

Cambridge Elements

Elements in Ethics

edited by

Ben Eggleston

University of Kansas

Dale E. Miller

Old Dominion University, Virginia

NATURAL LAW THEORY

Tom Angier

University of Cape Town



CAMBRIDGE
UNIVERSITY PRESS

CAMBRIDGE
UNIVERSITY PRESS

University Printing House, Cambridge CB2 8BS, United Kingdom
One Liberty Plaza, 20th Floor, New York, NY 10006, USA
477 Williamstown Road, Port Melbourne, VIC 3207, Australia
314–321, 3rd Floor, Plot 3, Splendor Forum, Jasola District Centre,
New Delhi – 110025, India
103 Penang Road, #05–06/07, Visioncrest Commercial, Singapore 238467

Cambridge University Press is part of the University of Cambridge.

It furthers the University's mission by disseminating knowledge in the pursuit of education, learning, and research at the highest international levels of excellence.

www.cambridge.org
Information on this title: www.cambridge.org/9781108706391
DOI: 10.1017/9781108580793

© Tom Angier 2021

This publication is in copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

First published 2021

A catalogue record for this publication is available from the British Library.

ISBN 978-1-108-70639-1 Paperback
ISSN 2516-4031 (online)
ISSN 2516-4023 (print)

Cambridge University Press has no responsibility for the persistence or accuracy of URLs for external or third-party internet websites referred to in this publication and does not guarantee that any content on such websites is, or will remain, accurate or appropriate.

Natural Law Theory

Elements in Ethics

DOI: 10.1017/9781108580793
First published online: August 2021

Tom Angier
University of Cape Town

Author for correspondence: Tom Angier, tom.angier@uct.ac.za

Abstract: In Section 1, I outline the history of natural law theory, covering Plato, Aristotle, the Stoics and Aquinas. In Section 2, I explore two alternative traditions of natural law and explain why these constitute rivals to the Aristotelian tradition. In Section 3, I go on to elaborate a *via negativa* along which natural law norms can be discovered. On this basis, I unpack what I call three ‘experiments in being’, each of which illustrates the cogency of this method. In Section 4, I investigate and rebut two seminal challenges to natural law methodology, namely the fact/value distinction in metaethics and Darwinian evolutionary biology. In Section 5, I then outline and criticise the ‘new’ natural law theory, which is an attempt to revise natural law thought in light of the two abovementioned challenges. I conclude, in Section 6, with a summary and some reflections on the prospects for natural law theory.

This Element also has a video abstract: www.cambridge.org/angier

Keywords: natural law, Aristotle, Aquinas, teleology, Finnis, essentialism, naturalism

© Tom Angier 2021

ISBNs: 9781108706391 (PB), 9781108580793 (OC)
ISSNs: 2516-4031 (online), 2516-4023 (print)

Contents

1	Historical Introduction	1
2	'Natural Law' – Other Idioms	11
3	Some Experiments in Being	16
4	Two Core Challenges	23
5	'New' Natural Law	43
6	Prospective Conclusion	47
	References	49