education of offspring, and so forth.” The idea that sex has one function and one function alone—reproduction—grounds the Catholic Church’s traditional opposition to sex before and outside of marriage, contraception, and homosexual sexuality.
 - and finally, we have “a natural inclination to know the truth about God and to live in society,” so to be devoutly religious and ethical in such a way that we are good fellow citizens also follows from the natural law.

Aquinas, of course, wrote these words in the 13th century, when the prevailing morality in Europe did seem to confirm what he thought—that just about everyone shared the same views of good and bad, right and wrong. It would have been interesting to see how he would have thought about the differences in beliefs and practices we talked about back in Module 3 that led some thinkers to relativism and others such as Nietzsche to reject morality entirely. For his part, Aquinas says that we should expect some disagreement between reasonable people on the subject of morality. We shouldn’t expect disagreement as to fundamental principles of the natural law (if someone did disagree, they would be irrational), but perhaps we can disagree on the *application* of fundamental principles, as in his example about “returning deposits” (paying back loans) that

might be “used against the fatherland.” While it is reasonable and good to return deposits, in this particular case the application of the principle about returning deposits might cause us to stop and think—here Aquinas is taking seriously the fundamental legal and moral concept of “extenuating circumstances.” Some natural law theorists after Aquinas seem to think that since basic principles of the natural law are *absolute* (they must be followed at all times, by all people—no exceptions), there are many situations in which differences of application ought not to be allowed. The case of euthanasia, which you’ll read about next, may be one of these.

II: The Vatican: the natural law on euthanasia

A. BACKGROUND

This is an excerpt from the *Declaration on Euthanasia*, published in 1980 by the Sacred Congregation for the Declaration of the Faith.

B. THE ARGUMENT

1. This declaration of official church doctrine regarding **euthanasia** aims at clarifying both what Catholics should believe about the morality of this practice as well as the natural law background of the doctrine itself. The three movements in typical Vatican statements on natural law are (a) clarification and definition of terms, (b) statement of how natural law applies to the morality of the practice in question, and (c) implications of this for similar practices. Notice how in the first four paragraphs the declaration first offers two different translations for what euthanasia means: “easy death” and “mercy killing.” The first does not necessarily imply that anyone other than a suffering person has anything to do with the end of life, but notice that the second does (it’s worth noting that euthanasia is usually different than *suicide*, which the church also prohibits). The full definition of euthanasia that the declaration accepts is “...an action or omission which of itself or by intention causes death, in order that all suffering may in this way be eliminated” (p. 253).
2. There are some key words in this full definition: *action*, *omission* and *intention*. Clearly *intention* is key to a natural law theorist about whether or not an action is wrong; we cannot *intend* to do something wrong, for if we know it is wrong, we are committing a *sin* and not merely *making a mistake*. How about the other two terms? When considering the morality of a decision or an action, natural law thinkers are keen to discover whether consequences were produced by *commission* (or action) or *omission*, because sometimes this is a difference that makes a difference. In his famous article called “Active and Passive Euthanasia,” ethicist **James Rachels** calls attention to the difference between action and omission in the situations of Smith and Jones, two different men who both stand to inherit gobs of money if anything happens to their respective young nephews. Smith seems downright evil, because he drowns his nephew in the bathtub (this is clearly an *action* proper). Jones may be slightly less evil because when he sees

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his nephew slip in the tub, hit his head and slip under the water, he does nothing to help him (an *omission* of action to save the boy). Similarly, euthanasia as “mercy killing” can be carried out by either injecting a suffering patient with a sufficiently large dose of painkillers or other chemicals, causing their death directly (an action) or by withholding nutrients from a comatose patient so that they die of starvation (an omission).

3. On to (b), the implications of natural law for the practice of euthanasia. Although public opinion in America is divided on the morality of this practice (and in other parts of the world, particularly Europe, most people think that regulated euthanasia is a benefit to the suffering and not immoral), this declaration makes it clear that because euthanasia involves killing, it can never be morally acceptable (p. 253). It is wrong, the declaration says, because “...it is a question of the violation of the divine law, an offense against the dignity of the human person, a crime against life, and an attack on humanity.” These are strong claims, especially when we weigh them against the grave suffering of many who believe they would ultimately benefit from euthanasia. The Catholic Church seems to believe that no one really want to be killed, even in a merciful way: rather, this “...is almost always a case of an anguished please for help and love.” A terminally ill person or person in extraordinary pain needs medical care, love, and “human and supernatural warmth.” Some would hold that these palliatives are not available to everyone, particularly people who are alone or low-income, or that they are not enough. Should an individual be able to choose to define what they need, when the choice is between continued care and euthanasia?

III. Pascal: the abuse of casuistry

A. BACKGROUND

Best known in the history of modern philosophy for his pragmatic argument for the existence of God (called “the Wager”), **Blaise Pascal** (1623-1662) was a French mathematician, physicist, religious thinker and philosopher. His posthumously-published book *Penseés* (*Thoughts*) contains reflections on religion inspired by his Jansenist leanings, as do his scandalously satirical *Provincial Letters*, from which our excerpt is drawn.

B. THE ARGUMENT

1. Written in the form of a dialogue between Pascal’s main character and a Jesuit Father, this reading may be hard to understand after a quick first read. It is particularly difficult because the Father-character so often refers us to theologians like Sanchez, Escobar and Hurtado de Mendoza who may have been important in the 17th century, but who are unknown to us today. Why does Pascal write the Father as if he is a walking encyclopedia of these figures? Because Pascal is actually quoting from *real Catholic theologians* of his day well-known for their writings in **casuistry**, the art and science of thinking through applications of natural law moral principles in concrete situations. As you may have seen from

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reading through this excerpt, the interesting (or perhaps bizarre) thing about the casuist is his ability to show that the complete opposite of a moral principle holds in a certain case, or that the principle doesn't hold at all because it conflicts with other principles. Pascal can't believe this, and is letting us all know about how something has gone very, very wrong in Catholic moral thinking of the time. In this bizarre casuistical practice, we can see threads from the two previous readings—one, Aquinas's distinction between absolute first principles of natural law (such as never intentionally killing another, which is what is at stake in Pascal's discussion) and two, the importance of *intention* from the Vatican Declaration.

2. First, note what the Father says near the beginning: "You should know then that this marvellous principle is our great method of *directing the intention*, which is so important in our morality.... For when I explained how servants can perform certain awkward commissions with a good conscience, did you not notice that it was only by deflecting their intention from the evil of which they are the accessories and applying it to the profit they get out of it? That is what *directing the intention* means..." (p. 265). Pascal's main character seems dubious about this—can we simply just "not intend to kill someone," but strike them down, and everything is all right? The late **Louis Pojman**, a prolific publisher of ethics books, shares Pascal's worries here when he describes the famous "trolley-car example": you are at the controls of a runaway trolley-car that is speeding down the tracks and will kill five persons on the track ahead unless you divert it suddenly to the side track. The problem is that the side track has two unsuspecting people working on it who will be killed if you change tracks. Pojman notes that the natural law casuist can easily respond to this situation by saying, "If you divert to the side track with the intention of *saving the five people* on the main track," then your intention is right. You are not intending to kill the two people on the side track—this is the right thing to do. But clearly something is missing here. Can you tell what it is?
3. What about duelling, which is admittedly a dated example but is what occupies Pascal's character and the Jesuit in this excerpt? Duelling, if allowed to run to its ultimate conclusion, results in one or the other of the duellists being killed. Surely natural law cannot allow this, for a basic principle is not to allow oneself to be killed, and another is to be killed. Surely duelling must be against the natural law theorists' moral code! But, suprisingly, it's not! "That is how our Fathers have found a way to permit the acts of violence commonly practiced in the defense of honor," the Jesuit Father says. "For it is only a question of deflecting one's intention from the desire for vengeance, which is criminal, and applying it to the desire to defend one's honor, which according to our Fathers is lawful" (p. 266). How is this like the trolley-car example? As the passage goes on, the Father defends against what seem like common-sense criticisms from Pascal's main character, quoting various real casuists in an effort to show why duelling is acceptable. Here are some of the results, which surprisingly are all in accord with the natural law!:
 - If challenged, the duellist acts in self-defense (Hurtado de Mendoza).
 - One may kill another to defend one's honor and property (Petrus Hurtado and Escobar).

- You can *declare* a duel if your honor or property is perceived as being at risk (Sanchez) and even kill the threatening person in a “pious ambush” (by stealth) in cold blood! (Navarrus)
 - Don’t forget that you can kill false witnesses (Molina) or even a person who impugned your honor by slapping you (Henriquez), or even someone *who planned to slap you* (Azorius).
4. And while the duelling examples are strange and perhaps just academic because this practice doesn’t exist anymore, don’t forget to look closely at the discussion on pp. 269-270, where lies are rationalized and false promises are justified! We know from the fact that Pascal again refers to real Jesuit authors that these discussions were carried out, and the final question becomes, “Does Pascal’s satire simply reflect some very bad moral thinking in the 17th century, or does it pinpoint an underlying and potentially fatal weakness in the natural law approach in general?” I’ll leave this to you to think about.

IV. Locke: the basis for natural rights

A. BACKGROUND

John Locke (1632-1704) was one of the most influential philosophers in the history of modern philosophy for his work in **epistemology**, or theory of knowledge and in political philosophy. In epistemology, he codified the view called **empiricism**, a theory stating that human minds are “blank slates” at birth which gain all their knowledge originally through the evidence of the senses and which was presented in full in the book *An Essay Concerning Human Understanding* (1690). In political philosophy, his book *Two Treatises of Government* (1689) proposed a view that took natural rights as central to an understanding of both the individual and property, and outlined arguments for the reasons why individuals should be protected against overbearing governments and how individuals ultimately retained the right of revolution against their governments.

B. THE ARGUMENT

1. We’re back to a “state of nature” theory of morality, which should give you a little sense of nostalgia for Module Two, in which Hobbes and Rousseau used this very same device to argue for their respective views of human nature. You’ll see here, however, that Locke has less to say about the psychological or emotional predispositions basic to humans in a state of nature and more to say about their basic state of *equality* in that state: “[B]eing all equal and independent, no one ought to harm another in his life, health, liberty, or possessions...” (pp. 249-250). How does he justify these claims? At the very beginning of this piece, he says that nature has a “law,” recognizable by reason, that all humans were created equal by God prior to the establishment of governments and classes. From this, he says, “[it] cannot be supposed [there is] any subordination among us, that may authorize us to destroy one another, as if we were made for one another’s uses, as the inferior ranks of creatures are for us” (p. 250). In one bold stroke, Locke says not only that we have rights to not be treated as merely means to ends

- by each other, while at the same time affirming that nature was created to be a means to our human ends (this is important to his later discussion of property).
2. On p. 251, Locke says that “truth and keeping of faith belongs to men as men, and not as members of society,” and this is very important. Together with Hobbes and Rousseau, Locke is the originator of a fourth theory of rights (which we don’t have the time to examine in any detail in this class) called **contractarianism**. Locke and other contractarians take the human ability to make, carry out, and punish the breach of *contracts* (or agreements) as the most basic unit of morality. This shouldn’t sound crazy, as it is merely an reflection of the empirically-based thinking of Robert Trivers and others (see **Module Four**) about reciprocal altruism, cheating, and coordination of action. One very special contract for thinkers such as Locke and Hobbes would be the “social contract” or “social compact,” referred to by Locke as “...agreeing together mutually to enter into one community, and make one body politic...” (p. 251). Such a contract ends the state of nature for a group of people who are bound by it, and establishes a state or society. The main point of such a political state is to protect individuals in their rights to life, liberty, and property: if individuals were dissatisfied with the job that their state was doing, Locke supported their right to leave that society or, in some extreme cases, overthrow the leaders of the state and re-establish it. If all of this sounds vaguely familiar, it’s because Locke’s ideas from the *Two Treatises* were well-known in the circles of the American founders and were incorporated into the language of the Declaration of Independence by Thomas Jefferson.
 3. One of Locke’s goals in writing these passages was to establish a justification for the free exercise of holding and trading property in England’s new mercantile class which the early industrial revolution had produced. This class had been suffering under the thumb of the old English aristocracy, who saw them as a threat to their power. Locke’s defense of natural rights was originally intended to provide a “safety zone” in which the industrialists and traders could practice their trade without interference by old money. That’s why Locke spends so much time (pp. 251-252) on the concept of *property*, explaining how it originates and how we get our right to it. Remember that we have a right to “possessions” even in the state of nature, so property rights are more basic even than the laws of a state like Great Britain or the United States that guarantee you your property. Locke thinks that we make things our own by “mixing” our own labor with natural resources that all have available to them in common (resources of “the commons”). If I gather berries from a bush, they’re mine to eat, give away, or trade. Similarly, if I make a canoe out of a tree, that’s mine, too. If you carve arrowheads from obsidian rock, I can’t steal those from you but I can trade you some of my berries (remember, all this is taking place in the state of nature). This “mixing” of labor, together with fair trade, establishes the basis for modern property. Locke thinks, and creates a justification for why government should protect our property—it is like an extension of us. Note, however, what Locke says that today’s defenders of his views, often called **libertarians**, often ignore: on p. 252, “For this labor being the unquestionable property of the laborer, no man but he can have a right to what that is once joined to, at least where there is enough, and as good left in common for others.” It seems like government will have to do more than just guarantee

our natural rights if it is to see that there are enough natural resources to go around, especially in today's world of greedy mega-corporations and environmental destruction.

V. Nozick: rights as “side constraints”

A. BACKGROUND

Please see **section five** of **Module Seven** for background details on **Robert Nozick**.

B. THE ARGUMENT

1. Since Nozick is something of a difficult writer to understand, let's get clear on a few of his terms and ideas right off the bat. The point he's trying to make in this excerpt from his book *Anarchy, State and Utopia* is that, in a society administered by a government that does nothing other than protect individuals in their natural rights to life, liberty, and property (“the pursuit of happiness”) and punish those who violate those rights, there are good reasons to understand rights as inviolable and absolute, and not to understand them as a utilitarian would understand them. With this view of his basic point, we can cash out a few terms. The “ultramiminal state” is the state that only protects and punishes—it does not regulate industrial environmental emissions, it doesn't build roads, it doesn't provide WIC milk and food for young mothers and their children. Any view that Nozick refers to as concerned with “production of the greatest good” or an “end state” is a utilitarian view, like that of Bentham and Mill in the previous module. “Side constraints” are legal and/or moral restraints on freedom of action; they simply say, “While you are free to do X and Y and Z, you cannot do A, even if A would produce the greatest good or maximize happiness. A is simply not allowed.” Nozick thinks that rights should be viewed as side constraints.
2. So we have two ways of viewing rights: the utilitarian view, which says that we all have rights to life, liberty and property because those rights serve the greater good; however, to be consistent, utilitarians have to say that there might be cases in which violating someone's or some group's rights produces a greater balance of happiness, so that could happen. There's also the “side constraint” view, which says that we have these rights because, as Nozick writes on p. 261, they “...express the inviolability of others.... ‘Don't use people in specified ways.’” Period—an absolute view on rights. Why the latter preferable to the former? For Nozick, there are two reasons, one of which is expressed in point (3) below, so I won't go into it here. The other is explained in full in the last paragraph on p. 262. See if you can find it yourself. Here's a clue: utilitarians seem to believe that sometimes individuals and groups need to *sacrifice* their good for the greater good. Normally when we talk about an individual sacrificing something, we say that she sacrificed a good so that another person or persons could have it. But the same relationship isn't there in the utilitarian view, according to Nozick: what does he say about the “*social entity*” that supposedly receives the good that individuals are asked to sacrifice?

3. Also consider this statement from early in Nozick: “The position held by this proponent of the ultraminimal state will be [a] consistent one if his conception of rights holds that your being *forced* for contribute to another’s welfare violates your rights, whereas some one else’s not providing you with things you need greatly, including things essential to the protection of your rights, does not *itself* violate your rights, even though it avoids making it more difficult for someone else to violate them.” Does providing free public education for citizens with children violate the principles of the “ultraminimal” state? Is taxation “forcing” one person to contribute to the welfare of others? Are there some citizens who, through historical circumstances that are no fault of their own, deserve more protection for their rights? Would you like to live in Nozick’s “ultraminimal state”?

VI. Bentham and Mill: a critique of “natural” ethics

A. BACKGROUND

Please see **section one of Module Seven** for background on **Jeremy Bentham** and **John Stuart Mill**.

B. THE ARGUMENTS

1. “Natural rights,” Bentham comes right out and says, “ is simple nonsense: natural and imprescriptible [inviolable] rights, rhetorical nonsense,--nonsense upon stilts” (p. 271). But why does Bentham think this? He gives two reasons, one of which relies on common sense, the other of which seems influenced by his utilitarian philosophy (as we saw in the last module):
 - Contrary to Locke’s view that rights are part and parcel with the state of nature (and thus predate governments), Bentham holds that (a) there are no rights before there are governments (indeed, this seems to be confirmed by our knowledge of indigenous cultures existing at an “early” stage of development in the 20th and 21st centuries, like the Kula from Module Four); (b) governments are based purely in the *conventional*—that is, what can be agreed to by all parties, not in any eternal or supernatural foundation and (c) there are no rights outside of legal rights—laws establish rights to life, property, etc.
 - Second, Bentham asks, “What is the language of reason and plain sense upon this same subject? That in proportion as it is *right* or *proper*, *i.e.*, advantageous to the society in question, that this or that right—a right to this or that effect—should be established and maintained, in that same proportion it is *wrong* that it should be abrogated: but that as there is no *right*, which ought not to be maintained so long as it is upon the whole advantageous to the society that is should be maintained, so there is no right which, when the abolition of it is advantageous to society, should not be abolished” (p. 272). Bentham here seems to be taking the utilitarian view that rights are established by governments to protect those things viewed as most important to the general happiness by their citizens.

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Obviously, life, liberty and property are pretty significant on this score. But there are other rights—such as the right to have your eldest son inherit your entire estate, by default or the right to own slaves—that no longer serve society's interests and have been done away with. Does Bentham make sense in his criticism of Locke and Nozick here?

2. As a utilitarian (and Bentham's godson!) we might expect Mill to share these criticisms. However, Mill's concerns are more wide-ranging, and apply equally to "natural law" as to "natural rights" theories of the right. Mill takes aim at the words "NATURE" and "NATURAL" (I capitalize them for effect), saying that these are powerful terms but their use has strayed far from their original meanings. Think about what Mill says: to call something "natural" is, in effect, to bestow goodness and value upon it, to call something else "unnatural" is to say that it is bad, it should not be. Aristotle had said that it is "natural" for us to be virtuous, Aquinas that we "naturally" seek the good, Mencius that we are good "by nature." But what do "natural" and "unnatural" mean, *beyond* simply being synonyms for "good" and "bad"? Clearly, for both Aquinas and Locke in their respective areas of natural law and natural rights, "natural" means "created by something beyond our control" or "God-given," as opposed to something that human governments or societies establish by agreement or convention. But is this a legitimate use of the word?
3. Mill thinks not. According to him, using terms like "natural" and "unnatural" is really just an excuse for not having a real justification for our moral principles. Saying that principles such as "Do good and avoid evil" or "Never violate a person's right to property" are "natural" is effectively to say, "I can't come up with a reason why these principles should be obeyed, but surely you can't argue against what's *natural*." Mill might argue that it is just as *natural* for humans to be aggressive against each other as it is for them to "Do good and avoid evil." Or he might say that it is just as *natural* for us to steal from each other as to refrain from violating others' right to property. Calling one side of each of these pairs "natural" is to beg off the need for justification (for his part, Mill would say that doing good and avoiding evil and respecting property rights are the correct thing to do because, in general, they maximizing happiness—now that *is* a justification!)
4. What are the correct meanings for "nature" and "natural," according to Mill? "The word Nature has two principal meanings," he writes on p. 273. "[I]t either denotes the entire system of things, with the aggregate of all their properties, or it denotes things as they would be, apart from human intervention." If we accept either of these, then "natural" would mean "part of the entire system of all things in the world" or "a property of things which have not been influenced by human intervention" (like a forest that humans have never walked through or cut down trees in, for example). Do these senses have any *moral* significance? Mill thinks not:
 - "In the first of these senses, the doctrine that man ought to follow nature is unmeaning; since man has no power to do anything else than follow nature; all his actions are done through, and in obedience to, some one or many of

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nature's physical or mental laws." In this first sense, everything that humans do (since we are parts of nature) is natural. There's simply no meaning to the term "unnatural" at all.

- "In the other sense of the term, the doctrine that man ought to follow nature, or in other words, ought to make the spontaneous course of things the model of his voluntary actions, is equally irrational and immoral. Irrational, because all human action whatever, consists in altering, and all useful action in improving, the spontaneous course of nature: Immoral, because the course of natural phenomena being replete with everything which when committed by human beings is most worthy of abhorrence, any one who endeavored in his actions to imitate the natural course of things would be universally seen and acknowledged to be the wickedest of men," Mill writes. In this sense, morality consists in *going against nature*. Remember Hobbes's "state of nature," which was a "war of all against all." Do we want to "act naturally" in this sense? Society would be destroyed and all the goods of civilization with it.

Mill's criticisms, if they are correct, don't imply that natural law and natural rights approaches to ethics are meaningless. What they *do* imply is that they lack justification: *why* do Locke's rights have the force they do? *why* do some principles of ethics follow from Aquinas's "Do good and avoid evil" why others do not? We don't get sufficient answers to these questions if we follow the path of Mill's concerns.

C. Module 8 Writing Assignment (10 points)

1. Consider Aquinas's first principle of natural law: "Do good and avoid evil." If we lived by this principle, we would have to decide what to do in cases where doing good might lead to some lesser evil, or conversely, where avoiding evil might make us lose out on the good. Besides euthanasia, describe a concrete case of ethical decision-making in which we might need to decide between these two.
2. Is it possible that in protecting Locke's "natural rights" of individuals that we might condemn groups or entire cultures to extinction? This is exactly the case in the Canadian province of Quebec, where English speakers outnumber French speakers to the point where the government has made it mandatory that children learn French in schools and signs be in French as well as English. The point is to preserve French culture, despite what language individuals might want to speak. Is this preservation ethically sound, in your opinion?



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