En Route To Communicative Praxis: Understanding Natural Law and Several Communicative Implications

Rachel Ann Kosko

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EN ROUTE TO COMMUNICATIVE PRAXIS: UNDERSTANDING NATURAL LAW AND SEVERAL COMMUNICATIVE IMPLICATIONS

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By
Rachel A. Kosko

December 2015
EN ROUTE TO COMMUNICATIVE PRAXIS: UNDERSTANDING NATURAL LAW AND SEVERAL COMMUNICATIVE IMPLICATIONS

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ABSTRACT

EN ROUTE TO COMMUNICATIVE PRAXIS: UNDERSTANDING NATURAL LAW AND SEVERAL COMMUNICATIVE IMPLICATIONS

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Rachel A. Kosko

December 2015

Dissertation supervised by Calvin Troup

This work claims communicative praxis is necessary and becomes increasingly more promising by introducing discussions that integrate explicit knowledge of natural law as a precursor for conversations regarding communication ethics. Taking a hermeneutical approach of returning to a text [book, person, place, etc.] with different questions develops new insights for identifying obstacles to understanding, functioning as barriers in preventing praxis. Some existing obstacles include errors, irrelevant information, misunderstandings, and implicit or omitted topics like natural law found lacking throughout the philosophical discourse. Therefore, this dissertation defines key terms, unveils the lineage of the law, reviews texts by Roman Catholic scholars explaining natural law, and considers some communicative implications when knowledge of natural law becomes explicit in discussions regarding communication ethics.

Keywords: communication, ethics, philosophy, natural law, obstacles to understanding
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TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Abstract</th>
<th>iv</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acknowledgements</td>
<td>v</td>
</tr>
<tr>
<td>General Background/Introduction for the Study</td>
<td>1</td>
</tr>
<tr>
<td>Chapter 1 Understanding: An Essential Component for Communicative Praxis</td>
<td>5</td>
</tr>
<tr>
<td>Chapter 2 Defining and Explaining Natural Law, Ethics and Philosophy</td>
<td>37</td>
</tr>
<tr>
<td>Chapter 3 Genealogy of Natural Law</td>
<td>63</td>
</tr>
<tr>
<td>Chapter 4 Insights of St. Augustine on Natural Law</td>
<td>99</td>
</tr>
<tr>
<td>Chapter 5 St. Thomas Aquinas Explanations of Natural Law</td>
<td>150</td>
</tr>
<tr>
<td>Chapter 6 Blessed John Henry Cardinal Newman on Natural Law</td>
<td>201</td>
</tr>
<tr>
<td>Chapter 7 Communicative Implications of Natural Law Study and More</td>
<td>243</td>
</tr>
<tr>
<td>References</td>
<td>262</td>
</tr>
</tbody>
</table>
GENERAL BACKGROUND/INTRODUCTION

Contemporary societies around the world are witnessing moral chaos that has reached a crisis level. One simply needs to read a newspaper or listen to a news broadcast to get the picture. Closer to home such confrontations become more personal through interactions and communication on social media and/or have experiences in personal or political deception, so prevalent that they function as the norm. For example the latest exhibitions of road rage create shock which verify the disproportionate communicative moral corruption facing contemporary humanity.

On the flip side of the issue one finds scholars like Gerald Hauser, Frank Luntz, and Leon Mayhew presenting a different perspective of the same picture. Their portion of the portrait highlights a gullible, vulnerable American audience, poised and prepared to learn, understand, accept, and enact appropriate viable solutions for ethical dilemmas facing contemporary humanity (Mayhew, 1997). According to the rhetorical analysis of the situation, these scholars find that the general populace appears tired or frazzled, functioning in a state of confusion engulfed in deception and exponential interactions lacking communicative integrity (Luntz, 2009). Cynicism and mistrust have reached unprecedented levels. These Americans (representative of all humanity), when asked their deepest longings, unanimously express desire for genuine truth and integrity (Luntz, 2009). However, simultaneously these same publics are silenced unjustly or are at least having their authentic voices muffled through the use of various technologies, polls and statistics (Hauser, 1999).

The bleakness of this injustice becomes evident in the realization that these same vernacular voices have remarkable and credible concerns, insights, and potential solutions for
many issues now confronting humanity, scholars and lay people alike (Hauser, 1999). Amidst these voices one may also glimpse the significant confusion and frustrations demonstrated in expressed desires to develop comprehensive understanding and meaning regarding ethics. Such understanding could promote meaning that creates real rather than theoretical solutions. However, understanding remains essential. Developing appropriate responses and discourse that promote or improves understanding becomes an achievable objective through communicative praxis.

On another front, scholars like Alasdair Macintyre and Calvin Schrag fill in additional puzzle pieces creating a more panoramic depiction. Their jigsaw puzzle pieces indicate there are philosophical and rhetorical dimensions of the moral crisis as well. Both scholars indicate robust, terse images, dealing with philosophical and rhetorical issues contributing to dilemmas in ethics. For example, the language of morality remains in utter chaos, at times even appearing unintelligible (MacIntyre, 1998). Some of these complications are attributable in part to arguments surrounding topics such as the deconstruction of subjectivity, replaced with an objectivity required for purely scientific theories. Regardless of the problems, MacIntyre (1998) states that we cannot lose hope. MacIntyre (2007) challenges scholars to begin by addressing the general audience he calls “plain persons” about moral goodness (p. 12). Schrag (1986) basically presents similar insights. Both scholars raise different issues of the conundrum and define many philosophical and rhetorical factors. Schrag (1986) illustrates that issues and/or solutions potentially become more recognizable and viable through engagement in communicative praxis (1986). Perhaps improvement in refining significant questions may formulate improved answers for humanity.
An amalgamation of these various slices of the same enigma resulted in this research which claims that unless fundamental explicit knowledge of natural law becomes a preliminary part of the discourse regarding ethics, definitions and explanations continue to lack essential understanding that gives rise to a more comprehensive contemporary engagement in praxis, moral or communicative.

We (humans) are story-telling animals that have unique innate reasoning capabilities to share our universal need for communication, morality, and relationships. Therefore, moral issues facing humanity remain reconcilable.

Eventually, it becomes more obvious that any pursuit intent on formulating principles for ethics, especially primary principles, must also admit that in the same way humanity embraces diversity they must also focus on commonalities found in all humans, by their very nature. These commonalities of human nature must be considered and embraced. Research on natural law reveals that since the beginning of time it remains tried, true, and proven that focusing on human commonalities functions supportively to foster unity. Such unity potentially achieves agreement among people of diversity in every race, color, or creed.

Ultimately, not only does engagement of communicative praxis suggest that knowledge of natural law enhances understanding for numerous philosophical discussions regarding morality, but it also gives meaning to moral uprightness. Additionally it forms considerations for the importance of developing a narrative that defines, explains, and tells the entire story of natural law. Such a story may develop understanding and meaning for natural law as a moral compass. However, defining and explaining natural law becomes a catalyst for developing necessary understanding and meaning about the law and shows ways in which this law corresponds to ethics and ultimately a plethora of theories about ethics in general and
communicative ethics in particular. These revelations have potential to unfold horizons of significance and such horizons constitute hope for rhetorical turns, initiating meaningful, acceptable, moral reform for humanity.
CHAPTER ONE
UNDERSTANDING: AN ESSENTIAL COMPONENT
FOR ETHICS AND COMMUNICATIVE PRAXIS

Introduction

This study proposes that communicative praxis, a necessary and achievable goal for communication ethics, has potential to be realized within the twenty-first century. This project claims that concise, explicit knowledge about natural law provides essential context for many of the arguments regarding ethics found within the liberal arts tradition. This study discusses how natural law philosophy within the Catholic Intellectual Tradition contributes to our studies of Communication Ethics. This chapter presents the rationale for such claims and simultaneously accentuates the significant role that understanding plays in such efforts. It initiates a move to explicate the importance of understanding natural law as morality, morality as ethical behavior, ethical behavior as practical moral philosophy, and communicative praxis as a viable goal for our human expression of communication ethics.

This chapter also discusses some of the problems existing in communication ethics, and illustrates the importance of understanding and meaning for natural law, ethics, and philosophy. It embraces communicative praxis in developing the rationale for the inquiry and provides fundamental knowledge of terms, defined and explained by Calvin Schrag (1986). These terms facilitate the understanding of key insights discussed en route to achieving communicative praxis.

In addition to framing the project to define and explain key terms this chapter outlines the remaining arguments, in separate chapters that discuss the lineage of natural law through history.
and explains natural law as developed in the work of Augustine, Aquinas, and John Henry Cardinal Newman. The concluding chapter presents some of the communicative implications of natural law for contemporary communication ethics as communicative praxis in the twenty-first century.

**The Problem**

Communication Ethics becomes an increasingly important area of inquiry in our historical moment of narrative contention. This contention is based on continuing difficulties and problems within the human condition. Within a larger scope of Communication Ethics, Alasdair MacIntyre and Calvin Schrag are two significant scholars identifying various difficulties and thinking through potential resolutions. Schrag’s (1986) explanations and suggestions for achieving communicative praxis prove beneficial in developing understanding and meaning regarding communication ethics as praxis. Similarly, MacIntyre’s insights and suggestions move to address essential clarifications about issues contributing to present moral chaos. In addition to the issues MacIntyre addresses, this study proposes that not only does explicit knowledge of natural law serve as a means to improve understanding of this moral law itself but it also reveals its significance for communication ethics as it appears throughout the Liberal Arts tradition. Such efforts require communicative praxis, as defined and explained by Schrag (1986). Embracing such praxis has potential for entering the space of subjectivity and intersubjectivity and developing “horizons of significance” (Schrag, 1986, pp. 10-11) in pursuit of achieving a “rhetorical turn” that results in improved, more appropriate moral discourse as communicative praxis (Schrag, 1986 p. 72).
These efforts concentrate on communicative praxis in providing information (*episteme* vs. *doxa*) that improves one’s understanding of natural law. They define, explain, and illustrate the relationship of natural law to ethics, philosophy, and ultimately communication ethics as praxis. Consequently, they expose several communicative implications of the law that opens new pathways for this knowledge to become an impetus in achieving communicative praxis.

This study explores the philosophical and rhetorical traditions, which not only enhance understanding of the law but also provides context for significant philosophical theories regarding communication ethics. Comprehensive discussion of communicative praxis and the various angles of natural law illustrate ways in which such knowledge potentially becomes an impetus for improving one’s understanding. This understanding develops new meaning for numerous philosophical theories regarding ethics and the development of potential implications they have for communication ethics.

**Continuing the Conversation**

This study illuminates complexities that arise when terms or issues become eclipsed, clouding our ability to differentiate issues and arguments. MacIntyre (1966; 1998) reveals ways in which the language of morality remains in chaos and Schrag (1986) also claims that, “argumentation as a technique of disputation postures its *telos* as the obliteration of demolition of an opponent rather than as the achievement of understanding and mutual enlightenment” (p. 154). Communicative praxis postures humans for mutual enlightenment regarding ethics. The rhetorical moment at this juncture seeks to create interaction with argumentation and understanding in efforts to support each other (Schrag, 1986, p. 154). Such interactions constitute a constructive hermeneutic.
Many errors or misunderstandings are created by the lack of respect for necessary rhetorical distinctions when research crosses the permeable boundaries of various disciplines (Ricoeur, 1992). These misunderstandings created by this lack of respect remain significantly evident throughout research concerning natural law. Although crossing the permeable boundaries of various disciplines becomes rhetorically necessary and expected in pursuit of communicative praxis, the difficulty arises when language or terms, particular to each discipline, lack respect for the necessary distinctive language relevant to each specific discipline (Ricoeur, 1992).

MacIntyre (1984) also elaborates on the void created by the lack of a vocabulary to discuss morals. Such a void restrains conversations regarding ethics. On the other hand, he also explains how speech becomes more intelligible in a narrative (MacIntyre, 1984, p. 209). In part, this comment validates efforts of this study to integrate concise knowledge of natural law as a precursor for conversations regarding ethics. Natural law shows itself as an embedded narrative within the Western Intellectual Tradition created by the historical development of philosophy and ethics within the liberal arts tradition.

MacIntyre (1990) also lists three major foci contributing to a lack of understanding for communication ethics, and he explains how these differing versions of moral conflict lay within the Encyclopedia, Genealogy, and Tradition. In doing so, he reveals additional issues that constitute obstacles to understanding. The term “obstacles to understanding” functions as a metaphor designed by this author to identify less obvious issues restricting the development of communicative praxis.

To enhance understanding, MacIntyre (1990) constructs an imaginary world inhabited by fictitious scientists and real genuine philosophers, to demonstrate how the contemporary real world and the language of morality are in chaos and confusion. MacIntyre (1990) claims that,
“our fragments of conceptual themes lacking contexts have left us without comprehension in theory and practice of morality” (p. 2). Naturally these issues would impede understanding and prevent praxis (Schrag, 1986). This study proposes that the lack of explicit knowledge of natural law should be included in our concerns. Not only has moral discourse suffered from such fragmentation but the subject of natural law has also developed in similar disjointed ways. The lack of integrating explicit knowledge of natural law as a background for many of the philosophical discussions regarding communication ethics has consequences. These consequences may not only constitute rhetorical disruptions in developing communication ethics as praxis, but they also minimize contextual developments for arguments, obscures meaning and understanding, and thus such disruptions operate as obstacles to understanding.

Identifying additional issues in our present moral decline, MacIntyre (1984) explains, “…the crucial moral opposition is between liberal individualism…and the Aristotelian tradition” (p. 259). Claiming hope for a turning point MacIntyre (1984) says:

My own conclusion is very clear. It is that on the one hand we still, in spite of the efforts of three centuries of moral philosophy and one of sociology, lack any coherent rationally defensible statement of a liberal individualist point of view. And on the other hand, the Aristotelian tradition can be restated in a way that restores intelligibility and rationality to our moral and social attitudes and commitments (p. 259).

Comparing these insights to Schrag’s (1986) notion, one might conclude that Schrag (1986) is illuminating a path to such restoration, embracing a constructive hermeneutical philosophy and rhetoric as a new rationality. We should, however, also consider the effects that an integration of explicit knowledge of natural law may have on reassessing the rhetorical demise. We may ask, in what ways has the lack of explicit knowledge of natural law contributed
to rhetorical disruptions that prevent communicative praxis? Other Scholars discuss issues contributing to chaos for ethics.

Charles Taylor (1989) discusses some of the confusion created in light of genealogy and states that Nietzsche’s “genealogies are devastating” (p.73). Nietzsche, attacking hyper-goods as repressive and oppressive, calling it slave morality, defines his attempt to launch his all-out attack on morality by naming the account of the transition, a *Genealogy of Morals* (Taylor, 1989, p.73). Taylor (1989) explains, Nietzsche used the term as a preventative and states that, “it is because genealogy goes to the heart of the logic of practical reasoning” (p. 73). Taylor (1989) explains that the seventeenth century revolution on natural law theory partly consisted in using the language of rights to express universal norms (p. 3). However, Nietzsche’s attempts resulted in a twisted version of the law. The new version moved it away from its Aristotelian/Thomistic version (Taylor, 2007, p. 126) leaving Grotius, Pufendorf, and Locke viewed as foundational thinkers for modern natural law theory (Taylor, 2007, p. 126). These facts support efforts concentrated on integrating unambiguous knowledge of the chronological lineage of natural law to enhance understanding and meaning, understanding and meaning that not only recognizes the value of integrating knowledge of the law to contextualize philosophical arguments but also illuminates theory and practice (as Schrag, 1986, suggests) showing the authentic development of natural law.

Schrag (1986) says, however, “The unfortunate consequence of such proliferation of oppositions----*Naturwissenschaft* versus *Geisteswissenschaft*, nature versus spirit, and method versus truth---is that it rends asunder the labors of understanding and explanation in their joint efforts together” (p. 88). Contentious rhetorical discourse on ethics in general and
communication ethics specifically is notable throughout the literature in which Taylor references his implicit, principles of natural law (Taylor, 2007). Additionally MacIntyre (1984) states:

What matters at this stage is the construction of local forms of community within which civility and the intellectual and moral life are sustainable through the new dark ages, which are already upon us. If the tradition of the virtues was able to survive the horrors of the last dark ages, we are not entirely without grounds for hope. This time however, the barbarians are not waiting beyond the frontiers; they have already been governing us for quite some time, and it is our lack of consciousness of this, which constitutes part of our predicament. We are waiting not for Godot, but for another doubtless very different---St. Benedict (p. 263).

*Waiting for Godot*, is one of several plays considered as, “the most representative plays of our era” (Clurman, 1981, p. vii”). Considered a tragic comedy by Beckett, this two-act play illustrates a time of uncertainty when everything, including the existence of God, is in question. The play, written in 1948 and produced in Paris for the first time in 1952 (Clurman, 1981), was in reaction to Nietzsche’s proclamation *God Is Dead*. In parable form, the play portrays an era of dismay and discouragement as the two characters, Vladimir and Estragon (tramps), decide to wait and do nothing until Godot shows up (Hochman, 1972). The imaginary Godot never shows and the characters continue eating and conversing to pass away time, remaining idle and improving nothing. On the other hand, Benedict, an authentic individual with moral character, amongst similar moral chaos and social upheaval provided society with constructive solutions. Clurman (1981) explains, “Thus Beckett, a prophet despite himself, proclaims nobility in trying to find an answer to the question posed by the death of God” (p. x). Twenty-nine years later, the words “Waiting for Godot, may be viewed as a challenge to our baffled minds and wracked
souls” (1981, p. x). This view appears to be a temporal stance for contemporary society. One could question whether Schrag may be a new St. Benedict or simply preparing the way for a new St. Benedict to appear en route to developing communicative praxis?

In the same venue, these and other similar issues are contributing to additional misunderstandings and the lack of meaning for communication ethics. The omission, or lack of explicit knowledge of natural law within the rhetorical corpus on ethics, prevents enhanced meaning. Therefore, lacking explicitness in defining of natural law within discourse relating to communication ethics also functions as an obstacle to understanding in developing communication ethics as praxis within post-modernity.

Many issues arise within the discourse on communicative ethics, due in part to this missing link (explicit knowledge of natural law), resulting in deficient or erroneous conclusions. Defining and/or explaining natural law creates potential understanding and meaning for communication ethics. Giving rise to understanding and meaning regarding communication ethics remains an essential element in the development of praxis (Schrag, 1986). Schrag explains that discourse consists of wholes and parts (1986, p. 79). In communication, “The holistic fabric cradles the speaker/hearer transaction as a narration by someone about something” (Schrag, 1986, p. 79). He concludes saying, “understanding must be achievable if meaning is to give rise to horizons of significance that will make a difference” (Schrag, 1986, p. 52). Horizons of significance become possible for communication ethics when arguments are more contextualized with explicit knowledge of natural law. Explicit knowledge of natural law functions as one a part of the whole scope of philosophical discourse that contributes significantly to the whole history of philosophical debate regarding ethics.
Again, it becomes discernable that various arguments regarding ethics also lack explicit knowledge of natural law. When the lack of such knowledge becomes coupled with the lack of knowledge found within the tradition, an improved understanding of ethics remains obscure. Thus, this opaque version prevents transparency that allows for understanding. The lack of understanding creates an obstacle and prevents a person from achieving excellence in communication ethics as praxis.

Another obstacle to understanding becomes evident in recognizing the age (youth) of Communication Ethics as a discipline. It is considered a relatively recent phenomenon having developed within the history of the Western Intellectual Tradition. This development becomes evident when Ronald Arnett (1987), researching the status of communication ethics scholarship in speech communication from 1915 to 1985, framed his query into five categories under the headings of democratic; procedural; standard; and code ethics as universal-humanitarian ethics, contextual ethics, and narrative ethics, explaining that a primary guideline for inclusion of articles in the review was the use of the terms ethics, morals, or values. Arnett (1987) states, “In fact, the democratic communication ethics category is the best known in our discipline and has been used in every previous examination of the literature in communication ethics and is consistent with our disciplinary roots in Greek democracy” (p. 58).

Twenty years later, Arnett, Arneson, and Bell (2006) wrote a sequel article updating Arnett’s prior findings. This latter study framed the theoretical and practical movement from a communication ethic to a postmodern reality of a multiplicity of communication ethics (pp.62-92). The dialogic turn embraces the multiplicity of goods while seeking to meet, learn from, and negotiate with difference, thus identifying diversity and a multiplicity of issues developing within the field (Arnett et al., pp. 62-92). Currently the existence of an overabundance of
communication ethics studies verifies that Communication Ethics, as a discipline or area of expertise within the broader spectrum constitutes recognizing it as a recent phenomenon. On the other hand, this overabundance also confirms that there is an increasing awareness and desire for communication ethics to define appropriately and to explain communication ethics in ways that allow the topic to be understood and assimilated by plain persons present within academia and the marketplace, philosopher or not (MacIntyre, 2007). Therefore, in conjunction with the thesis, this study focuses on teaching, delighting, and moving plain people (general reading audience) who desire to understand communication ethics and engage in communicative praxis.

Revealing yet another issue, MacIntyre suggests that necessary answers are not available in the present condition of academic moral philosophy, as an isolated phenomenon, but rather as one aspect of the condition of the contemporary, political, social, and cultural order (2007, p. 112). He claims that academic moral philosophers have developed an enclave of concepts and theories that restrict “everyday plain persons” from refashioning their understanding of moral philosophy (MacIntyre, 2007, p. 113). In lacking understanding of ethics, the ordinary person in the marketplace cannot translate moral behavior into everyday practice for ethical decision-making (MacIntyre, 2007, p. 113). Therefore, academic philosophers should seek communicative resolutions that provide simple, explicit discourse explaining ethics in a way that, “actually become available to this kind of wronged plain person” (MacIntyre, 2007, p. 115). This appears to be yet another challenge for contemporary scholars within numerous disciplines. On the other hand, MacIntyre actually illuminates yet another obstacle to understanding that constrains one from effectively engaging in communicative praxis.

We find an ever-growing interest in communication ethics, which becomes obvious through the research of scholars like Arnett (1988; 2006) and Fritz (1999; 2008). We can track
and review a surplus of texts and scheduled gatherings that are surfacing regarding ethics, which itself may be a prophetic indication that a very real interest and need positively exists. Numerous attempts to address concerns raised by MacIntyre’s scholarship appear to be developing. For example, one may encounter massive quantities of material regarding ethics in almost every discipline and sphere. In reviewing some of the literature available, several articles confirm these findings.

In one book review on the text *Media Ethics: Cases and Moral Reasoning* written by Clifford Christians, Kim Rotzoll and Mark Fackler, the critic Bert Ardoin shared several keen observations. He first developed some context for the review by sharing his personal standpoint. Ardoin explains how a colleague of his once confessed how much he detested teaching press law and ethics to journalism students. The colleague reasoned that ‘teaching morality’ remains the ‘responsibility of family and preachers’ (Ardoin, p.45). The critic moves to constructively comment on the methodology of the scholars in teaching ethics, Ardoin (1987) says:

The authors present no conclusions on right and wrong. Instead, they strive to impress upon the reader that the complexity of some media situations demands a variety of ethical approaches. Their technique for identifying appropriate ethical guidelines for moral reasoning is the model presented by Ralph B. Potter. The Potter Box is a model of social ethics “in harmony with our overall concern…for social responsibility, used for analyzing each case and reaching responsible conclusions about it (p. 45).

Ardoin concludes his review, saying that the scholar’s intent for publishing an updated version included their hope to initiate new insights to gain sharper perspectives on the topic. However, Ardoin found that the second text seemed repetitive and unnecessary in that the first text had already provided significant improvements for understanding the ethical dilemmas
facing journalist and scholars in media today (Ardoin, 1987, p. 45). However, as a reader, one should not ignore the original comments made by his colleague. For example, Arnett, as an academic administrator, has always focused on the responsibility of every scholar to remain attentive to the reality that in the contemporary arena, especially academia, the responsibility to emulate ethical conduct with integrity rests with everyone. His argument rests on an understanding that each person (especially those in leadership) may represent the only sense of family or ‘home’ some people may encounter (Arnett, 1999, pp. 80-89). Richard Johannesen, another noted scholar in communication ethics, would agree with Arnett’s premise. He also explains that ethics remains the responsibility of every person as well (Johannesen, 1996).

Recalling revelations occurring through shared insights of MacIntyre, one might engage reflective critical considerations of statements like these.

Lynn Boynton gives us another example of problems in communication ethics in her critique of ethical issues in an article entitled Moral Engagement in Public Life: Theorists for Contemporary Ethics. The analyst explains how these scholars “bring communication studies angle into the mass communication venue and challenges readers to step away from purely Western foundations of ethics theory to consider broader cultural implications” (Boynton, 2004, p. 188).

In the article Boynton explains that, “the text is not a how-to-guide; rather it is a collection of critical commentaries asking readers to examine the intellectual properties of ethical philosophies through what they refer to as ‘a diversity of orientations,’ presented by notable essayists” (Boynton, 2004, p.188). The article discusses how, “the integration of classical perspectives of Aristotle and Confucius along with contemporary theorists such as Charles Taylor and philosophers like Levinas” (Boynton, 2004 p. 188) become relevant. Her standpoint
affirms the work of this study as well. Boynton (2004) notes a consensus in explaining a view that the “breadth of viewpoints could open up a world-----literally-----of discussions in the human contexts of communication ethics” (p. 188); thus, again affirming that the field of communication ethics is opening up as a serious professional discipline while also affirming Schrag’s standpoint regarding the benefits of constructive hermeneutics for developing communicative praxis. The interest in media ethics, just as other endeavors, indicates potential benefits of integrating explicit knowledge of natural law as a background into discussions to enhance a person’s understanding and meaning regarding communication ethics as praxis in developing excellence.

Returning to the review by Ardoin this study notes his affirmative comments as he explained how “Such a view might partially explain the rarity of textbooks on the subject of media ethics, until the 1983 edition of this book” (Ardoin, 1987, p.45). Once again affirming that the youth of the discipline indicates a real need for integrating explicit knowledge of natural law as a means to enhance the development of communicative praxis through improved understanding of communication ethics.

In reviewing an article taken from the Journal of Business Ethics, entitled A Choice-Making Ethic for Organizational Communication: the Work of Ian I. Mitroff, Ronald Arnett provides context for readers in explaining that the article “examines a procedural ethic of Organizational Communication implicit in research conducted by Ian Mitroff” (p. 151). Arnett claims that a “procedural ethic implies a process for understanding and doing Organizational Communication that eventuates in a particular outcome ---- the maximizing of ‘choice’ within an organizational context” (1988, p. 151). Arnett (1988) further explains that, “what is ethical in this instance necessitates reference to a particular standard” (p. 151). Prefacing his quoting of Nilsen
from the article, Arnett (1988) explains how Nilsen is “known for his commitment to democracy and the Jeffersonian ideal” (p. 151). The quote states:

When we communicate to influence the attitudes, beliefs, and actions of others the ethical touchstone is the degree of free, informed, and critical choice on matters of significance in their lives fostered by our speaking; We shall call this ‘significant choice’ (p. 151).

Explaining his own intent, Arnett (1988) says, “The goal of this article has been to organize the conceptual whole of Mitroff’s work and reveal a strong implicit commitment to an ethic of choice” (p.159). One helpful insight reveals that choice remains a necessary component in any ethical decision-making. However, when Arnett (1988) explains that, “Mitroff does not provide us with a prescriptive set of ethical codes” (1988, p. 159) he affirms the existence of multiple issues regarding communication ethics. Arnett’s statements are helpful to understand his conclusion, telling readers that we all need to struggle with the question ‘What is Ethical’ (p. 151). His insightful comments verify the role freedom plays in ethics and affirms the need to understand ethics as praxis. This very question was in part the impetus of this project.

In yet another article entitled *Organizational Ethical Standards and Organizational Commitment* several communication scholars explain, “Organizations interested in employee ethics compliance, face the problem of conflict between employee and organizational ethical standards” (Fritz, Arnett, & Conkel, 1999, p. 289). These scholars agree “business ethics is a vital topic for scholars and practitioners” (Fritz, et al., 1999, p. 289). They also agree that, “maintaining organizations ethical standards is not a simple process” (Fritz, et al., 1999, p. 289). When these scholars state that both research-oriented and applied ethics face “potential conflict between one’s personal (private) and the organizational (public) ethical standards” (Fritz et al., 1999, p. 289) they actually identify yet another ethical dilemma. Their shared insights become
more significant as they also explain how ethical standards can provide a frame for socializing an employee (Fritz, et al., 1999, p. 289). However, when explaining that an individual’s trust in the integrity of an organization depends on observed conformity between what an organization claims it stands for and the perception of its actual performance (Fritz, et al., 1999, p. 289) another major issue regarding ethics surfaces. Cynicism usually develops when the ordinary person detects that a lack of integrity exists. Such a discrepancy indicates there is an incongruence between the codes of ethics and the actual implementation occurs, which constitutes still another key issue confronting contemporary communication ethics. For example, we might consider whether these scholars are proposing that integrity is essential for ethical praxis? One might also question ways in which codes of ethics address integrity. How does one engage in communicative praxis without addressing integrity? Finally we should consider the most appropriate response and ethical interest of those doing the organizational socializing of another.

These scholars not only provide evidence that communication ethics in a major source of query for contemporary society, they support the theory claiming that many seek understanding for developing and improving communication ethics. This information confirms the thesis for both the chapter and study in claiming that there remains a need to integrate explicit knowledge of natural law into discussions about communication ethics as praxis for improved moral behavior. Misunderstanding is causing havoc and preventing ethical praxis.

Although MacIntyre (1990) claims, “moral incommensurability is itself a product of a particular historical conjunction” (p. 70), it remains equally obvious that the public recognizes questionable moral practices present within our global culture. It is undeniable that MacIntyre identifies an accumulation of issues contributing to contemporary situations. It seem evident that
our human need for understanding ethics is preventing ways in which one may develop excellence in communication ethics as praxis.

One should also consider questioning ways in which academic scholars might appropriately respond to the majority of plain people identified by MacIntyre (2007; 1990), who desire to live upright moral lives but are caught up in the rhetorical chaos and confusion. The majority of inquirers are not necessarily professors or students but lay people who lack the time, patience, or tenacity to wade through elaborate discourse, in a manner conducive with academia. Many marketplace participants or society as a whole are too busy or lack adequate resources to untangle even one of the numerous obstacles to understanding ethical praxis. When one seeks answers to questions about what is ethical praxis he/she is confronted with confusing discussions currently manifest within discourse related to communication ethics. Therefore, finding ways that communication scholars might translate essential knowledge about ethics (moral praxis) to lay people remains a rhetorical challenge. This study indicates that integrating explicit knowledge of natural law at least provides context for some of the arguments relating to ethics.

Inadequate understanding of communicative ethics diminishes hope for development of communicative praxis but hope is renewed when Schrag states, “Truth is the process of disclosure eventuated in the describing, arguing, explaining, and showing that goes on in our speaking, writing, and acting” (Schrag, 1986, p. 190). Schrag (1986) further explains how “description and re-description, understanding and explanation, argumentation and showing are themselves displays of communicative praxis involving an actual or potential hearer and reader” (p. 190) thus qualifying this research as communicative praxis. In summary, Schrag (1986) asserts that a constructive hermeneutical approach to our inquiry about ethics can restore some intelligibility. In addition to MacIntyre (1984, 1988, 1990, 1998; 2007) and Schrag (1986), in
concert with the scholarship of Arnett (1987-2010), Clifford Christians (1992-2010), Walter Fisher (1987), and Richard Johannesen (2002/2008), contributes significant insights that raise the bar for those embarking on a cognitive journey to improve understanding about ethics as they travel en route to achieving communicative praxis. Schrag’s philosophy not only provides a frame for achieving a rhetorical turn, it also indicates and affirms that potential clarifications regarding communication ethics becomes more evident through explicit discussion of natural law and its ultimate relation to communication ethics.

The Hermeneutical Approach

The constructive hermeneutical approach is grounded in the method of using hermeneutics, which is best explained in *The Cambridge Dictionary of Philosophy*. Audi defines hermeneutics as “the art or theory of interpretation” and a “type of philosophy that starts with questions of interpretation” (Audi, 1999, p.377). Additionally, two competing positions in hermeneutics exist. The first follows Dilthey and envisions interpretation (Verstehen) as a methodology for the historical and human sciences (Audi, 1999 p. 377). The second position, in concert with Heidegger, “envisions interpretation as an ‘ontological event’ or interaction between the interpreter and the text that is part of the history, of what is understood” (Audi, 1999, p. 377). Typically speaking, “hermeneutics focuses on interpretation of ancient texts and distant peoples” but twentieth century hermeneutics, advanced by Martin Heidegger and Hans-Georg Gadamer, “radicalize the notion of the hermeneutical circle, seeing it as a feature of all knowledge and activity” (Audi, 1999, p.377). This moves approach from simply focusing on human sciences, to a ‘universal’ thereby making interpretation part of the “finite and situated character of all human knowledge” (Audi, 1999, pp.377-378). Philosophical hermeneutics
therefore “criticizes Cartesian foundationalism in epistemology and Enlightenment universalism in ethics” (Audi, 1999, p. 378). Philosophical Hermeneutics emphasizes understanding as a way of, “continuing a historical tradition, as well as dialogical openness, in which prejudices are challenged and horizons broadened” (Audi, 1999, p. 378).

Hermeneutical philosophy, “moves away from the epistemological and metaphysical framework that has governed inquiry for some time” (Schrag, 1986, p. 18). The constructive hermeneutical approach allows us to re-engage the arguments about ethics within the tradition as a means to provide improved clarity and understanding that enhances contemporary understanding. True to hermeneutical philosophy, the element of communicative praxis, multiple interpretations of the human experience and conversations provide possibilities for the future (Schrag, 1986).

Authentic hope exists in the statement that, “theory, scientific as well as philosophical is, itself a form of communicative praxis” (Schrag, 1986, pp. 87-88). However, if one is to understand the close connection between understanding and praxis, practical wisdom may result. Realizing how this connection results from Aristotle’s notion of practical wisdom (phronesis), makes it practical to consider more distinctly what Schrag (1986) explains about communication and praxis, both as distinct terms and what he calls a couplet. This move however, requires a brief review examining how other communication scholars define communication in comparison with Schrag (1986). This review is essential before moving to discuss his definitions and explanations for communication and communicative praxis as a couplet.
Defining and Explaining Key Terms

Communication Defined

Communication has countless meanings in multiple fields. For example, the highly respected communication scholar Em Griffin (2009) explains that Frank Dance, a scholar credited with publishing the first comprehensive book on communication theory, “enlisted more than 120 definitions of communication” (p. 6). Griffin (2009) decidedly provides what he terms a working definition, claiming, “Communication is the relational process of creating and interpreting messages that elicit a response” (p. 6). Other scholars define communication as “the act of meaning something, of conveying a ‘propositional attitude’ (belief, desire, intention, regret, etc.) to an audience, by linguistic or other means” (Honderich, 2005 p. 150). Honderich (2005) explains that, “the intuitive code or message” model for communication becomes “simply a matter of encoding a thought in a form that one’s audience can decipher” (p.150). Another brief definition explains communication as “the act of expressing an attitude with a reflexive intention whose fulfillment consists in its recognition” (Honderich, 2005, p. 150). Schrag (1986), on the other hand, provides additional insights to define and explain communication as praxis. His third component appears to include a sense of personal responsibility for knowledgeable content, context, and interpretations of subject matter as well. Ultimately, as communication scholars, we must consider the difference between uninformed opinions (doxa), or emotivist expression of ideas and desires (communication by someone about something). Contrast this expressed communication with Schrag’s (1986) understanding of communicative praxis that requires a stance of personal responsibility about the content, context, and interpretation of our
communication. This in part is what Schrag (1986) explains as communicative praxis or communication by someone, for someone, about something.

**Calvin Schrag Defines Communication**

Schrag (1986) defines communication more precisely; he claims that all communication functions as an amalgamation of words and actions and includes the information being transmitted. His explanation manifests clarity in defining communication not merely as “an act or action of imparting or transmitting, but also the facts or information communicated” (Schrag, 1986, p.15). He provides multiple clarifications to improve meaning and facilitate understanding. For example, he claims that communication can also be defined as the “interchange of thoughts or opinions……through a common system of symbols (as language, signs, or gestures) underscoring the relevance of linguistics, semiology, and the ethnography of nonverbal behavior for an understanding of communication” (Schrag, 1986, p.21). Distinction between the differences relates to the act of sharing and the many possible outcomes. Schrag (1986) defines our communication as more than a means of channeling spoken words. He develops an understanding of communication that integrates the objective, and the subjective that moves into the space of intersubjectivity and body language that actually occurs in communicative interactions to enhance understanding. Communication may also be considered an “access between persons or places” (Schrag, 1986, p.21) thereby making communication the means. When communication becomes the means, it then includes references to communication media (Schrag, 1986). Regardless of the position taken “whether it is epistemological, metaphysical, or axiological” the spaces to subjectivity and intersubjectivity open; Schrag (1986) further explains
this approach as *epoche* (p.21). Hegel defines his meaning of *epoche* in the text entitled *Phenomenology of Spirit*. Hegel identifies *epoche* as a way of being in the world (Hegel, 1977).

Schrag (1986) further explains communication as the “ubiquitous phenomenon pervading both the private and public sphere” (pp. 21-23). Schrag (1996) establishes understanding of the inevitable reciprocity of the act and action. His explanations make the dynamics of intersubjectivity imaginable in claiming “communication is a qualification of praxis and praxis is also a qualification of communication” thereby elaborating that the “space shared by communication is a space shared by praxis” (Schrag, 1986, p. 21-23). Accordingly, communication consists of two dimensions simultaneously: “it is linguistic and actional; it is distinctively rhetoric of speech and rhetoric of action” (Schrag, 1986, p. 22). Communication “imparts objective knowledge while the disclosure itself shares intersubjective concerns interdependently illustrating the signifying power of speech and language and the intentionality of action” (Schrag, 1986, p. 22). Elaborating a little further, he makes the message clear in stating that, “Communication is a qualification of praxis” (Schrag, 1986, p. 22).

**The Meaning of Praxis**

Praxis, the “Greek word for action” was originally introduced by Aristotle as “a technical term meaning doing rather than making” (Honderich, 2005, p. 750). Although the term is not used by many philosophers it shares in “a long history of service in the discipline itself” (Schrag, 1986, p.21-23).

Aristotle, considered the first to use praxis in the interests of philosophical exchange of ideas, remains responsible for its impact across the spectrum of philosophical and social thought throughout history (Schrag, 1986). Hegel (1979), Feuerbach (1986), and Marx (1976) utilized
different methods to support and revitalize its use and understanding, which has resulted in considerable reflections within the twentieth-century as “evidenced in literature such as philosophical anthropology, existentialism, neo-Marxism, and critical theory” (Schrag, 1986, p.17). Although “the spoken word is the performance of thought,” (Schrag, 1986, p. 44) it becomes crucial to understand that communication as praxis encompasses much more than transmitting an individual thought on paper (Schrag, 1986).

Both Schrag (1986) and Honderich (2005) explain that the Greek term *praxis* is usually translated as practice. However, when understood from its verbal root word *prasso*, “praxis relates to a sense of doing, acting, performing, and accomplishing” (Schrag, 1986, p. 19). *Praxis* for Aristotle was distinctively different from *theoria*, in that *praxis* encompassed the sphere of human action and accomplishments while *theoria* (theory) encompasses the domain of rigorous science (Schrag, 1986, p. 19). Therefore, for Aristotle, *praxis* results in practical wisdom, which he identifies as *phronesis*. *Praxis* then “displays a different sort of knowing than that which issues from *theoria*” (Schrag, 1986, p. 19-20). Schrag (1986) makes another distinction in his comparisons between *praxis* and *poiesis*. Schrag (1986) explains, “Poiesis, as ‘an artifactual production’ that remains “distinct from the sphere of human action and from theoretical philosophizing” (p. 19). Artifactual production, guided by *techne*, also has a significantly distinctive role in comparison with *episteme* and *phronesis*. Aristotle’s philosophical definition of “*praxis* directly relates to one’s achievement and maintenance of the virtuous life, among the citizens who constitute the *polis*” (Schrag, 1986, p.20). One should also note that there is an indissoluble linkage between *praxis* and *polis* in the thought of Aristotle, in that “*praxis* is the interwoven fabric of man’s ethical and political existence” (Schrag, 1986, p. 20). In the same
way this explicit information serves to explain praxis, explicit discussion of natural law potentially assists to improve comprehension of communication ethics.

This explanation makes it obvious that those functioning in the public sphere require personal mature ethical character. With this background serving as ground beneath our feet, it seems logical then to consider the couplet of communicative praxis.

**Communicative Praxis Defined as a Couplet**

Communicative praxis as a couplet of these two terms becomes the “establishment of interdependence and reciprocity of these two notions within a holistic sense” (Schrag, 1986, p.18). This move toward interdependence and reciprocity requires “a dissembling of the epistemological and metaphysical frameworks that have governed their significance” (Schrag, 1986, p.18). It is true to hermeneutical philosophy, as it comprehends multiple interpretations of the human experience and conversations with assistance of possibilities for the future (Schrag, 1986). Communicative praxis embodies language, action, discourse, theory, practice, wisdom, tradition, culture, historicity, and linguistics in interplay. Communicative praxis recognizes its heavily laden layers of communicative texture in a conscious awareness that it is not only communication by someone, about something, but it is also communication for someone (Schrag, 1986). Communicative praxis is the space of expression that includes discourse and action infused with interpretation (Schrag, 1986). It is a holistic space where thoughts, language, and action interplay, involving both the text of the spoken and the text of written discourse integrated with the actions of the individuals (Schrag, 1986). The “unitary phenomenon of communicative praxis not only delivers a hermeneutical reference to the world, it also yields a hermeneutical implicature of a situated speaking, writing, and acting subject” (Schrag, 1986,
This implicature moves the discussion from theory to applied communication ethics thus becoming theory informed action (Schrag, 1986). Accordingly then, explanation and understanding are necessary requisites for interpretation (Schrag, 1986). Likewise, explanation and understanding are essential for the development of “horizons of significance” (Schrag, 1986, pp. 72-94) and such horizons become an impetus of hope for a “rhetorical turn” (Schrag, 1986, pp. 72-94). The horizons of significance develop in the unfolding of the new humanism that moves about in a hermeneutical play of perspective descriptions of the life of discourse and action (Schrag, 1986). These horizons occur at a time when meaning becomes illuminated (Schrag, 1986). Schrag (1986) not only defines and explains communicative praxis as a couplet, his discourse affirms that research focused on natural law requires definitions and explanations that promote understanding about the law, and it’s meaning. This affirmation not only reveals some of its communicative implications, but it also suggests that this study remains a necessary venture for contemporary communicators, especially scholars, in more than one sense.

The Rhetorical Turn

The rhetorical turn is a move that comports philosophy and rhetoric as a joint venture in expression (Schrag, 1986). The rhetorical turn becomes possible when the binding of philosophy and rhetoric unify as a source for formal inquiry in a search for, and discovery of truth (Schrag, 1986, p. 189). Discovery of truth becomes possible as “the process of disclosure eventuated in the describing, arguing, explaining, and showing that goes on in our speaking, writing, and acting. Description and re-description, understanding and explanation, argumentation and showing are all displays of communicative praxis, involving an actual or a potential hearer and
reader” (Schrag, 1986, p. 190). The rhetorical turn makes the “incarnation of the *logos* (rationality embodied speech and action) within discourse and action in a hermeneutic of everyday life with communicative praxis announcing and displaying reason as discourse” (Schrag, 1986, pp. 192-193). In this turn, “discovery, communication, and rhetoric all collapse into a unitary philosophical act” (Schrag, 1986, p. 192) and the rhetorical turn makes visible the horizon in which ethos and the polis intersect and interact, thus “providing the occasion for deliberative-political discourse and action, calling for responses that are fitting and proper” (Schrag, 1986, p. 204). The “fitting response is thus enjoined to do double-duty to preserve the tradition, without which communication could not proceed, and to critique the tradition in search of a pharmakon that might remedy its conceptual and existential ills” (Schrag, 1986, p. 3). What does Schrag mean? According to his explanations it seems that a fitting response regarding ethics requires better explanations about natural law and ethics in general. In cases involving ethical decision-making, it becomes obvious that explicit knowledge of natural law enhances one’s understanding of ethics; this understanding improves meaning and in turn potentially results in transcendent insights about ethics, allowing for the development of appropriate responses regarding communication ethics as praxis. This can be understood as a non-prescriptive approach to ethics that allows for free-will decision making, thereby maintaining the essence of ethics in the twenty-first century.

**Questioning as Clarity**

Questions often indicate confusion but can also put someone on the path toward finding clarifications. For example, one questions about whether everyone knows that ethics is the science of moral behavior, Schrag’s (1986) insights became an impetus for this study. Research
and answers to this question do not necessarily concur with his claim, thereby validating a claim that questions can be more than indicators of confusion regarding a given subject. Schrag (1986) explains, “Questions have a way of directing the inquiry” (p. 51), which also proves effective for this inquiry. This study about natural law resulted from reviewing differing theoretical philosophical arguments regarding communication ethics dispersed throughout the liberal arts tradition. Such questioning sought to reconcile many differing opinions and theories regarding ethics. For example, consider how or why philosophers like Kant, Locke, Hume, or Hobbes developed such differing theories for ethics. Case in point, comparing Kant’s *Critique of Pure Reason* with Locke’s theory of *Tabula Rasa* became a quest searching for common denominators within these differing theories. Both theories concentrated on defining ethics, yet each yielded opposing conclusions. Kant’s standpoint validates his metaphysical *a priori* stance while Locke’s ideas maintain a strictly *posterior* empirical perspective. Both philosophers appear to be not only reacting to principles of natural law but also expressing personal biased opinions as well.

Ultimately, the quest concerns recognizing the value of basic explanations that define authentic natural law principles to develop ones response as communicative praxis. Therefore, realizing that numerous philosophers have been engaged (implicitly or explicitly) in arguments about natural law (pro or con), establishes a need to enrich our understanding of natural law and its relevance for communication ethics.

**Questioning as Valuable Discourse**

Following suggestions of Schrag (1986) and Paul Ricoeur (1992), it becomes obvious that posing basic questions such as “Who” (Ricoeur, 1992, pp. 57-61, 93, 119, 167) and discovering how it relates to “What” or “Why” (Ricoeur, 1992, pp. 59-61, 106, 122) proves
invaluable for those seeking knowledge about ethics, natural law, and how each relates to rhetoric and philosophy. Schrag (1986) claims that questioning provides additional benefits to discovery and meaning. Schrag (1986) explains that in addition to improved understanding, questioning develops an opening for the space of “intersubjectivity” (pp. 10, 11, 97, 125, 132, 135, 185). This space of wonder and awe paves the way for “horizons of significance” (Schrag, 1986, pp. 10, 11, 97, 125, 132, 135, 185) to emerge, illuminating new or additional understanding and meaning for communication ethics epitomized in communicative praxis. Such horizons of significance have become essential for on-going communicative achievements. Nevertheless, these horizons of significance result in the reflective space in one’s thinking, the space of intersubjectivity.

**The Space of Subjectivity**

The space of subjectivity and intersubjectivity cannot be seen or touched. The space of subjectivity encompasses discourse and action as a space of intersubjectivity. Schrag (1986) comprehensively explains what he means. He says that in various projects of deconstruction of the subject, a “discernable trace of subjectivity remains even as deconstruction is in process and after it is completed” (p. 10). Such underpinnings involve a speaker, a situated author, and an engaged actor at work (Schrag, 1986, p. 10). It is here that subjectivity “finds its birth certificate within the wider space of communicative praxis which includes language and speech but also action of both individual and social” (Schrag, 1986 p. 11). For ontology, “the space of subjectivity is the interplay of presence and absence of the subject. It is formed where the dichotomies of thought and action, theory and practice have not yet been established” (Schrag, 1986, p. 143). However, within dialogue, the speakers move back and forth in a conversation
with one another and reveal thinking that becomes difficult to trace back to its origin and constitute a co-development of creativity (Schrag, 1986). Such creativity results from the reality that, “No ‘I’ is an island, entire of itself; every subject is a piece of the continent of other subjects, a part of the main of intersubjectivity” (Schrag, 1986, p. 125).

Explanation and understanding remain essential for the development of “horizons of significance” (Schrag, 1986, p. 97) and such horizons constitute hope for a “rhetorical turn” (Schrag, 1986, p. 179). His claims, like those of MacIntyre, affirm that serious misunderstandings have developed and continue to develop within discourse on ethics due to the lack of explanation and understanding (like knowledge of natural law). Such deficiencies evoke questioning ways in which the lack of explicit knowledge of natural law potentially renders many of the philosophical approaches to ethics and ultimately communicative praxis less discernable.

A constructive hermeneutical approach reveals that natural law remains an essential topic for achieving a philosophy of communicative praxis. Once natural law becomes explicitly defined and explained many philosophical discussions relating to ethics take on new meanings and understanding. One may not only assess its relationship to the development of ethics as praxis, but such perceptions potentially augment new considerations to enhance meaning and understanding regarding ethics in general and communication ethics in particular, thereby paving the way for more comprehensive communicative praxis to become reality.

Once again, the thesis driving this work claims that if one hopes to develop and achieve communicative praxis he/she must at least integrate some basic explicit knowledge of natural law as essential context to enhance understanding of the numerous philosophical discussions regarding ethics. Explicit knowledge of natural law becomes one (not the only) means of
developing more comprehensive discourse for communicative ethics. Such knowledge serves well as a background or precursor for understanding many of the philosophical discussions regarding ethics appearing throughout the tradition of philosophy. However, this view becomes more evident in subsequent chapters.

The Role of Understanding

Schrag (1986) repeatedly emphasizes that understanding remains essential for developing praxis. Knowledge of natural law not only enhances understanding about this law of nature, but it also provides a framework for improving one’s understanding of ethics and develops a more robust engagement with philosophical discussions relating to communication ethics. Therefore, comprehensively researching natural law as an approach for improving understanding of communication ethics seems essential for anyone intent on developing horizons of significance en route to achieving communicative praxis.

Natural Law as Fundamental Knowledge

Knowledge of natural law improves meaning and understanding about the role of communicative ethics and the praxis of living a moral existence while also establishing ground beneath one’s feet regarding contradictory philosophical perspectives about ethics alleged within the discourse. For example, a review of Kant’s Critique of Pure Reason provides an example that enhances understanding. Note that explicit knowledge of natural law provides enlightened contextual awareness that also enhances understanding of Kant’s (1929) critique. This study reveals that natural law functions innately as one’s unique fundamental ability to distinguish (reason) right from wrong. When Kant (1929) disputes pure reason he does not dispute the
existence of *a priori* knowledge but maintains an antithetical view of natural law as reason. He claims that *posterior* empiricism remains indispensable for moral decision-making. Kant (1929) does not deny the essentialness of understanding; he claims that all understanding requires empirical evidence gathered from what he defines as a synthetic-manifold-of-experience. He explains how understanding is a product of connecting precise sequential building blocks of experience. Locke, on the other hand, in his outright claim insists that we are born as blank slates, insisting that humans require experience and education for everything one comes to know and understand.

In review, it becomes evident that knowledge of natural law has a genuine epistemic value in comparison to Kant’s Critique of Pure Reason. His antithetical stance provides argumentation contrasting an *a priori* stance with his *posterior* stance, which actually illustrates the distinction between metaphysical and empirical evidence. Although Kant’s antithetical argument for the synthetic-manifold-of-experience has great merit in understanding sensual experiences, his insistence that all understanding requires empirical evidence departs from natural law as understood primarily by Augustine in *The Confessions* and *The City of God*, Aquinas in *The Summa Theologica* and works like *The Idea of the University* and *Apologia Pro Vita Sua* by John Henry Cardinal Newman.

Clarity on natural law remains important due to confusion that develops when discussions of the laws of nature [as scientific] are equated with natural law [as metaphysical]. Although perhaps interdependent, these realities have distinct and different philosophical definitions and identities that are not interchangeable.

Issues like these contribute to what MacIntyre (1984) identifies as chaos and Ricoeur (1984) calls unintelligible in its lack of respect for permeable boundaries. Similar issues are
found when researching the lineage (discussed in a subsequent chapter) of natural law. These obstacles to understanding occur throughout philosophical discourse about communication ethics, creating unnecessary confusion and constraining a more mature development of communicative praxis. Explicit, succinct, knowledge about natural law provides context that enhances understanding for communication ethics.

Close textual analysis indicates that distinctions between natural law and the laws of nature are routinely neglected in discussions of communication ethics. Such incidences create confusion and such confusion prevents valid understanding and meaning from being realized. This lack of distinctions limits the development of excellence as communicative praxis. Aligned with Schrag, MacIntyre, Ricoeur, and scholars like Taylor, either implicitly or explicitly claim that making such crucial distinctions in discussions about ethics remains essential. Definitions and explanations become one means of framing the conversation and establishing common ground that respects the permeable boundaries of various disciplines. Discussions about natural law originate with the pre-Socratics, verifying that natural law is not solely Christian, Thomistic, or Scholastic.

This study seeks to improve understanding about natural law and its place in communication ethics as a non-prescriptive normative moral principle that has potential to become acceptable as a flexible moral guideline for the whole of society. Augustine (1960), Aquinas (1984), and Newman (1994) discuss natural law as moral philosophy and confirm its origins in the pre-Socratic, Stoic, and pre-Christian era. Although Augustine was the first to explain natural law in light of Christian philosophy, he captured its essence and defined the pagan moral principle using his philosophical interpretation to enhance faith perspectives.
Augustine, the first to define a Christian understanding of natural law, also remains credited with laying the foundations of Scholasticism in his “De Doctrina Christina, through his urging the use of dialectics to study Christian doctrine” (Stravinskas, 1991, pp. 869-870). However, many contemporary scholars, Catholics and Protestants alike, remain reluctant to discuss natural law in philosophical conversions.

Therefore, in a constructive hermeneutical approach of returning to the text(s) (person, book, place, topic, etc.), maintaining a stance of willingness to identify one’s biases becomes another means for developing or obtaining valuable epistemic insights for achieving communicative praxis. Such insights may evolve from definitions and explanations of key terms, the integration of a narrative account of the lineage of natural law, and shared insights from various Roman Catholic scholars who convey a narrative account of natural law. Efforts like this may unleash innovative insights that have potential for a rhetorical turn in communication ethics as praxis.

Discussing natural law, defined and explained in the historic Catholic Intellectual Tradition becomes a valuable source for understanding this innate moral principle and its potential for communication ethics. The Roman Catholic Church retains the integrity of the law throughout all of history. Retaining the integrity of natural law as it appears from its Classical Antiquity historical paradigm establishes its relevance for pagan, secular, and religious contemporary discussions of communication ethics expressed as communicative praxis.
CHAPTER TWO

DEFINITIONS AND DISCUSSION RELATED TO NATURAL LAW

Framing the Discussion

Calvin Schrag (1986) calls for a “rhetorical turn” in developing excellence in communicative praxis (pp.179-196). This study proposes to contribute to inquiry in the direction Schrag suggests. The overarching goal includes objectives that cultivate understanding for communicative ethics by uncovering natural law perspectives. Looking toward inquiry into major voices that link natural law with communicative praxis calls for discussions about key terms. Such discussions raise awareness regarding the distinctness and interrelationship between natural law, philosophy, and ethics. Therefore, this chapter defines and discusses key terms such as philosophy, natural law and ethics, then proceeds to discuss issues relating to philosophy that have created misunderstanding about natural law.

Developing communicative praxis requires readers to be attentive to Schrag’s (1986) caution that warns against, “the illusion of foundationalism” by which “defining certain terms becomes some benchmark of some God-like criterion” (pp 94-111). Attentive to similar warnings also issued from MacIntyre (1990), this study recognizes a constructive function of workable definitions and discussions involved in efforts attempting to enhance understanding and thought about natural law. Therefore, due to many rhetorical issues this particular chapter proceeds with work to define and discuss several key terms, beginning with natural law. The distinctions and interconnectedness of each term contribute to improve understanding of their place within this study and to understand better the relationship of each term relating to communication ethics.
Rationale for Defining Various Terms

Although philosophy, theology, ethics and communication are understood as distinct disciplines in contemporary perspectives, from their earliest history, these disciplines remain interrelated. Efforts to show their distinctness and interrelationship proves to be beneficial in developing a more comprehensive understanding of natural law as a primary principle of morality for humankind.

Following Schrag’s (1986) directives to avoid making definitions objective meaningless facts etched in stone, this study seeks to show that such definitions and explanations potentially assist in providing a basic groundwork for understanding theory in developing interpretive meaning for more fruitful actions. This study views such efforts as valuable for considering natural law in the formation of communicative praxis. Although the lineage of natural law provides evidence of its Greco-Roman origins and historical development, a discussion showing its intricate connections with philosophy and ethics also contributes significant contextual insights and background. This study advances these ideas more fully in chapter three, but for immediate purposes, this particular chapter cultivates some understanding about the rationale behind St. Augustine, St. Thomas Aquinas, and Blessed John Henry Cardinal Newman in their taking deliberate rhetorical measures to emphasize that natural law is first and foremost moral philosophy. In part, the efforts of these rhetoricians illuminate the place/fit of natural law within philosophy and ethics, especially communication ethics, for secular society. In addition to verifying why explicit explanations of natural law enhances understanding for many arguments found within the philosophical discourse about ethics, such verification raise awareness that explanations about natural law potentially cultivate a more mature development of communication ethics as praxis within postmodernity. Ultimately, understanding the relevance of
natural law as it relates to philosophy and ethics remains essential for achieving communicative praxis. Therefore, defining these terms begins with consulting a general resource available to everyone. Such resources retain an unaffiliated religious approach that makes the definition understandable for any scholar to determine the relationship of these terms to communication ethics.

**Defining and Discussing Natural Law**

When a scholar inquires about natural law he/she may quickly find answers by referencing a dictionary or encyclopedia. Although the dictionary provides objective answers, additional explanations like those in this study, improve understanding and meaning. However, this chapter considers a dictionary as a good beginning for those seeking factual explanations that enhance understanding of natural law, philosophy, and ethics in relation to each other and communication ethics.

*Webster’s Universal Dictionary* (1997) defines natural law as: 1. “Rules of conduct supposedly inherent in the relations between human beings and discoverable by reason, it is a law based on man’s innate moral sense; 2. A law of nature; 3. Laws of nature, collectively” (p 903). This contemporary definition requires attentiveness to the fact that it never mentions God. Such attentiveness sparks insights to consider that although the pre-Socratics frequently discussed god(s) and Socrates and Plato were themselves theists, their belief system did not infer the monotheistic God of Christianity, and Aristotle identifies this higher power as the prime mover. These considerations also recognize ways in which practical application of natural law for contemporary secular society begins to take form in relation to communication ethics. It was
the evolution of Christian philosophy that transformed understanding of natural law for practicing Christians.

As Christian philosophy developed, natural law became better understood as the “participation of human beings in the eternal law of God” (Stravinskas, 1991, p. 703). Scholars such as Crowe (1977), Koterski (2002), Fagothey (1959), and Fernandez & Socias (1977) have expressed similar statements. However, expanding one’s understanding requires knowing that there are two kinds of law, based on their duration. God’s law that governs the entire universe, according to his intellect and essence, remains known as eternal law, whereas laws made by humans are considered temporal laws (Fagothey, 1959, p. 167). Human laws are either natural or positive. Natural laws are those promulgated through the very nature of the being they govern, which includes physical and/or natural moral law (Fagothey, 1959, p.167). Physical laws are customarily considered laws of nature and the term natural law is usually reserved for identifying the natural moral law (Fagothey, 1959).

Based on their origins laws are deemed divine or human. In that God is the lawgiver, his laws are considered to be divine whereas humans are the lawgivers of their own laws (Fagothey, 1959, p.167). Fagothey (1959) argues, the “eternal law and the natural law (both physical and moral) are divine laws” (p. 167). Although human laws are temporal and positive, laws imposed on humans by God through direct intervention or revelation are known as divine positive laws (Fagothey, 1959, p.167). On the other hand, human laws can be civil or ecclesiastical depending on whether they are promulgated through the society of the Church or the state (Fagothey, 1959, p. 167). It becomes significant to note that scholars should understand that natural law indicates human participation in the objective order established by God (consciously or unconsciously), regardless of faith or creed, from the beginning of creation (Stravinskas, 1991). In this way
natural law determines requirements for all human fulfillment and flourishing (Crowe, 1977; Fernandez & Socias, 1977; Koterski, 2002; Stravinskas, 1991). Aristotle used the example of an acorn to explain the teleology of human flourishing. He explained that similar to an acorn that has the capacity to grow into a fully matured oak tree, humans also have the capacity to remain on course to their intended end.

Fundamentally the church considers natural law a work of divine reason, promulgated by God. However, philosophically, practical reason allows all humanity to participate in the directives of natural law and each person promulgates its dictates, thereby making natural law both a human and a divine work (Fagothey, 1959, Fernandez & Socias, 1977; Koterski, 2002; Stravinskas, 1991). The dictates of conscience render all persons capable of knowing the requirements of natural law (Fernandez & Socias, 1977; Koterski, 2002; Stravinskas, 1991). This single statement remains repeatedly affirmed within the following discussions of Augustine (1960, 1998), Aquinas (1984), and Newman (1997). All three scholars identify conscience as communication of God with each person; however, conscience became a phenomenological focus of attention in Newman’s discussions on natural law. His discussion remains helpful in understanding that conscience is not a separate visible organ like the brain or heart of a human being.

Natural law must always be distinguished from any other laws of nature. The former governs humanity while the later governs the actions of nonhuman creatures and determines their requirements for fulfillment (Crowe, 1977; Fernandez & Socias, 1977; Koterski, 2002; Stravinskas, 1991, p. 703). Stravinskas (1991) adds, the failure to imagine the human person as a co-promulgator of natural law often results in erroneous claims that the law alienates a person because it imposes a heteronymous morality. Whereas, even non-Christian advocates of natural
law identify natural law as a law found within nature. For example, Cicero, no different than Augustine (in his pre-Christian disposition), viewed natural law as a common trait in human nature and invoked its use as a source to unify humanity.

Practical reason kindles self-realization and leads to human flourishing and recognition of this natural moral law within his/her being (Stravinskas, 1991). This self-reflective exercise can be easily imagined through reviewing the three-step process Schrag (1996) identifies and explains as distantiation, idealization, and recollection, necessary for achieving communicative praxis. Natural law remains a self-existent moral law, respecting human autonomy, yet like any other law, carries with it personal responsibility for others and punishment for violations as a necessary consequence (Stravinskas, 1991, pp. 703-704). Natural law may only be considered historically conditioned in recognizing that what was implicit in a previous era became explicit in a later more socially developed context. Rather than implying radical relativism, one must realize that increased potentialities progressively developed by humanity through its history increased specific responsibilities automatically. Understanding natural law improves when considering that primitive persons did not have a moral responsibility to care for the needs of the world because there were no social or political structures in place to help people realize such obligations (Stravinskas, 1991).

The Magisterium of the Roman Catholic Church (teaching authority) claims expertise in interpreting natural law and establishes correct interpretations of its moral demands, where needed. On the other hand, natural law exists prior to any positive human legislation, and remains knowable to all humanity (a priori), even though the help of the Church may sometimes become necessary (post priori) (Stravinskas, 1991, p. 679).
Natural law proposes that ALL humans, without exception, are born with innate moral reasoning that predisposes each person with the capacity to distinguish what is good from what is evil (Koterski, 2002; Melchert, 2007; Stravinskas, 1991). People often question whether such belief encompasses moral theology or moral philosophy. The philosophy and theology of the Catholic Church includes the claim that God placed this innate moral reasoning within each person. This metaphysical claim, however, does not automatically assume or imply Christian theology. The historical origins of natural law reveal that such philosophical inquiries began in the pre-Socratic historical paradigm. For example, as previously mentioned, Augustine, like Cicero, believed in natural law prior to his conversion to Christianity. Both men (one Christian the other not) exhibited ingrained belief in natural law. In fact, Augustine (explained in a later chapter) actually became the first to enculturate natural law with Christian perspectives, adapting it and making it conducive with Christianity.

Natural law proposes that humans have a call to free obedience as professed in the Scripture verse stating that “Man has in his heart a law written by God; to obey it is the very dignity of man; according to it he will be judged” (Daughters of St. Paul, 1994, pp. 74-76). There are two basic characteristics of the law. Its applicability to every person makes it universal and its immutability means, “it is not historically altered” (The Daughters of St. Paul, 1994, p. 75). This text also categorizes “the Magisterium,” as the “qualified prophet of the law” and states that any law “promulgated by those who have authority must be considered a positive law” (The Daughters of St. Paul, 1994, p. 76). From a theological perspective, such authority can be that of God and/or man. Divine law has God as its authority, which assimilates natural law into its definition. Examples of divine law include the Ten Commandments or the precept of charity given by Jesus Christ. Accordingly, when “a person seeks truth in his/her heart” he/she “finds
this truth in Jesus Christ and the Gospel” (The Daughters of St. Paul, 1994 pp. 74-76). In this way natural law affirms that truth remains an objective reality. On the other hand, it also remains essential to recognize that seeking truth has always been considered normative as a philosophical quest for all humanity (MacIntyre, 1990; Melchert, 2007; Schrag, 1986). Schrag (1986) explains that seeking is itself a form of truth.

Understanding natural law as present within the hearts of every human without exception gives this law authority over all as a universal precept and guarantees full autonomy (as self-rule), for every individual. This authority ultimately establishes and guarantees human dignity, equality, and responsibility. This interpretative understanding genuinely became “the foundation of our rights, responsibilities, and freedom as moral agents” (The Daughters of St. Paul, 1994, pp. 74-76). For example, the Constitution of the United States and The Declaration of Independence exhibit fundamental principles of natural law. Historically, the autonomous self-rule implied by natural law does not infer the modern excessive egocentric individualism that develops and rules narcissism but rather implies our unique moral responsibility to do the right thing, at the right time, for the right reason out of love for God, self, and others. This authority therefore, implies an ethical stance that potentially may be identified as a “fitting response” necessary for communicative praxis in Scharg’s (1986) terms (p. 214).

Consider what the magisterium of the church claims about natural law as a primary moral imperative. This teaching authority explains,

In this sense, man is empowered by God to discern good and evil. Humankind is able through reason to distinguish good from evil and truth from the lie. In essence, the natural law incorporates the voice of the Creator, which constitutes classifying the law, as law. God will affirm it within the heart of the inquirer (CCC #1954).
This statement again affirms that conscience is the voice of God within each human being, instructing or guiding him/her in achieving the most appropriate response in a given situation.

However, frequent confusion occurs when attempting to distinguish the divine command, the natural law itself, and the spirit of this law, yet such exactitudes are essential for understanding (Fernandez & Socias, 1977, pp. 89-97). Eternal law “is the plan flowing from God’s wisdom directing all acts and movements” (Fagothey, 1959, p. 167; Fernandez & Socias, 1977, pp. 89-97). Moral law is “the ethical norm revealed by God who imposes obligations on the conscience of man” (Fernandez & Socias, 1977, p. 90). These author’s (1977) further explain, the “spirit of the law is the impulse to follow the good/law” (p.91). Explanations like these compose reasons for natural law remaining understood as “the rational creature’s participation in eternal law” (Fernandez & Socias, 1977, p. 97). This law, present within the hearts of ALL humanity without exception, gives the law its authority as a universal precept (CCC #1956). These claims are explained within the body of work in chapters on Augustine, Aquinas, and Newman, as well.

Church doctrine claims “The natural law is nothing other than the light of understanding placed in us by God; through it we know what we must do and what we must avoid. God has given this light or law at the creation” (CCC #1955). Explanations like these further develop considerations regarding ways that determine when the impression of natural law becomes present and immutable on one’s human nature. According to the study, this impression of God occurs at the moment of conception in God’s created order. More mature explanations and understanding become inevitable through further discussions about philosophy, ethics, and explicit discussions that highlight the interconnections with natural law, together with more comprehensive explanations developed by Augustine, Aquinas, and Newman in the following
chapters. These efforts remain beneficial in proposing the potentiality for achieving communicative praxis in the twenty-first century.

Defining Philosophy in Relationship to Natural Law

Attempting to understand natural law requires comprehensive explanation and understanding of philosophy in that philosophy and natural law engage human nature in numerous ways. Once again, the process begins with a common source. Webster’s College Dictionary (1997) defines philosophy as,

1. The rational investigation of truths and principles of being, knowledge, or conduct; 2. A system of philosophical doctrine: the philosophy of Spinoza; 3. The critical study of the basic principles and concepts of a particular branch of knowledge; the philosophy of science; 4. A system of principles for guidance in practical affairs: a philosophy of life; 5. A calm or philosophical attitude. (p. 595)

In that natural law can be defined as “reason reflecting on nature” (Fagothey, 1959, p. 167; Koterski, 2002, p. 214); thus, the role of philosophy remains significant for natural law and communication ethics.

Greek philosophy, along with most sources, secular or not, consider philosophy as “love of knowledge or wisdom” (Blackburn, 1996, p. 275; The New Catholic Encyclopedia, p. 275; Fagothey, 1959, p. 167; Koterski, 2002; Stravinskas, 1991, p. 753). Koterski (2002) also expressed a similar statement. It can be said that as a love of wisdom, philosophy may be viewed as searching for knowledge and truth. However, one source also explains that philosophy “is the body of truths known by reason concerning the most fundamental questions about the nature of reality” (Stravinskas, 1991, p. 753). This source also explains that,
Philosophy includes wisdom about morality, beauty, the human person, the nature of matter and the Supreme Being: God. True philosophy is an important ingredient in Catholic Education even though higher wisdom can come to us by faith because true philosophy is support for faith. In his encyclical *Aeterni Patris*, Pope Leo XIII reaffirmed the constant teaching of the Church about the importance of genuine philosophy for the avoidance of error and the building of a Catholic world-view. All candidates for ordination to the priesthood are required to study philosophy extensively (Stravinskas, 1991, p. 575).

In *The Confessions*, Augustine continually emphasizes the importance of genuine philosophy, especially in relation to natural law. Newman (1979) and Merton (1948) also demonstrate their engagement with philosophy in relation to their natural law in later chapters of this study.

For example, natural law presupposes wisdom about morality that requires a united philosophic approach. These considerations raise awareness that natural law supports faith yet does not require faith to be realized. Another source further explains that the origin of the word philosophy is not only Greek; it is also “a neologism attributed to Pythagoras and represents philosophy as a high or supreme achievement of man and philosophers as aspirants to or proponents of wisdom” (*The New Catholic Encyclopedia*, 2003, p. 275). In a strict sense, “philosophy implies both the process of questioning and the results of this interrogation as embodied in a personal or public enterprise of value to mankind” (*The New Catholic Encyclopedia*, 2003, p. 275). For example, identifying the philosophy of X (communication, for example) indicates philosophy is an outlook or background to a topic, subject, etc. Looking then at the philosophy of a particular discipline considers how it studies “the concepts that structure such thinking, and to lay bare their foundations and presuppositions” (Blackburn, 1996, p. 286).
The broader meaning embraces academic philosophy as well as the reflective thoughts of the common person in the marketplace and becomes equivalent to basic views or principles accepted by a particular group (The New Catholic Encyclopedia, 2003). However, even in its broadest sense philosophy proposes a distinction between philosophy and its proponents (The New Catholic Encyclopedia, 2003).

When asking “What is Philosophy?” one should expect that any “significant answer implies some ability to identify the content of philosophy as distinct from that of other branches of learning or to characterize the invariants in different forms of philosophizing” (The New Catholic Encyclopedia, 2003, p. 275). It remains “the study of the most general and abstract features of the world and categories with which we think: mind, matter, reason, proof, and truth” (Blackburn, 1996, p. 286). Understanding often becomes difficult because philosophical knowledge is not only explicit but also introspective (moving more inward through reflection), as well (The New Catholic Encyclopedia, 2003). Such implicit and explicit movements can be evidenced throughout Augustine’s autobiographical account of his life in The Confessions. The introspective element of philosophy has potential to be evolitional in the sense of opening new horizons for consideration (The New Catholic Encyclopedia, 2003). Schrag (1986) may identify this evolitional process as developing “horizons of significance.” These explanations appear to highlight considerations that a necessary reflective philosophical stance remains essential for a conscious discovery of the moral imperative known as natural law. Reflectively assessing one’s communicative behavior as recommended by Schrag (1986) requires a quieting philosophic silence.

Another interesting insight occurs when explaining that philosophia perennisa is considered “a supposed body of truths that appear in the writings of the great philosophers, or the
truths common to opposed philosophical viewpoints” (Audi, 1999, p. 667). However, in the Western tradition, philosophy “was without a philosophic tradition and emerged from the human situation of the ancient man----lacking all elements of philosophical ingredient” (Marias, 1997, p. 9). Deely (2010) articulated a similar argument. Schrag (2006) seems to be recommending a return to basic reflective philosophy as one step in the process intent on achieving communicative praxis.

Along these same lines of thinking, Melchert (2007) explains that philosophy begins when certain people raise such issues that question, “Why should we believe these stories?” (p. 1). Life existed before philosophy, as we know and “answers to such questions universally took the form of stories, usually stories involving the gods----gigantic powers of a personal nature, engaged in tremendous feats of creation, frequently struggling with one another and intervening in human life for the good or ill” (Melchert, 2007, p. 1).

Another perspective to consider regarding the on-going complex development of philosophy as a discipline and science includes not only questioning the method of treating each branch of philosophy as a detached separate entity but also the effect this same impact may have had on understanding natural law, conscience, and ethics as action detached from thinking. For example,

Most definitions of philosophy are fairly controversial, particularly if they aim to be at all interesting or profound. That is partly because what has been called philosophy has changed radically in scope in the course of history, with many inquiries that were originally part of it having detached themselves from it. The shortest definition, and it is a quite good one, is that philosophy is thinking about thinking (Honderich, 2005, p. 702).
Similar sentiments are expressed in various ways in the discourse of Schrag (1986), MacIntyre, (1998), Deely (2010), DeWulf (2003), and Melchert (2007) to name a few scholars.

This complex development of philosophy within the Western hemisphere lacked distinctive divisions until well into the twelfth century (Deely, 2010; Honderich, 2005). Prior to this time philosophical divisions remained similar to the Platonic divisions before Aristotle divided the sciences into theoretical, practical, and poetic, with considerations as to whether their scope was purely speculative knowledge, conduct (praxis), or external production (poiesis). Theoretic philosophy, according to Aristotle’s divisions encompasses physics, mathematics, and metaphysics (called theology or first philosophy). Practical philosophy focuses on ethics, economics, and politics and the last division, poetic philosophy, concerned itself with external works conceived by human intelligence (Deely, 2010; Marias, 1997; Schrag, 1986). Therefore, this study, in a brief systematic approach, reviews the five branches of philosophy and also considers axiology (value) in efforts to discover or develop supportive evidence for the overall objective of this study. From this evidence one could conclude that natural law engages theoretical and practical philosophy simultaneously, which also affirms the perspectives of MacIntyre (1966; 1998) and Schrag (1986) regarding the unity of theory and action as praxis in communication ethics.

**Fundamentals of Philosophy**

Augustine, Aquinas, and Newman ascertain and preserve natural law as moral philosophy, thereby creating a need not only to discuss philosophy but also to define and discuss the five branches of philosophy as a means to uncover its philosophic connections.
In philosophy naming and defining are two distinct functions (DeWulf, 2003). Strictly speaking, to define means “we must penetrate, as it were, to the depth of the reality, and circumscribe its sphere of being (definire),” whereas “naming is simply attaching a name to a thing known in any way whatever” (DeWulf, 2003, p.10). For many reasons, this study takes numerous steps to define and explain natural law. However, because logicians distinguish the nominal from the real it also becomes relevant to understand that a nominal definition provides an explanation of the etymological or conventional meaning that attaches to the name, clears up ideas, and prevents equivocations (DeWulf, 2003). To define a thing is to “tell what the thing is and what accordingly distinguishes it from every other thing” (DeWulf, 2003, p. 10). When attempting to name and define natural law such distinctions remain crucial. For example, clarifying the distinction between natural law and laws of nature persists throughout such research. Efforts to uncover some communicative implications of natural law also requires making particular distinctions that promote improved clarity regarding ethics as scientific study of moral behavior and natural law as the primary principle of all human action which therefore requires understanding the various branches of philosophy.

Naming and defining the branches of philosophy becomes essential background knowledge for understanding natural law as moral philosophy or foundations for ethical praxis. For example, such knowledge enhances understanding and meaning regarding the principles of natural law and the implications for communication ethics as moral philosophy rather than theology. The lack of such distinctions often contributes to confusion regarding ethics and such confusions frequently function as obstacles to understanding.

Philosophy considers general fundamental questions such as the sorts of things that exist, the nature, scope, limits of knowledge, and moral judgments as well as the nature of mind and of
language (Arrington, 1999/2001). In essence “philosophy distinguishes itself from other ways of addressing these questions (such as mysticism or mythology), by its critical and systematic approach and its use of reasoned argument” (Arrington, 1999/2001, pp. 457-458). This study reveals that human reasoning functions as a pathway to discover natural law within one’s nature. Likewise, it affirms that as part of created human nature, natural law can never be considered mysticism or mythology but instead remains contrasted with a self-reflective approach. We should consider whether human nature in itself also requires communicative silence as normative.

In general, “most attribute the term philosophy or philosopher to Pythagoras” who lived 570-495 B.C. (Arrington, 1999/2001, pp. 457-458). Pertinent to the origins of natural law, the reader should note that the basic doctrines of Pythagoreans included obedience and silence, simplicity, abstinence from food, and habitual self-examination (Audi, 1999, p.761). Praxis of engaging natural law or communication ethics requires one or more features of Pythagorean doctrine. Engaging communicative praxis also requires two of these Pythagorean ideals. The Pythagoreans believed in immortality and the transmigration of souls, known as the doctrine of *melempsy chosis* (Audi, 1999, p. 761). Knowledge of these various doctrines enhances understanding of various aspects of natural law and gives meaning to Augustine’s (1960) implicit frame of reference in the *Confessions* while also illuminating some similarities and distinctions found in principles of natural law and/or communicative praxis as explained by Schrag (1986).
Epistemology

Epistemology stems from the Greek term *episteme* (‘knowledge’) and *logos* (‘explanation’) and remains objectively defined as “the study of the nature of knowledge and justification” (Audi, 1999, p. 273). The term can be explained as the “study of (1) the defining features; (2) the substantive conditions, or sources; and (3) the limits of knowledge and justification” (Audi, 1999, p. 273). Ultimately, “the latter three categories represent a traditional philosophical controversy over the analysis of knowledge and justification, the sources of knowledge and justification (e.g. rationalism versus empiricism) and the viability of skepticism about knowledge and justification” (Audi, 1999, p. 273). This study also considers implications of explicit or tacit knowledge. “Explicit knowledge is self-conscious in that the knower is aware of the relevant state of knowledge, whereas tacit knowledge is hidden from the self-consciousness” (Audi, 1999, p. 273). A repetitive argument occurring throughout this study claims that appropriate contextualization of numerous philosophical discussions regarding ethics requires explicit knowledge of natural law to enhance contemporary understanding in the development of communication ethics as communicative praxis.

There are different types of knowledge. For example, there is “propositional knowledge (*that* something is so), non-propositional knowledge *of* something (e.g., knowledge by acquaintance, or by direct awareness), empirical propositional (*posteriori*) knowledge, non-empirical propositional (*a priori*) knowledge, and knowledge of how to do something” (Audi, 1999, p.273). The reader should note, however, that “Ever since Plato’s *Meno* and *Theaetetus* (c 400 B.C.). Epistemologists have tried to identify the essential, defining components of knowledge” (Audi, 1999, p. 273). Many philosophers in concert with Plato maintain the traditional view that “propositional knowledge (*that* something is so) has three individually
necessary and jointly sufficient components: justification, truth, and belief” (Audi, 1999, p. 273). This view defines knowledge as “justified true belief” (Audi, 1999, P. 273). This study seeks to understand ways in which natural law holds up to these criteria.

**Rationalism versus Empiricism**

Rationalism and empiricism are distinct categories within epistemology. Rationalism concludes that reason takes precedence over any other way of acquiring knowledge, thereby asserting that humans are born with innate ideas (*a priori*), which precedes any empirical knowledge (Audi, 1999). Natural law has always been considered innate and knowable through reason. Natural law often remains implicit and/or tacit but can also become explicit. On the other hand, empiricists counter this idea of innateness, arguing that experience has primacy in all “human knowledge and justified belief” (Audi, 1999, p. 263). This idea was one of Kant’s main arguments in his *Critique of Pure Reason*. Reasoning remains a process of reflective introspective critical thinking while rationalism is a justification for reasoned argument. Natural law requires reasoning not rationalizing, and although similar these terms are distinct.

On the other hand, John Locke’s *tabula rasa* (blank slate) theory remains an example supporting the essentialness of empirical evidence (Locke, 1680/1996, pp. 22-36). Locke and Kant both maintain antithetical views of natural law as pure reason. Kant agrees with *a priori* knowledge yet resists the power of pure reason in knowing and understanding, thereby disagreeing with natural law. He argues that natural law requires both a rationalistic approach, but every approach also requires empirical evidence to achieve understanding. Although Kant’s (1929) antithetical explanation, identified as a synthetic-manifold-of-experience theory, does not agree with the established explanations of natural law, this study, considers that Kant’s (1929)
synthetic-manifold-of experience theory may potentially have merit for an approach to enhance understanding about natural law for those MacIntyre (1984) classifies as emotivists.

**Metaphysics**

*Webster’s College Dictionary* (1997) defines metaphysics as (1) A branch of philosophy that treats first principles, including ontology and cosmology, and is intimately connected with epistemology; (2) Philosophy, especially in its more abstruse branches (p. 505).

Melchert (2007) defines metaphysics as “the discipline that studies being as such, its kinds and character, often set out in a doctrine of categories” (2007 p. G-4). He explains that some call it “first philosophy” or theology (p. G-4). Marias (1997) is in accord with this calling metaphysics a “first philosophy.”

Metaphysics, known “in the Aristotelian sense as *first philosophy* or the study of self or being *qua* being, i.e., of the most general and necessary characteristics that anything must have in order to count as being, an entity [*ens*] while also explaining that often ontology and metaphysics are frequently used synonymously” (Audi, 1999, p.564). Metaphysics looks beyond scientific investigations to the answers science presupposes (Audi, 1999).

Metaphysics can be viewed as “the most abstract and in some views ‘high-faultin’ part of philosophy, having to do with the features of ultimate reality, what really exists and what it is that distinguishes that and makes it possible” (Honderich, 2005, p. 590). Pre-Socratic philosophy, metaphysical in character, originated with various works of Aristotle. The term was coined by giving title to some of Aristotle’s works “in the catalogue of the edition, produced by Andronicus of Rhodes, in the second half of the first century B.C.” (Honderich, 2005, p. 590). It meant “the works which followed those on physics in the catalogue” (Honderich, 2005, p. 590).
Aristotle claims “all men by nature desire to know” (Aristotle, 1984, *Metaph. 980 a*) and “all men suppose wisdom to deal with the first causes and the principles of things” (Aristotle, 1984, *Metaph. 1a-25*). He explains saying “clearly then wisdom is knowledge about certain causes and principles” (Aristotle, 1984, *Metaph. 982a-1*). This knowledge requires *nous* or intuitive knowledge of first principles while true wisdom combines *nous* and *episteme* (Marias, 1997), thereby validating some claims regarding natural law. Metaphysics “most generally, is considered the philosophical investigation of the nature, constitution, and structure of reality” (Audi, 1999, p. 563). Metaphysics “is broader in scope than science and considered (beyond the physical) the study beyond scientific or mathematical inquiry” (Marias, 1997, p. 63-64).

Melchert (2007) articulates similar sentiments. Metaphysical concepts include God, the soul, and after life. Marias explains Aristotle’s position saying that “in two senses metaphysics is a divine science: the first considers that if God possessed any science it would be the science of metaphysics because God is the subject of metaphysics. Secondly, Metaphysics, also called the theological science is theology” (Marias, 1997, p. 64). However, as becomes evident later in this research, Plato and Aristotle did not share in the capital God of Christianity but the lower case god(s) of the pagan world.

**Ontology and Cosmology**

Ontology, a branch of metaphysics, is the “science of being in general, embracing such issues as the nature of existence and the categorical structure of reality” (Honderich, 2005, p. 670). The idea that existing things belong to different categories can also be traced to Aristotle. A categorical scheme “typically exhibits a hierarchal structure with ‘being’ or ‘entity’ as the top
most category, embracing everything that exists” (Honderich, 2005, p. 671). Its special uses, divisions, or arguments are more complex yet an unnecessary discussion in this study.

Cosmology, another branch of metaphysics, deals with features of the world as the world. The term can be synonymous with speculative philosophy in its widest sense. However, “since Einstein’s general theory of relativity, the term almost exclusively referred to the endeavors of physicists to understand the large-scale space, time, and structure of the universe on the bases of that theory” (Honderich, 2005, p. 179).

In summation, metaphysics, as “the portion of philosophy concerned with the most fundamental aspects of being and existence, reaches from consideration of the lowest forms of matter up to the reality of God. Some subdivisions of metaphysics include ontology; about the nature of being itself; rational psychology, about the human soul; natural theology, about the reality and attributes of God” (Honderich, 2005, p. 640).

**Logic**

How does one define logic? According to the previous consulted general resource, Logic is “(1) The science that investigates the principles governing correct or reliable inference; (2) SYMBOLIC LOGIC; (3) A particular method of reasoning or argumentation; (4) The system or principles of reasoning applicable to any branch of knowledge or study; or finally (5) Reason or sound judgment, as in utterances or actions” (Webster’s College Dictionary, 1997, p. 479).

As a branch of philosophy logic concerns itself with the study of reasoning and the methods of sound argumentation as it “studies the basic elements of discourse ----terms----propositions----and arguments in order to determine how they function in larger patterns of
arguments in all fields of inquiry” (Stravinskas, 1991, p. 599). Common knowledge understands that “Aristotle is generally credited with founding the systematic study of logic and his logical works have exerted a profound influence on both Eastern and Western theological traditions” (Stravinskas, 1991, p. 599). Philosophers often consider it a tool to study other philosophical categories. Good logic engages good critical thinking skills and avoids fallacies (Stravinskas, 1991, p. 599). One might consider asking that, if natural law provides one the capacity to reason right from wrong (as is the stance of Aquinas), then what are the possibilities for speculating how logic applies to the process of discovery for the average person regarding communication ethics as praxis?

**Aesthetics**

Aesthetics is defined as “(1) Pertaining to a sense of beauty or to aesthetics; (2) Having a love of beauty; (3) Concerned with emotion and sensation as opposed to intellectuality; or (4) A theory or idea of what is aesthetically valid” (Merriam-Webster’s Dictionary, 1997, p. 14). Stravinskas (1991) purports that aesthetics is “the study of the principles underlying the perception of beauty in nature and in the arts” (p. 45). As this study progresses it becomes evident that aesthetics applies to natural law.

Aesthetics is “a branch of philosophy that examines the nature of art and the character of our experience of art and of the natural environment emerging as a separate field of philosophical enquiry during the eighteenth century in England and on the Continent” (Audi, 1999, p. 12). This discussion moves to a brief discussion of ethics as the last major division of philosophy.
Although the content of *The Summa Theologica* becomes the focal point for discussion about natural law in chapter five, Stravinskas (1991) explains that it is Aquinas who proposed that “the primary ingredients of beauty were: integrity of form, proportion or harmony, and the radiance” (brillianc(e, as of color) (p. 45). Stravinskas (1991) claims that “aesthetic beauty can also be applied to the nobility of moral attitudes and actions as well as the supernatural beauty of God Himself” (p. 45). This claim initiates additional reflections as to how this issue relates to the vision of Plato or Aristotle while considering the potential for contemplating natural law as an aesthetic.

**Ethics**

Once again the dictionary serving as an objective non-religious source defines ethics as “1. The study of standards of conduct and moral judgment; moral philosophy; 2. A treatise on this study; 3. The system or code of morals of a particular person, group, profession, etc.” (*Webster’s College Dictionary*, 1997, p. 466).

Although discussed throughout this study, for now it seems sufficient to note that Melchert (2007) succinctly defines ethics as “the study of good and evil, right and wrong, moral rules, virtues, and the good life, their status, meaning and justification” (p. G-3). Schrag (1986) defines ethics as the science or study of moral behavior. MacIntyre (1998) shares similar views. Charles Rice (1995) presents a comprehensive view of natural law that addresses many issues in his rhetorical question asking what natural law is and why we need it. Rice (1995) claims, “the natural law is the story of how things work” (p. 30). Although it is easier to understand natural law when talking about physical nature like the laws of nature for example, it is applicable to morality as well (Rice, 1995). Rice (1995) states, “Morality is governed by a law built into the
nature of man and knowable by reason” (p. 30). Communicative praxis can be understood as human behavior requiring moral principles as standards for one’s communication. However, one must question where or how ethics as a science or study of human behavior began. As MacIntyre (1998) explained, ethics began in a search for the good life. It was eventually “systematized by the Greeks who derived the word from their word customs” (Fagothey, 1959, p. 29). However, ethics only “deals with customs involving the idea of right and wrong, with morals” (Fagothey, 1959, p. 29).

Many scholars define ethics differently but Fagothey (1959) defines ethics as: “the practical normative science of the rightness and wrongness of human conduct as known by natural reason” (p. 29). This philosophy then unites natural law and ethics as functions of human reason. The subject matter of ethics remains focused on human conduct to objectively determine the rightness and wrongness of what one ought to do (Fagothey, 1959, p. 29). The subject of natural law focuses on moral praxis. Ethics always relates to human and social sciences and becomes distinguished by its unique point of view that considers what one ought to do. Ethics is a science but not in the sense of experimental sciences but rather in the sense of philosophical science. Ethics is “a practical and normative science” and “an art” but one can only be taught the science (Fagothey, 1959, p. 29). It engages both “inductive and deductive reasoning, rising from the experience of human behavior to a knowledge of human nature and applying its general laws to particular cases” (Fagothey, 1959, p. 29). Ethics “borrows from three main presuppositions from metaphysics: the freedom of the will, the immortality of the soul, and the existence of God” (Fagothey, 1959, p. 29). The distinction between ethics as philosophy and ethics as theology is that ethics and philosophy restrict themselves to natural reason rather than revealed religion (Fagothey, 1959, p. 29). In this distinction one can readily see that ethics deals with human
nature in relation to the human condition whereas morality relates to a higher power (God). To address the human condition without engaging aspects of human moral behavior surely must create distortions that are unlikely to contribute constructive resolutions. An example of such distortions may be found in MacIntyre’s (1998) explanation of emotivism. Moral or ethical judgments “require more than a meaningless emotive expression (Fagothey, 1959, p. 29).

Although this study proposes to define and explain natural law, philosophy, and ethics as distinct but interrelated terms to pave the way for improved understanding of natural law itself, discussions highlighted in later chapters focus on insights shared by Augustine (1960), Aquinas (1984), and Newman (1905; 1992) on the topic, also remain relevant. Such relevance recognizes that numerous scholars, both those who preceded and those who follow their legacies, promote understanding about natural law for a contemporary audience. For example, scholars like Fagothey (1959), Kreeft (1993), Stravinskas (1991), Koterski (2002), and others summarize what Aquinas says in his work, claiming in brief, natural law means that all human beings are intuitively predisposed to choose whatever is good and avoid evil, irrespective of revelation, inspiration or formal instruction. However, this awareness in turn moves to discover the development of moral philosophy as praxis within various historical paradigms.

**Conclusion**

MacIntyre (1998), Schrag (1986), and Deely (2010) each clarify some of the same and some different aspects of the confusion surrounding philosophy, ethics, and natural law. The work of this chapter remains one small part of potential solutions by providing succinct, objective definitions, and explanations that may contribute to establishing some common ground as a means to enhance understanding of this larger study.
This chapter has introduced categories that coagulate with considerations of natural law. The chapter provides preliminary definitions, and inclinations. The real work from these coordinates comes through engagement of natural law in the work of Augustine, Aquinas, and Newman in following chapters. However, this chapter shows that philosophy is the basis of natural law. Natural law has potential to remain the basis of forming good character traits that will enable a person to reconcile ethical issues through communicative praxis. These terms are very distinct and yet interconnected.

The proposal encourages readers of this chapter to rely on its contents as fundamental knowledge that provides a reference for the on-going study which argues that basic knowledge of natural law provides essential context necessary to improve understanding for many of the philosophical arguments relating to ethics in the Western Intellectual Tradition. This belief and rationale stems from the work of MacIntyre (1984; 1998) relating to communication ethics and the scholarship of Schrag (1986) in relation to developing communicative praxis. This chapter provides one part of the larger study that proposes that basic knowledge of natural law may contribute to achieving communicative praxis in the twenty-first century.
CHAPTER THREE  
THE LINEAGE OF THE NATURAL LAW TRADITION  

Introduction  
This chapter frames the natural law tradition and focuses on understanding how an unwritten “universal standard of morality” came to be known in the first place (Koterski, 2002, p. 68). This quest substantiates that natural law philosophy began with the Greeks (Crowe, 1977; Koterski, 2002; Melchert, 2007) and can be simply defined as “reason reflecting on nature” (Koterski, 2002, p. 66). Fagothey (1859) defines natural law in light of Aquinas and says that because humans participate more fully than does the natural physical laws it (natural law) can be identified as “the participation of the rational creature in the eternal law” (p. 173).

Natural law functions as a normative moral imperative and innate moral compass for every person. This chapter details its origins, explains its universality, and shows how natural law came to be known for ethics in general, especially in secular societies. The discussion reviews a more than 2,500 year old conversation that enhances understanding of the works of St. Augustine (1960), St. Thomas Aquinas (1984), and Blessed John Henry Cardinal Newman (1905; 1992; 1997) in following chapters. MacIntyre (1984) and Schrag (1986) both encourage scholars to consult tradition and discover the numerous benefits available for developing new insights.

As Schrag (1986) suggests, returning to the tradition provides hermeneutical entrances for discovering current communicative implications (in this case natural law) for contemporary scholars. For example, this study reveals that questions about ethical praxis endure. Knowledge about natural law provides essential context for enhancing one’s ability to interpret philosophical
arguments stemming from such knowledge about ethics. Knowledge of natural law develops insights to help readers understand how this law of nature relates to moral goodness and the cardinal virtues.

Contextual details move this writer to discuss key contributors in the development of natural law beginning with the pre-Socratics. The traditions of philosophy, natural law, ethics, and rhetoric, emerge simultaneously from within their Greek ancestry, forming the Western Intellectual Tradition. Reviewing the genealogy of natural law reveals that Natural Law Tradition, like philosophy, ethics, rhetoric, and theology, functions as a constitutive part of the over-all Western Intellectual thought, including the Catholic Intellectual Tradition.

Explaining the development of natural law also improves understanding of the created order when explained through the eyes of Roman Catholic scholars. This understanding remains beneficial because the Church’s continuity can minimize potential pessimism that often creates misunderstandings about natural law. For example, biases such as nihilism, skepticism, utilitarianism and/or universals often distort the story of natural law tradition and/or ethics as MacIntyre (1984) reveals in the history of ethics.

In view of Schrag’s (1986) explanation, a hermeneutical approach, offers new insights relating to ethics. Diverse opinions can function beneficially, but mere skepticism obscures new insights about natural law. Proficiency proves beneficial for developing context for the philosophical debates argued by philosophers such as Nietzsche (1950/1968;1967), Kant (1791/2007), Hume (1972/1993), Hobbes (1991/1996), Montaigne (1986), or Locke (1825) to name a few within the western tradition.

Historical interruptions created by fragmented or lost information in philosophy (Crowe, 1977; Deely, 2010; Koterski, 2002) not only occurred in the development of natural law, but also
caused confusion, making it difficult to understand (Crowe, 1977). The role of the Catholic Intellectual Tradition remains supported by MacIntyre (1984). This support includes an understanding that the magisterium (teaching authority of the Roman Catholic Church) preserves the integrity of natural law from its origins. For example, morality has been part of the human quest for understanding ethics since its pre-Socratic genesis to the present. Magisterium comes from Latin meaning teaching body. This teaching office participates in preserving authentic teaching on faith and morals yet the Pope and bishops seldom find it necessary to speak in the united voice of infallibility. Using any credible academic institution as an example helps one to understand the responsibility the Roman Catholic Church. As an institution, the church has a responsibility for maintaining an authoritative body (magisterium) that retains order in making critical decisions regarding authentic teaching (doctrine) in relation to faith and morals (Stravinskas, 1991).

Background

Natural law philosophy resulted when wondering thought began in Classical Antiquity as the pre-Socratics reflected and reasoned their observations of nature. Philosophers of the day framed basic explanations of natural law by building upon prior ancestral knowledge, expressing their intuitive knowledge based on keen observations of the natural world and human behavior, integrated with scientific thinking and one’s ability to reason (Koterski, 2002).

This review includes several pre-Socratics, Stoics, and Socratics, whose contributions also enhance understanding of Cicero’s (a pagan) and Augustine’s (a Christian) ideas relating to natural law philosophy. In his younger years, shared by him in The Confessions, Augustine
highlights much of the philosophical thought of antiquity while shedding light on changes in the medieval paradigm in his later years when he wrote *City of God*.

The medieval paradigm singles out Aquinas followed by Newman in modernity. Aquinas focused on objectively synthesizing historical evidence found throughout tradition about natural law to insure comprehensive moral relevance for the common person. Newman, on the other hand, like Augustine, exhibits belief and praxis of natural law principles, often making his standpoint evident by explaining it through homilies.

In the post-modern era Pope Saint John Paul II and Pope Benedict XVI, Emeritus address various aspects of natural law through Encyclicals. Encyclicals (treatises written by popes) always address global audiences about serious issues confronting global societies which affirm the universality of global engagement in natural law philosophy.

John Paul II (August 6, 1993) published *Veritatis Splendor* (The Splendor of Truth – Regarding Certain Fundamental Questions on the Church’s Moral Teaching), emphasizing a necessity to adhere to objective truth and moral goodness, thereby revealing several contemporary issues and misunderstanding. John Paul II (September 14, 1998) also published *Fides et Ratio* (*Faith and Reason*), raising awareness that often faith is not the impetus for reasoning natural law. Explicit explanations verify that reason informs faith. Calling attention to a correct assertion develops verification for the role of faith and reason through explanations of natural law.

Benedict XVI, in delivering a talk to a general audience (all faiths), expressed hope that the contemporary environmental movement might become a catalyst for re-awakening natural law philosophy within every person (Benedict, XVI, *Catholic Online*, 2009). He also addressed the human necessity for love (a theological virtue) in two different encyclicals. The first, *Deus
Caritas Est (On Christian Love – God is Love), published February 5, 2006, verifies that love is a theological virtue as Aquinas explained centuries before.

Throughout his pontificate, Benedict XVI (June 29, 2009) continued to address the breadth and depth of love and published Caritas in veritate (Charity in Truth), an encyclical raising awareness of a contemporary need to engage truth. In addition to validating critical moral issues the encyclical implicitly supports the prophetic voices of Riceour (1984; 1985) and MacIntyre (1998) in identifying the necessity for rhetorical distinctions in promoting understanding. The mere titles of these encyclicals indicate the need to provide clarifications regarding love, truth, reason, and faith for contemporary humanity. However, these encyclicals implicitly also signify the essential role understanding plays in promoting ethical praxis. Aquinas and Newman both emphasize the essentialness that understanding has for encouraging moral action. Schrag (1986) addresses the significant role understanding plays in developing communicative praxis. MacIntyre (2007) emphasizes the same issue in his quest and prophetic call for scholars to address the “plain persons” and philosophers in ways that promote understanding for improved morality and ethical praxis (p.113).

Reviewing Aristotle (1995) or Aquinas (1984) creates potential recognition that justice, temperance, courage and prudence along with three of the five intellectual virtues, understanding (reason/ nous), science (empirical/episteme), and wisdom (Sophia) remain cardinal virtues (naturally innate) while Aquinas (1984) and others, such as Augustine, Newman, Koterski, and Fagothey all claim that faith, hope, and love are theological virtues requiring explicit instruction. Aquinas developed a comprehensive objective approach to enhance understanding. The study reveals for example, that although faith can inform reason, faith remains unnecessary in
comprehending the natural created order. The previous two encyclicals affirm a contemporary need to achieve understanding about love and truth and truthfulness as an expression of love.

Combined, the four encyclicals engage natural law tradition while retaining an understanding of natural law as relevant for contemporary societies. These theologians entered the philosophical and rhetorical debates in addressing the quest for contemporary humanity to understand the relevance of moral goodness for self and others. Addressing moral issues philosophically explicitly identifies the universality of the issues and communicative implications natural law praxis has for contemporary audiences through discourse that promotes understanding. This study engages the scholarship of Schrag (1986) and MacIntyre (1998) in their attempts to formulate more comprehensive approaches for developing communicative praxis, especially in relation to understanding ethics as moral praxis.

Communication scholars, especially those engaging discussions about ethics, indicate the positive impact MacIntyre (1998) and Schrag (1986) had in framing a more comprehensive development of communication ethics as praxis. In part, this can be attributed to what Taylor (2007) identifies as the potential effects narratives have in creating such genealogies. Taylor (2007) claims that Nietzsche has a purpose for retaining his antithetical view of genealogies. Addressing Nietzsche’s cynicism, Taylor (2007) explains that Nietzsche retained his antithetical stance because of his awareness that narratives create stories that touch the heart of any reasoning person. This study suggests that Taylor’s (2007) assessment has merit in that the lineage of natural law functions as a narrative. Such narratives create potential hermeneutical entrances that potentially unleash enhanced insights for “horizons of significance” (Schrag, 1986, pp. 10, 11, 97). Such horizons hopefully result in yet another “rhetorical turn” (Schrag, 1986, pp. 202-204) for improved understanding that results in communicative praxis. Discussing
the genealogy of natural law frames the argument for a more comprehensive development of communication ethics as communicative praxis.

Summarizing some of the communicative implications of natural law not only identifies some of the obstacles to understanding, it also assists scholars and “plain persons” (MacIntyre, 2007, pp. 113-115) in progressing towards more comprehensive communicative praxis by revealing ways in which fundamental knowledge about natural law serves to improve contextual understanding relating to arguments surrounding ethics.

The Natural Law Tradition

Natural Law in Classical Antiquity

Classical antiquity originated with Greek civilization and evolution of the Roman Empire. The synthesis, known as the Greco-Roman civilization, had influence that spread to Europe, North Africa, and the Middle East. It typically began with the recorded epic of the Homer poetry (8th - 7th Century B.C.) and continued through the emergence of Christianity and fall of Rome. It usually ends with the close of Late Antiquity, around 300-600 AD. The foundation of the Greco-Roman culture resulted as Greek culture merged with the Romans (Murray, 2001). The basic prevailing culture of the Mediterranean included art, philosophy, society and educational ideals. Natural law philosophy began with the several pre-Socratic thinkers (Crowe, 1977; Koterski, 2002; Melchert, 2007).
Pre-Socratic Thinkers

With contextual background in place, using the metaphor of a plane, this journey begins by surveying the terrain of the Western philosophical tradition in a hermeneutical adventure to capture and re-capture insights that reveal the evolving development of natural law. The pre-Socratics mark the beginning of natural philosophy and ethics (Koterski, 2002). Greek philosophy sought to understand ethical and moral concepts of nature and justice referenced in the mythologies and cosmogonies of the day (Murray, 1993). Greek science concentrated on countering the anthropomorphic explanations of physical phenomena (Koterski, 2002, p. 64). The idea of justice originated in nature-philosophy in the Milesian school (Crowe, 1977). For example, the idea of a “higher power” and justice can be found in Sophocles’ play entitled Antigone (Koterski, 2002).

Although one should read Antigone to grasp details regarding ethics, in summation, Antigone considered it unjust to bury one of her brothers in a manner not suitable for any human being. The quest to determine the most appropriate moral action (just) in preserving the human dignity of her deceased brother led her to provide a proper burial thereby placing herself in jeopardy. Under siege for choosing what Schrag (1986) calls the “fitting response” (p. 3), she was put to death. This story exhibits roots of natural law philosophy and ethical response in demonstrating Antigone’s struggle to discover and choose the most appropriate moral action, which she performed at great personal cost, her life.

In a similar time frame the genesis of philosophy appears in Asia Minor along the Ionian coastline with the first Ionian school and the first notable physicists who ushered in their innovative thinking that began a shift from subjective Greek mysticism to objective Greco-Roman thinking, focused on law.
Although not natural law theorists, three pre-Socratic physicists, contributed to the birth of natural philosophy and ethics. These men engaged a scientific quest to discover a first principle (arche in Greek) as a way to explain the cosmos and their empirical world. The term, arche, most a kin to archaeology (study of original) and/or archaic (study of old things) appropriately defined their search. These Greek philosophers were convinced that finding the arche (first or primary principle) would help them make sense of their worldview and universe (Crowe, 1977; Koterski, 2002; Melchert, 2007).

Thales (624-546 B.C.), Anaximander (610-545 B.C.) and Anaximenes (585-525 B.C.), a student of Anaximander, proposed their diverse theories that contributed building blocks for natural law moral philosophy.

Thales, exhibited a radical departure from any prior thought in claiming (1) “the cause and element of all things is water;” and (2) “all things are filled with gods” (Melchert, 2007, p. 11). Crowe (1977) and Koterski (2002) discussed similar thoughts, as well. Thales theorized that water was the primary principle governing the universe (Melchert, (2007) Crowe (1977) Mautner (2000) and Koterski, (2002).

Anaximander credited with contradicting Greek dialectic thinking, questioned that if everything is water, then, why were so many things, not water. His hypothesis identified the primary principle as the boundless (Crowe, 1977; Koterski, 2002; Melchert, 2007). Like Thales, he determined there is “one material source of all things” (Mautner, 2000, pp. 22-23), but unlike Thales he claimed it is not one “determinate thing” but the “APEIRON or boundless” (Mautner, 2000, pp. 22-23). Attempting to explain the origins of things, without attributing them to the gods of Hesiod and Homer, Anaximander reasoned that only the Boundless could be the genesis of all things. He ultimately concluded that the Boundless is “immortal,” “infinite,” “encompasses
all things,” “steers all things,” “is indefinite in character” and “neither clearly this or that” (Melchert, 2007, pp.11-14). Anaximander “presupposes (1) a principle of balance in nature that must ultimately be served (Melchert, 2007, pp. 11-14). This “appears to be an extension of the Homeric view requiring moderation in human behavior as the principle that not only applies in particular to humans but also universally to the universe;” and (2) “the principle is imminent in the world process itself” (Melchert, 2007, pp. 11-14). Anaximenes followed the claim of Anaximander but identified the primary principle of the universe as air (Koterski, 2002).

Xenophanes explicitly introduced religious implications into the “new nature philosophy” claiming that the one god “sets all things in motion by the thought in his mind (Melchert, 2007, p. 15). Xenophanes viewed the Greek god(s) as fiction and claimed that the gods of Homer are not divine, but man-made (Crowe, 1977; Koterski, 2002; Melchert, 2007). He also questions whether there can be any certainty about obtaining truth was possible (Melchert, 2007). In contrast he claimed that the monotheistic god “thinks and hears all, is stable, moving all things through words and is intelligent” (Melchert, 2007, p. 15). Greek thought claims that where order exists there is intelligence and only intelligence can explain order (Melchert, 2007, pp. 14-18).

However, Xenophanes also professed that there are natural phenomena occurring in natural circumstances and these have natural explanations (Melchert, 2007). Although the quest originated with a belief that there had to be a primary material principle for all that exists, other pre-Socratic thinkers like Empedocles (c.540-430), a pluralist, claimed love and strife were the cause of change among four main material elements, earth, air, fire, and water thus creating another shift in thinking (Melchert, 2009).

Pythagoras (c.490-421), a leader in the aesthetic school of philosophy and significant contributor to the development of natural law philosophy, determined that numbers and
harmonies were the essence of everything (Koterski, 2002). Pythagoras paved the way for Heraclitus, who is recognized as the first formal contributor to natural law tradition (Koterski, 2002).

**Heraclitus (540- 480 B.C.)**

Historically these ancient Greeks were the first to expound on natural law (Crowe, 1977; Gula, 1989; Koterski, 2002). Natural law philosophy viewed the universe/cosmos as governed by a primary principle of order. Heraclitus revolutionized thinking about natural law philosophy in claiming that fire was a primary principle setting everything in motion (Crowe, 1977; Koterski, 2002). His discussion focused on wisdom, but wisdom common to the universe (Crowe, 1977; Gula, 1989; Koterski, 2002). A few remaining fragments of Heraclitus’s work, written in epigram style, influenced future natural law thinkers like Plato and the Stoics (Crowe, 1977; Koterski, 2002).

Heraclitus argued that everything in the universe is constantly changing yet struggled to understand that if everything is always in flux, how any stability remained possible. He eventually determined the primary principle of unity was the *logos* and viewed the many changing things of this world as divine *logos* or thought (Melchert, 2007). Wisdom for Heraclitus “grasps the logos, the thought which steers all things” (Melchert, 2007, pp. 19-20). Scholars, such as Crowe (1977) and Koterski (2002) expressed similar thoughts. Identifying the *logos* as Zeus (common name for the highest god) he explained that having such wisdom makes one a participant in the divine (Melchert, 2007). Heraclitus claimed that acting according to the *logos* manifests the primary principles governing the universe (Melchert, 2007).
Recognizing that the *logos* remains common to all, Heraclitus claimed that experience testifies to it (Melchert, 2007). This insight requires a self-reflective process as recommended by Schrag (1986) in determining a “fitting response” for communicative praxis (pp. 202-204), which was also part of discernment explained by Heraclitus, who like Aristotle, unites virtue with excellence and argued that moderation remains the greatest virtue.

Numerous communication scholars explain, *virtue* means excellence or character and *ethics* means morals (Crowe, 1977; Melcheert, 2007; Schrag, 1986). Latin students quickly learn that a particular word such as *virtue* carries several interpretations, making context essential in determining the meaning of the word within the sentence (Wheelcox, 2004). Such an example can be found when comparing Melchert’s fifth edition with his prior edition of the same text, *The Great Conversation: Pre-Socratic through Descartes, Fifth edition: Vol. 1*. In chapter six entitled *Plato: Knowing the Real and the Good*, he replaced the term justice (from his fourth edition) with morality in the fifth edition (Melchert, 2007). One can only assume that it was a contextual correction concerning a translation between justice and morality which simply must alert readers to consider possibilities in understanding the connection of justice and morality found throughout various texts regarding natural law and/or ethics. Understanding virtue as excellence and ethics as morality requires critical thinking when reviewing the communicative implications of natural law for communicative praxis.

**Parmenides (515-450 B.C.)**

Parmenides, the ancient Greek philosopher of Elea, known as the person, “who changed the course of Greek philosophy” (Mautner, 2000, pp. 410-411) was a monist. He believed that “Being” was the primary principle (Koterski, 2002, p. 64). Parmenides viewed “Being” as
simple, eternal, unchanging and having essences. He claimed that thought could not be found apart from word (Koterski, 2002, p. 64), concluding that “thoughts and being are the same” and “to think at all is to think that something is” (Melchert, 2007, pp. 24-28). His philosophy encouraged questioning and directed all humanity to engage arguments “by reasoning” (Melchert, 2007, p. 26). This study reveals that reasoning plays a crucial role in natural law philosophy based on observations of nature, especially human nature, and therefore communicative praxis.

Parmenides also “distinguished between the appearance of change and the reality of eternal being” (Koterski, 2002, p. 192-193). He argued “the world as revealed by our senses cannot be reality. However, it remains the force of the ‘cannot’ that constitutes the force of reason itself (Melchert, 2007, pp. 24-28). This study also finds that it is also the force of the “cannot” that sets boundaries and establishes authentic freedom.

Parmenides claimed that searching for truth remains a necessary pursuit and said that opinions (doxa) deal with appearances, not truth (Melchert, 2007). His two-part poem taught “the Way of Truth, and The Way of Opinion” (Mautner, 2000, pp. 410-411; Melchert, 2007, pp. 24-28). His philosophy claimed that one should only rely on reasoning and never on sensory experience. Parmenides explained, “You must go wherever the argument takes you---even if it contradicts common sense and the persuasive evidence of the senses” (Melchert, 2007, pp. 24-28). A contemporary understanding of Parmenides views of thought and being should emphasize the reliability of integrity. This is very close, in part, to how Schrag (1986) explains communicative praxis. Schrag (1986) defines the couplet as the “establishment of interdependence and reciprocity of these two notions within a holistic sense” (p. 18). True to
hermeneutical philosophy, it comprehends multiple interpretations of the human experience and conversations with assistance of possibilities for the future (Schrag, 1986).

Parmenides also determined that time itself must be an illusion because what is exists at once and remains indivisible (it cannot have parts). For Parmenides and according to natural law, all time remains one, eternal, indivisible, and unchanging. He claims that if experience tells us the contrary, so much the worse for experience (Melchert, 2007, pp. 24-28). In part, his findings support later insights shared by Augustine (1960) and Riceour (1984) in their assessment of temporal and eternal time, saying both are always in the present and discussions about natural law affirm this reality. Koterski (2002) explains that a synthesis of Heraclites and Parmenides can be found in recognizing that essences of justice, temperance, courage, and prudence remain constant while circumstances and the way in which we engage the issues are different. It is relevant to note that ethical praxis always occurs within the present moments of temporality.

Protagoras (c.490-421) Leucippus and Democritus (460-370 B.C.) developed a view known as atomism. Protagoras, known for his belief that “man is the measure of all things” viewed morality and politics as human invention (Koterski, 2002, p. 64). Leucippus became “the first to propose a materialistic, atomistic metaphysics” (Mautner, 2000, p. 314). Many argue that Democritus “developed atomism as a major philosophical theory” (Mautner, 2000, pp. 120-129) in his claim that the world consists of atoms and the void (Mautner, 2000). He claimed that if the mind and intellect no longer function as an explanation for the world-order, it must play a part in the soul (Melchert, 2007, p. 31). He viewed the soul as the principle of life, and like everything else said it remains material. Living things have the capacity for sense perception and humans have the capacity to know, yet our senses do not give us direct and certain knowledge of the world (Melchert, 2007) because our senses exist in us, not
the world (Melchert, 2007). Perhaps this should be considered when attempting to better understand the potential effects of emotivism in one’s reasoning abilities.

Mellitus resolves the issue saying, “if there were a many, they would have to be such as the one is” (Melchert, 2007, pp. 30-31). “This agrees with Parmenides belief that being and not-being are opposites and that if there were many they have to have the same characteristics as the one and therefore are indivisible, full, eternal, and claims there are many such ones” (Melchert, 2007, pp. 30-31). Democritus titled these atoms and concluded with a claim that the world consists of atoms and the void (Melchert, 2007).

The Sophists and Socratics Contribute to Natural Law Thinking

Greek thought continued with the sophists and Socratics, like Socrates, Plato, and Aristotle. Socrates, known as the great standard bearer, maintained a strong view of morality coupled with an antithetical view of the Sophists. In essence Plato mistrusted their teaching rhetorical skills. He identified their skills as techne because they did not establish ethical discourse based on character building. The sophists also viewed moral standards as man-made and morality as manipulative, which became their justification for teaching persuasion as a technique remiss of character building, based on moral standards, including the cardinal virtues recognized in natural law (Koterski, 2002). Socrates continued to argue that a moral foundation remains essential for knowledge and ethics (Koterski, 2002).

Plato, in the voice of Socrates, introduced four influential sophists in the development of natural law. Protagoras argued that one could not depend on a natural disposition of justice and claimed that justice requires citizen education within each given community (Koterksi, 2002). Hippias (460-390 B.C.) championed self-sufficiency in claiming that the natural likeness found
in all human beings implies their egalitarianism and universal society (Koterski, 2002). He used this pejoratively in a Greek standpoint that perceived superiority in relation to the “barbarians” of the times (Koterski, 2002, p. 65).

Plato introduces Callicus in *Gorgias* and Thraymachus in *The Republic*. Both characters share similar views compared with Nietzsche’s perspective on the will to power. This perspective proposes that the strong should naturally rule over the weaker although law frequently allows the weaker to band together against the stronger. This perspective also implies that laws are unnecessary for the stronger except in cases of self-interest (Koterski, 2002). Although we find no mention of natural law in any of the works of Plato there remains a strong emphasis placed on his valuing any questioning of the conventional sense of law, justice, and civic responsibilities (Koterski, 2002).

Many readers of Plato’s *Republic* miss and/or misunderstand his metaphorical use placed on structuring the city as a way of teaching moral development, essential for character formation as foundational for participation in the life of the city. The text alludes to the nature of justice, and the other cardinal virtues, focused on excellence as peak performance in avoiding excesses or deficiencies in expressed communicative praxis.

Regardless of whether Socrates authentically seeks knowledge or simply employs rhetorical questioning, he makes numerous inquiries about the nature of justice and all the cardinal virtues. In responding to Plato, Cephalous claims that justice requires giving another person what is owed. Although Socrates cannot get a direct response from Thrasymachus, the dialogue exemplifies the reality that natural law ethics requires “reason reflecting on nature” (Koterski, 2002, p. 66).
In Books II-X of the *Republic* Plato explains that an “ideal city modeled on natural harmony frames the essential formation required in a well-ordered individual when reason assisted by emotions, restrains and rules the lower appetites” (Koterski, 2002, p. 66).

Plato’s argument depended on a comprehensive grasp of his triparte structure of the soul, namely, reason, emotions, and desires as they correspond to the polis of the city (Koterski, 2002). For Plato, moral formation encompasses disciplining one’s passions, controlling one’s feelings and looking out for the common good (community). His proposal allowed the cardinal (innate in human nature) virtues to flow naturally and develop and said this would result in genuine happiness and good feelings in participatory citizenship (Koterski, 2002).

Plato never explicitly identified natural law, yet “because he sees the explicit laws of community as (to whatever degree of success) participating in the eternal principles of justice” he made a significant contribution to the development of natural law (Koterski, 2002, p. 66). His student Aristotle, like Plato, cannot be considered a natural law theorist yet contributed to the development of natural law though wise discourse regarding human nature (Koterski, 2002).

**Aristotle**

Aristotle became identified by many as “the father of natural law” (Crowe, 1977, p. 19). His philosophy focused on nature and natural justice. However, his *Nicomachean Ethics*, organized around nature and virtues rather than laws, prevent his being recognized as a natural law theorist (Crowe, 1977; Koterski, 2002). Aristotle also claimed the existence of a divine prime mover but not the providential monotheistic God of Christianity. It can be claimed that his metaphysics provided ethics and consequently “the doctrine of natural law with an excellent foundation” (Crowe, 1977, p. 19; Koterski, 2002). Although not considered a natural law
theorist, Aristotle laid the foundation for future natural law thinkers, and his themes of moral philosophy resonate with the work of Augustine and strongly influenced Aquinas as well as numerous natural law theorists. This study reviews some of the contributions made by Aristotle that became foundational to natural law philosophy.

Understanding Aristotle’s connections to the foundation of natural law morality requires understanding his theory of nature as well as his cosmopolitan assessment of the common traits of human nature and ethics, especially the cardinal virtues of prudence, courage, temperance, justice, and the intellectual virtues.

Aristotle claimed that all humans are rational, social, and political animals, based on his philosophy about their rational ability to think, know, speak, deliberate, will, love and choose which is foundational to natural law (Aristotle, II, 1995; Crowe, 1977; Koterski, 2002). Human rationality expressed in language fascinated him. His fascination with language allowed him to appreciate the ability of the human mind to grasp abstractions, make judgments and form patterns of reasoning that allow people to delve more deeply into the meaning of things compared to what mere observations allow. He discovered, however, that although rational powers are innate, they can be developed through habituation. Hence, human beings have the ability to develop communicative praxis through habituation aimed at achieving integrity in moral excellence, as Schrag (1986) indicates.

Aristotle claimed human rationality has three specific aspects: their ability to know things in their essence, their ability to unify concepts and words into coherent sentences, and their capacity to express meaning, thereby allowing humans to engage reflective depth in thinking about things. In the *Nicomachean Ethics* he develops the central concept related to the development of virtues. He provided key foundations for natural law by defining the four innate
human virtues (excellences), of prudence, courage, temperance and justice (morals). Aristotle explains “virtue is the habit or state of character by which one is well-disposed and ready to choose the mean between extremes of excess and deficiency” (Koterski, 2002, p. 95). The cardinal virtues potentially function like a second nature through training and habituation, meaning that they become so readily available, almost as natural as breathing, they function as a natural response to various situations.

The term virtue refers to a peak of excellence achieved in the praxis of avoiding extremes. Excellence also becomes achievable through habituation whereby one becomes conditioned to a praxis of appropriate moral responses in a given circumstance. Schrag (1986) calls this a “fitting response” (pp. 202-204).

In a subsequent chapter Aquinas engages contributions of Aristotle and his understanding of the virtues as innate moral goodness that can be improved through training and habituation. In the Politics, I, 10, 13 and 15, Aristotle explicitly appeals to “a common law according to nature,” which is the closest he comes to explicitly identifying natural law (Koterski, 2002, p. 112). As with all the ancients, Aristotle believed that the goals of individuals are intended to contribute to the good of the state and the goals of the state should ensure the good of each individual, yet the good of the state takes precedence and every individual should make sacrifices for the good of the state.

Aristotle spoke of the soul as the “first actuality of a natural organic body” and “substance as form of a natural body which has life in potentiality” as “a first actuality of a natural body which has life in potentiality” (De Anima ii 1,412b5-6; De Anima ii 1,412a 27-8) as discussed by Koterski (2002). This claim remains applicable to all living beings; plants, animals,
and humans alike (Koterski, 2002). For Aristotle the soul informs the body and gives it character and form (Koterski, 2002).

Aristotle viewed the law of nature as the orientation of all beings toward perfection. Using an acorn as an example, he explains the teleological nature of humans. He explained that just as an acorn has everything necessary to become a giant oak tree from its genesis so it is with humans. Although each acorn forms variances in size and shape basically they are all the same and human nature is similar in comparison. Every person has a particular function in regards to life and every human pursuit must be for the good according to Aristotle. Not only is the good life a life of virtue (excellence), a life of virtue (excellence) remains the most important activity.

There are two kinds of cardinal virtue, moral, and intellectual (Bohr, 1990; Gula, 1989). All activity of the soul implies a rational principle.

Intellectual virtues (excellence/character) require time and experience to learn while moral virtues (excellence/character), adapted by our nature, have potential for perfection through habitual praxis. For Aristotle, virtue remains a state of character (excellence) concerned with making a choice, lying in a mean, never excessive in any aspect (Bohr, 1990). For example, the mean, relative to being remains determined by the rational principle, and such a determination requires the principle of practical wisdom (Bohr, 1990). In summation, it can be claimed that although Aristotle never explicitly discussed natural law he provided foundational insights for natural law theorists substantiated by Aquinas and many natural law theorists. From Aristotle on, the teleological nature of humanity has been identified as part of natural law.

The Stoics and Natural Law
The Stoics, both of Greek and Roman ancestry, played an important role in the
development of natural law with an emphasis on nature and morality that considers morality as
conforming to all in nature (Crowe, 1977; Gula, 1989). Natural law and Stoic morality are one
and the same with the exception of pantheism and similar issues. It was the basis for Augustine’s
pre-Christian conceptions of natural law, and several Stoics contributed to understanding the
basis of natural law thinking.

Zeno of Citium (321-264 BF.C.), an “ancient Greek philosopher, known as the father of
Stoicism, appeared in Athens teaching at the painted porch (Stoa poikile)” (Mautner, 2000,
pp.607-608). He marked the origins and naming of Stoic thought, “supporting the theory of his
master (Parmenides), he argued against motion and plurality” (Mautner, 2000, pp. 607-608). He
reconciled the one and the many in his theory of atomism (Melchert, 2007, p. 30) and argued on
the paradoxes of common sense, constructing arguments logicians call a “reduction ad
absurdum” (Melchert, 2007, pp. 29-30). Due to loss and fragmented material, history relies on
basic information about the Stoics and Cicero who embraced natural law as a source of personal
morality, civic cooperation and civil political development (Koterski, 2002).

Zeno, taught “that peace of mind would not be achieved by epoche (suspending
judgment), nor by accepting the Epicurean view that the world is without purpose and governed
by chance” (Mautner, 2000, p. 607). Stoicism taught that the whole universe, governed by laws,
exhibits rationality (Mautner, 2000). Although inanimate things or brutes obey the laws of nature
out of necessity or instinct, humans are distinguished by their capacity to reason and choice to
obey or disobey the laws of nature (Mautner, 2000).
Zeno became the first Stoic to declare that “life lived according to nature is the ultimate moral end” (Finnis, 1980, p. 411). Quoting Zeno, Finnis (1980) glosses over historical insights relating to natural law in the following passage,

Living virtuously is equivalent to living in accordance with experience of the actual course of nature, as Chrysippus states in the first book of his *Concerning Ethics*, because the end (of man) may be defined as life in accordance with nature, i.e., in accordance with our human nature as well as that of the universe----a life in which we refrain from every action forbidden by the law common to all things. But this law is nothing other than right reason, which pervades all things and is identical with God…And this very thing constitutes the virtue of the truly happy man…when all his actions promote the harmony of the spirit dwelling within individual man with the will of Him who orders the universe…By the nature with which our life ought to be in accordance, Chrysippus understands both universal nature and more particularly the nature of man (p. 411).

Zeno proposed that one must rise to objectively existing reason, making it possible to achieve APATHY or liberation from enslavement to one’s passions (Mautner, 2000).

Chrysippus of Soli, (280-207 B.C.) philosopher, disciple of Zeno and prolific writer, having “the great reputation of a logician” (Mautner, 2000, p. 94) constructed the first systematic argument for natural law (Mautner, 2000, p. 94). Chrysippus explained the cosmos, claiming that each individual, as part of the whole, is ordered by an active principle; God, mind or fate. The Stoics also related the immanent principle (*logos*) with reason itself (Crowe, 1977; Gula, 1989; Bohr, 1990; Kotersiki 2002).

Only fragments of his writing relating to natural law remain found embedded within texts of historical characters like Cicero, Seneca, Plutarch, and others (Audi, 1999). Some of these
tidbits of information indicate that like many contemporary figures, Chrysippus viewed logic as the operations of reason. However, the reasoning process indicated in natural law bases its reflectivity on right reason, viewing it as a moral power that allows humans to differentiate good from evil (Koterski, 2002). Chrysippus viewed divine reason (logos) as governing the universe, especially human beings (Audi, 1999). On the other hand, his purpose focused on finding comprehensive valid rules of inference and forms of proof to assist a person in finding one’s way in life (Audi, 1999).

The Greeks and Romans differed in their views of natural law in that the Greeks placed an emphasis on nature whereas the Romans emphasized the law of the natural order (Bohr, 1990). The Greeks used experience and observation to conclude that the universe is governed by an “immanent principle of order” (Bohr, 1990, pp. 142-158; Gula, 1989, pp. 220-228) Crowe, (1977) and Koterski (2002) conveyed similar sentiments. Roman jurists, on the other hand, found that law observed common elements among all people. That which was identified as common to humankind became known as the law of nature (ius gentitum) and was used to unify the empire (Bohr, 1996). The Hellenistic perspective of natural law (ius natural), equates natural law with a law that governs humanity and animals, alike, but distinguishes them through the human ability to reason. The distinction between the Greeks and Romans became instructive; that is according to the law of nature, we must distinguish acts of humans (natural/biological) from human acts (deliberate/intentional acts). Morality applies to the latter. Human acts, infused with self-awareness, are subject to moral scrutiny (Bohr, 1990). Schrag (1986) alludes to this same reality as essential for the development of communicative praxis.

Cicero (c. 106-43 B.C.)
Ancient thinkers like Cicero usually reference natural law in terms of duties (Koterski, 2002). Cicero emulated the Stoic praxis of natural law morality and viewed it as right reason in accord with nature (Crowe, 1977; Koterski, 2002). He modeled the value of natural law philosophy for the general populace and established implementation of natural law as a moral standard for achieving ethical praxis.

Cicero exemplified integrity and discussed challenges promoted by natural law philosophy. He did not merely reflect or mimic natural law (Koterski, 2002) but understood its practical applications as praxis. For example, he claimed that to keep something wrongfully from another or advance one’s self interest at the disadvantage or cost of another remains contrary to nature and exhibits injustice (Koterski, 2002).

Natural law philosophy was evident in Cicero’s leadership skills. For example, he explained that all humans have a responsibility to observe justice, respect the lives and property of others, and contribute constructively to society (Koterski, 2002). Cicero defined natural law as:

True law is right reason in agreement with nature: It is of universal application, unchanging, and everlasting: It summons to duties by its commands, and averts from wrong doing by its prohibitions… There will be no different laws at Rome and at Athens, or different laws now and in the future, but one eternal law will be valid for all nations for all times (Cicero, De Republica, 1998, Bk III. chapter 22).

He enhanced understanding of Stoic natural law, in view of Roman law, claiming,

There is truly a law, which is right reason, fitted to our nature, proclaimed to all men, constant and everlasting. It calls to duty by commanding and deters from wrong by forbidding, neither commanding nor forbidding the good man in vain when it fails to
move the wicked. It can neither be evaded nor amended nor wholly abolished. No degree of Senate or people can free us from it. No explainer, nor interpreter, of it need be sought by itself. There will not be found one law at Rome and another at Athens, one now and another later, but one law, everlasting and unchangeable, extending to all nations at all times, with one common teacher and ruler of all, God, this law’s founder, promulgator, and enforcer. The man who does not obey him flees from himself and, even if he escapes other punishments normally incurred, pays extreme penalty by the very fact that he despises the nature of man himself. (Cicero, De Reupublica, 1998, Bk. III, xxii, 33).

These passages articulate the main themes of natural law that endure throughout remaining history (Koterski, 2002). Any violations to moral principles of natural law also carry natural self-inflicted punishable consequences (Koterski, 2002). In De Republica (Book III chapter 23) Cicero articulates a clear distinction between just and unjust war (Koterski, 2002). Perhaps this was the basis for Augustine being the first to develop a just war theory based on natural law in Christianity.

Cicero held natural law in esteem as a moral standard for excellence and engaged what contemporary communication scholars like Schrag (1986) identify as communicative praxis. He understood that living according to laws given in nature meant living according to what reason commands (Gula, 1989). However, reason stressed in natural law indicates more than a power to form concepts or engage logical argumentation. Natural Law views right reason as moral power that allows human beings to differentiate evil from good and discern what is harmonious or contradictory to human nature (Koterski, 2002).

Cicero, “recognized as the main vehicle for the transmission of Hellenistic philosophy to the West” (Walsh, 2000, p. 19), discussed obligations similar to Schrag (1986) today, in
explaining that, “teaching, learning, communicating, debating, and evaluating, endears men to each other, and unites them in a kind of natural alliance, but he also claimed that reason more than anything else separates humans from the nature of the brute beasts (Cicero, 2000, p. 19).

Cicero claimed that the law of nature itself preserves and protects the interests of human beings, and ordains what is vital for life (Cicero, 2000). He maintained an emphasis on the common good and argued that such values should be diverted from one who is idle and placed on those who exhibit wisdom, goodness, and courage (Cicero, 2000, p. 94). Cicero considered the death of a wise person an injustice to the common good (Cicero, 2002). For Cicero, claiming natural law remains in accord with human nature meant that every person has a responsibility to care for the other, basing such care on a duty to contribute to the most good for society in the fellowship of humanity (Koterski, 2002).

However, Cicero also explained potential constraints saying, “Situations often arise when the useful seems to conflict with the honorable, so that we must then investigate whether indeed it is in conflict, or whether the two can be reconciled” (Walsh, 2000, back cover). In this he substantiates a value to be found in understanding natural law as it relates to communicative praxis. This study reveals and Walsh affirms that Cicero’s discourse “played a seminal role in the formation of ethical values in Western Christendom” (Walsh, 2000, back cover).

One scholar concludes that the text Cicero: On Moral Ends, “makes one of the most important texts in ancient philosophy available to modern readers” (Annas, 2001, back cover) as we see new interest in Cicero becoming more evident. This study also considers a return to Cicero as a means of finding new ways to consider implementation of natural law for contemporary societies.
In *De Legibus (On Laws)* Cicero claimed that all humans share similar natures but most especially in their ability to reason (Koterski, 2002). He focused on what was common in human nature as a source of unity. Although diversity provides the capacity to learn, it remains invariable. (Koterski, 2002, p. 112). Cicero established valid arguments for the moral equivalency of all human beings on the basis of their common human nature even though like Aristotle, he mysteriously defended the institution of slavery (Koterski, 2002, p. 112). However, contemporary society now recognizes slavery as erroneous.

**Ulpian (228 A.D.) and Natural law**

By the second and third centuries jurisconsults saw a need to establish clarity by separating natural law from civil law. By the sixth century, the emperor Justinian sanctioned these divisions and in so doing paved the way that for centuries allowed legislators, jurists, and philosophers to perpetuate personal definitions of natural law, paving the way for *ius gentium* and civil law to exert enormous influence (Crowe, 1977, p. 41).

The Ulpian separation of natural law into three divisions identified the law with brute natural tendencies. His divisions led to gross distortions in understanding of natural law, giving it a physicality mien (Bohr, 1990; Crowe, 1977; Gula, 1989). Ulpian’s distinctions separated what is proper to humans (reflected in *jus civile* and *jus gentium*), from what is common to humans and animals alike (the domain of *jus natural*) thus leaving each distinction, viewed autonomously, without influence on each other. This action resulted in moral evaluations that were based on an integrity and purpose of physical actions. These actions were also taken apart from the totality of the person (Bohr, 1990). Schrag (1986) and MacIntyre (1984) are taking
steps once again to view the reality that the unity of words and actions are an expression of thought as praxis.

**Early Christianity**

Early Christianity viewed the natural law of the Greeks and Romans as comparable with their beliefs and adapted the law with an emphasis on the universal need for salvation in Jesus Christ (Bohr, 1990). Reviewing Church Fathers, like Augustine or Aquinas, provides additional insights, specifications and adaptations of natural law, illustrating its conduciveness with Christian doctrine (Bohr, 1990). For example, such adaptability can be understood in testimony from Justin Martyr (100-165 A.D.) who claimed that these “seeds of truth” (*Spamata Aletheias*), presented as the capacity to reason, are found in all of humanity (Bohr, 1990, p. 156). He also claimed that these *seeds* are *manifest* in human reason (*logos*) through participation in the pre-existent ‘Logos’ (*reason, word*), Jesus Christ (Bohr, 1990).

St. John Chrysostom found the law of nature (*nomos physeos*) was general, eternal, immortal, and a moral instructor for all of humanity and claimed that the social and relational constructs of the law are the oral commandments when viewed as “necessities that hold together our lives” (Bohr, 1990, p. 156). In summation, Boss (1999) says that Chrysostom’s explanation of natural law claims that inborn in man, God placed his law to guide each person in ways similar to that of a captain steering his ship or a charioteer over his horse.

While the Eastern hemisphere was experiencing a theological development of the natural law, the Western Latin tradition moved toward maintaining a more autonomous and legalistic view under the influence of Roman jurisprudence (Bohr, 1990).
Augustine, engrained in Stoic natural law philosophy, found most of the moral goodness of natural law, conducive with Christianity. Along with implementing rhetoric, he led the Church to consider the agreeable tenants of natural law as truthful, conducive to Christianity and beneficial for evangelizing humanity.

Aquinas, a Dominican priest and Doctor of the Church, realizing the medieval moral issues, studied the rediscovered philosophy of Aristotle to reconstruct natural law in a synthesis with Christian Doctrine and other truths found within tradition in efforts to promote understanding that encouraged moral praxis. Aquinas claimed moral law remains basic to human nature and gifted with God’s grace as part of His divine plan for the created universe (Koterski, 2002). Moral law, known as natural law, applies to all rational beings. Humans, as rational beings, created in the image and likeness of God, have the capacity to discern right from wrong. Therefore, if human law or customs conflict with natural law, humans are primarily obligated to follow the natural law (Bohr, 1990; Koterski, 2002).

Aquinas distinguished between the “order of reason” (lex natural) and the “order of nature” (ius natural) (Bohr, 1990, p. 54) and claimed that human reason distinctly provides guidance and direction for human affairs (lex natural). The order of nature (ius natural) defines the particular characteristics that humans share in common with other animals (Bohr, 1990). Aquinas made tremendous progress in developing clarity and self-distinction in regards to natural law. However, a tendency to reduce natural law to the order of nature (ius natural) followed, thereby downplaying the role of reason (Bohr, 1990). However, Aquinas explained natural law as part of the eternal law as God’s providential plan for the universe. He distinguished divine law (the Commandments revealed in the Old and New Testaments) from human law (obligatory, yet always subject to the higher standard of natural law).
Blessed John Henry Cardinal Newman, ordained an Anglican priest at the age of twenty-three, founded the Oxford movement, then at age forty-five, converted and was ordained a Roman Catholic Cleric. He specifically urged all lay people to follow the universal call to holiness in their personal lives while also encouraging each to identify and use their God-given talents for the good of all.

As an historian and scholar, his teaching, preaching, and writing had tremendous rhetorical persuasion in the church, academia, and society as a whole. For example, he rejected claims that expressed opposition between faith and science (Catholic Exchange, 2010). He founded Newman Centers on college campuses and many view him as the hidden “Father of Vatican II” (Catholic Exchange, 2010). For example, his influence resulted in the development of several documents of Vatican II, especially Gaudium et Spes, that emphasizes natural law and divine providence in explaining the function of the Church as the people of God.

Similar to ways in which Augustine (1960) and Aquinas (1984) addressed issues relating to doctrine, Newman professed that the Roman Catholic Church expresses doctrine in a way that clarifies foundations without contradictions. This led him to conclude that authentic developments and interpretation of doctrine lie in its continuity with the past.

Retaining such continuity with the past remains a notion that Pope Benedict XVI who repeatedly urged that we seek “a hermeneutic of continuity and authentic reform” when interpreting the doctrines of Vatican II, which often reiterates and affirms natural law (Catholic Online, 2010, p.2). Newman’s (1994) thoughts on natural law include a statement in the Apologia saying:

I understand….that the exterior world, physical and historical, was but the manifestation to our senses of realities greater than itself. Nature was a parable; Scripture was an
allegory; pagan literature, philosophy and my theology, properly understood, were but a preparation for the Gospel. The Greek poets and sages were, in a sense, prophets (p. 21).

**Scripture and the Natural Law Tradition**


Ezekiel 36:26-28, proclaims, “I will give you a new heart and place a new spirit within you, taking from your bodies your stony hearts and giving you natural hearts. I will put my spirit within you and make you live by my statutes, careful to observe my degrees” (*NRV*, 1993). Jeremiah, after proclaiming the intention of God to make a new covenant with his people, proclaimed God’s word saying,

> I will place my law within them, and write it upon their hearts; I will be their God and they shall be my people. No longer will they have need to teach their friends and kinsman how to know the LORD. All from least to greatest shall know me says the Lord, for I will forgive their evil doing and remember their sins no more (*NRV*, 1993; Jer. 31:31-34).

Recalling and reflecting on scriptural passages like these make it evident that God promised a new order which included his etching his laws of stone (the commandments), onto human hearts (fleshy tablets), and spirits (of the laws), making them innately accessible to all people (*Bergant & Karris*, 1989). The passages make this new order transparent and undeniable (*Bergant & Karris*, 1989). Contrasting the Sinai commandments with the new law reveals that the covenant will not fail because God etches into the hearts of ALL people (regardless of any given religious affiliation) knowledge of His laws and grace (*Bergant & Karris*, 1989). This
covenant, however, acknowledges human weaknesses and the forgiveness of sins through Jesus Christ (Bergant & Karris, 1989). The underlying reality of the passages claims that basic morality remains an innate human trait found within human nature.

References to such Scriptural passages, ends with Romans 2:15-16 proclaiming:

They show that the demands of the law are written in their hearts, while their conscience:
also bears witness and their conflicting thoughts accuse or even defend them on the day
when, according to my Gospel, God will judge a person’s hidden works through Jesus
Christ (NRV, 1993).

This particular passage references “pagans who do not possess the Torah” (Bergant &
Karris, 1989, p. 1083), yet are guided by the transcendent will of God. Personal reflections
determine the good or evil done (Bergant & Karris, 1989, p. 1083). Accordingly then, for ALL, it
remains obedience or disobedience to the Torah that becomes “the foundation of every
individual conscience and it is here (according to one’s conscience) that judgment occurs”
(Bergant & Karris, 1989, p. 1083). However, Augustine emphasizes the importance human will
plays in making individual choices. Aquinas organized his synthesis of natural law in a
scholastic frame, explaining natural as the presence of God within each person and Newman
(1992) identifies conscience as the voice of the creator speaking directly to each person.

**Times of Transition**

Eventually, philosophers began reacting to the Scholastic synthesis organized by Aquinas
regarding natural law and virtues. In part, this reaction resulted in the development of
nominalism led by William of Ockham as its greatest proponent. Metaphysical nominalism
maintains, “Universals are only names of similarities found among individual objects, rather than
to express the real essences of thing“ (Koterski, 2002, Part II, p. 3). One might consider whether this constitutes a denial of natural law.

Franco Suarez (1548-1617) attempted to unite the law theory explained by Aquinas with the favored nominalist position of voluntarism. Although Suarez claimed to follow Aquinas his position was actually a reactionary response to Ockham’s nominalism (Koterski, 2002).

Understanding natural law (ius gentium) as a set of common principles that broadly recognized certain common aspects of human nature shifted to an understanding that identified (ius gentium) natural law as an international law based on consent of sovereign nations, employing for example, commercial relations, and diplomacy (Koterksi, 2002).

Hugo Grotius (1583-1643) sought to engage natural law as a basis for an international legal system that integrated natural law and human positive law. In his text *The Law of War and Peace* (1625), Grotius defined natural law as a dictate of right reason but claimed that any act done in accord with rational and social nature has a quality of moral baseness, or moral necessity; as forbidden or enjoined God as the author of nature (Koterski, 2002).


Hobbes (1588-1679) and Locke (1632-1704) are two philosophers who weighed-in heavily on natural law. Both of these skeptics proposed that every human being sought self-preservation and these desires constituted the only valid basis upon which to build a political
society (Bohr, 1996; Koterski, 2002). Hobbes saw natural law as a set of practical rules for self-preservation and viewed government or social organization as totally unnecessary. Locke, however, followed thinkers like Hooker (1888/1970) and Pufendorf (1991) and focused on natural law as natural rights, claiming there is a real willingness and need to establish a social contract (Koterski, 2002). Locke viewed freedom as a moral right.

Hobbes (1651) completed the *Leviathan* to share his radically individualistic views of natural law. He considered the moral principles of natural law as attributes of human nature, but included a belief that humans, and only humans, are responsible for bringing order to chaos, self-preservation replaces the hierarchy of goods, and he viewed society as a collection of individuals (Hobbes, 2006). He also does not consider reason as a reflective process for appreciating the order of nature; he sees reason as a mechanistic objective tool (Koterski, 2002).

Descartes (1596-1650), considered one of the founders of modern philosophy, rejected many natural law ideas yet he used human nature as a source of establishing freedom, equality and basic moral principles in his social contract (Koterski, 2002).

Rousseau (1712-1778) not only disagreed with many tenants of natural law proposed in the tradition, but he totally rejected the intellectual virtues claimed by the Roman theorists, as well as Grotius and Hobbes, especially their stance on slavery (Koterski, 2002).

With Kant (1724-1804) came a shift from an emphasis on nature to one focused on reason. Unlike the ancients Kant considered the laws of nature totally distinct from laws of morality and he compartmentalized morality and ethics. He viewed freedom and autonomy as key aspects of human nature and saw human existence dependent on rationality and freedom (Koterski, 2002).
Auguste Comte (1798-1857) proposed a theory of positivism. His theory rendered a scientific outlook that considered factual observable data as the only reliable and acceptable norm (Bohr, 1990). Other philosophers contributed to the development of this version of natural law making three additional principles evident. First, all human thought remains conditioned by history so that no judgment can be considered universally valid; secondly, objective certitude requires facts.

Protestantism, in many denominations, developed various understandings of natural law relating to their views of human nature and sin. In some of the denominations natural law survived under concepts such as “created orders” and “God-given or natural intentions” (Bohr, 1990, p. 14).

From the Renaissance to the present day, modern philosophy has gradually been moving away from the idea of absolute, objective, and eternal law (Bohr, 1990, p. 152). Postmodernity bears witness to the fruits of these past labors (Bohr, 1990). Our historical paradigm reflects challenging and confronting issues for voices of authority, fragmentation, polarization and a seemingly compulsive respect for diversity that appears to becoming yet another form of individualism. Possibly the times and issues call for a return to Cicero to learn ways in which he engaged natural law as a means to unify civilization and promote civility.

Conclusion

The lineage of the natural law tradition tells a story that intelligently reveals reasons that explain how and why this unwritten law became accepted as a normative universal moral imperative for a universal audience in professing that it provides an innate moral compass for
every person to distinguish good from evil. Natural law does not provide explicit complex solutions but merely serves as a guide for basic moral goodness that avoids evil.

The lineage may reach the heart of human reason and improve understanding regarding its communicative implications of natural law. For example, this study verifies that basic background knowledge of natural law provides essential context for improved understanding of many philosophical debates taking place within the western intellectual tradition.

The final chapter of this study will highlight contemporary applications of principles of natural law, present in such issues as the Nuremburg trails, the life of Martin Luther King Jr. and Thomas Merton, who like John Henry Cardinal Newman could be considered a case study for natural law. Newman and natural law became the foundation for The Vatican II council, revealed in *Gaudium et Spes*.

The continuity of the Roman Catholic Church retains the authentic teaching of natural law that proves invaluable. The most appropriate example can be found in the scholarship of Aquinas who clearly illustrated the value of searching the tradition for preserved facts and truths found throughout history rather than expressing personal opinions or forming new theories.

Finally, the communicative implications are many yet undeniably rhetorical. This chapter verifies that all human communication engages ethics and requires ethical praxis. Natural law and ethics are not only interrelated, but rhetorical as ethos, pathos, and especially *logos*. The reader eventually must return to Schrag (1986) and MacIntyre (1984) in the final chapter of the study to discuss issues of rhetorical engagement as dependent rational animals.
Looking for answers to three specific questions drives this chapter. The first question considers ways in which basic knowledge about Aurelius Augustine might improve understanding about natural law. One should consider some specific ways in which he address the topic of natural law and consider how his insights on natural law constitute improved understanding of its communicative implications, especially those relating to communication ethics. A little background provides the basis for addressing these issues and framing this chapter. Therefore, this chapter proposes to introduce Augustine, raise awareness of some of his explanations regarding natural law, and consider how his discourse improves overall comprehension of natural law. Readers may soon recognize the significant role he played in preserving many truths about natural law and develop understanding of ways in which his explanations clearly illustrate its applicability to communication ethics. These efforts naturally illuminate ways that his natural law discourse proves insightful for philosophical discussions regarding ethics in general and communication ethics in particular, as it continues to evolve within the Western Intellectual tradition.

Previous chapters laid a specific overall foundation, defining and explaining natural law as ethics in practical moral philosophy, thereby indicating its applicability for moral human communication. All human communication remains a moral exchange, engaging words and actions alike.
From its onset, understanding of natural law evolved within Classical Antiquity, a pagan historical paradigm, and this study confirms that natural law has always been considered a natural universal moral principle found in the created order. According to this principle, each person, endowed with an innate rudimentary sense of good and evil, has a capacity to make choices of right and wrong willfully, without instruction. A Scriptural review indicates that the Exodus account of the Decalogue, an actual historical event, took place somewhere between 1280-1240 B.C and as early as 621-580 B.C (The New Revised Standard Version: Catholic ed., 1993). Jeremiah 31:31-34 talks about the coming of the new covenant, explaining that the Ten Commandments, written in stone, will be etched on the fleshy tablets of the human heart (NRV, 1993). The Ezekiel 36:25-27 text also talks about this new covenant (natural law) positively dating it back to 593-573 B.C and earlier (NRV, 1993).

The origins of natural law show it has always been known as practical moral philosophy manifest in ethics, and although not the same topic, it shares its historical development with many aspects that parallel ideas expressed by Alasdair McIntyre (1998), who also identifies ethics as synonymous with applied moral philosophy. For example, MacIntyre (1998) claim, “moral philosophy is often written as though the history of the subject were only of secondary and incidental importance” (p. 1). The development of natural law appears to share a similar perspective and attitude. Additionally, MacIntyre (1998) explains that this attitude appears to be the result of a belief that moral concepts can be examined and understood apart from their history (p. 1). This misconception also resonates with many discussions about natural law, thereby resulting in a fragmented and misunderstood view of natural law itself. MacIntyre’s (1998) account of the history of ethics, like the genealogy of natural law, began with the pre-Socratic paradigm and remains evident in the history of the Stoics. Starting with this perspective,
MacIntyre (1998) demonstrates how the history of ‘good’ transitions to philosophical inquiry. The historical account of natural law also includes an understanding of ‘good’ and shows why it remains a stable unchanging principle regarding morality. Research on natural law likewise affirms MacIntyre’s (1998) alert to scholars, in his claim that “It is all too easy for philosophical analysis, divorced from historical inquiry, to insulate itself from correction” (p.2). This claim appears evident when considering issues arising within the historical development of natural law. On the other hand, it becomes essential to “allow the history of philosophy to break down our present day preconceptions, so that our too narrow views of what can and cannot be thought, said, and done are discarded in the face of the record of what has been thought, said, and done” (MacIntyre, 1998, p. 2). Many claims like these made by MacIntyre (1998) regarding the history of moral philosophy become relevant to natural law as well. This particular research on natural law also validates his suggestion that “we must steer between the danger of a dead antiquarianism and that which perpetuates a belief that the whole historical past should culminate with us,” because, in the words of MacIntyre (1998), “history is neither a prison nor a museum, nor is it a set of material for self-congratulations” (p. 2).

Augustine’s discourse on natural law became foundational (whether implicit or explicit), for innumerable arguments regarding ethics, taking place throughout the Western Liberal Arts Tradition, and not excluding contemporary discussions. For example, Alasdair MacIntyre and critics recently published a text entitled, *Intractable Disputes about the Natural Law*, in which they discuss issues arising out of natural law discourse thereby highlighting some of the communicative implications that knowledge of natural law has for ethics in general and communication ethics in particular. Such intractable disputes are touched upon and discussed in additional chapters of this research.
Meeting Aurelius Augustine (354-430)

Augustine was born November 13, 354 in Thagaste, a small town in northern Africa, currently named Souk Ahras, located in modern day Algeria. It was a small free city of Proconsular Numidia, under Roman Rule, with many of its inhabitants having just converted from Donatism. As a pastoral Bishop of Hippo, Augustine passed away on August 28, 430, leaving the Church to remember this great apologist and recall his rhetorical contributions to the institution of the Roman Catholic Church, each year on this day.

One of Augustine’s works, The Confessions, remains instrumental for understanding and explaining natural law. In this text Augustine (2007) not only reveals and preserves his embedded standpoint on natural law, but he also implicitly indicates that his knowledge of natural law functions as a reference point for many of his discussions on eternal, natural, and temporal law. Additionally, Augustine (2007) identifies and explains divine providence and natural law as manifestations of eternal law while also claiming that every temporal law requires standards established by divine authority (22.27-30).

His Persona

As sinner turned saint, he remains a highly respected historical and ecclesiastical figure. Although Augustine favored philosophy in pursuit of wisdom, his intellectual brilliance also radiates through his roles as rhetorician and theologian. Known as a Father and Doctor in the Roman Catholic Church, Augustine (1998) led a life that exemplified his claim that the Roman Catholic Church is not an organization of perfected people but rather exists as an amalgamation of saints and sinners alike.
Contemporary scholars not only identify Augustine as a philosopher, but some also claim he may be the best and possibly the first psychologist in the ancient world. Many professionals in various spheres and academic disciplines currently consider him the first existentialist philosopher, as well (Funk & Wagnell, 1999). *The Cambridge Companion to Augustine* provides explanations about the significance and influence of his work cannot be overemphasized regardless of whether it was when he lived or all subsequent history of Western Philosophy (Stump & Kretzmann, 2001). In part, the statements achieve an understanding as to the relevance for learning what Augustine explains about natural law as practical moral philosophy, especially as it relates to communication ethics. However, in his account of time and eternity, his understanding of the will, his, attempts to resolve the problem of evil, his approach to the relation of faith and reason, and his just war theory continue to influence many (Stump & Kretzmann, 2001). For example, Calvin Troup (1999), in his text on time and eternity, provides contemporary communication scholars with an in-depth discussion as to the significance of understanding Augustine’s rhetoric in *The Confessions*. Troup’s scholarly suggestions not only help other scholars achieve improved understanding of Augustine’s discourse, but then also improve comprehension of Scripture verses and other issues addressed by Augustine. Additionally, his just war theory, frequently consulted for contemporary directives and primarily based on natural law, not only reveals his embedded knowledge of natural law, but it also illustrates the potential that natural law has for informing communication ethics.

This chapter, in highlighting communication ethics, also implicitly illustrates ways in which this discourse on natural law provides a model for achieving communicative praxis. Augustine’s revelations concerning contemplative introspective intrapersonal, and interpersonal communication occurring in *The Confessions*, develop an imaginative space where one may
potentially recognize connections Augustine’s discourse has in relation to ways in which Schrag (1986) defines and explains reflection, recollection, and distantiation as steps for achieving communicative praxis.

Based on *The Confessions*, it is argued “No writer ever went deeper into his own character and deeds, passed keener judgments upon himself, or revealed himself more fully or humbly to others” (Ryan, 1960, p.17). In part, this observation becomes yet another aspect in considering Augustine’s views regarding natural law. By searching the depth of his own soul he became personally affirmed and through various explanations he implicitly manifests to his audience realities of natural law. Therefore, this research seeks to recapture his insights concerning natural law as a means of illustrating the wisdom Augustine shares for contemporary society as a whole, and communication scholars in particular.

**On the Scholarship of Augustine**

Augustine explains that his efforts are directed at revealing and addressing particular issues so that both he and whoever reads them may realize the depths of the human heart that one must go to cry out for God in the knowledge that “nothing is closer to God’s ears than a contrite heart and a life of faith” (*The Confessions [The Conf.]* 2.3.5). To reach the depths of such a contrite heart, a person must recognize that “no one wants his personal dwelling place corrupted” therefore, God’s temple, the human person, where God dwells, should remain incorruptible (*On Christian Doctrine [OCD]* 3.14.22). This statement and other similar statements made by Augustine accentuate natural law.

Augustine never wrote any particular treatise on law and seldom if ever specifically uses the term natural law yet defines, explains, and weaves its essential elements throughout his
discourse. Evidence of his fluency with natural law becomes more obvious in his continual references to the Epistles of Paul, especially *Romans* 2:13-15a, which says,

> It is not listening to the law but keeping it that will make people holy in the sight of God.

For instance, pagans who never heard of the Law but are led by reason to do what the law commands may not actually “posses” the Law----- but they can be said to “be” the Law. They can point to the substance of the Law-----engraved on their hearts---- they can call a Witness, that is their own conscience----They have accusation and defense, that is their own inner mental dialogue (*The Jerusalem Bible*, 1968).

This passage leaves little doubt that Paul references the pagans as he reveals two aspects of natural law. He first recognizes the natural law in human nature and secondly its presence in every human conscience (Fitzgerald, 1999). According to Augustine, the Gentiles who did not have the law were naturally inclined to do what Jewish law requires (Fitzgerald, 1999, p.586). Augustine maintained a serious focus as he discerned the similarities between natural law and Catholic Christian doctrine (Crowe, 1977, pp.52-53).

A contemporary version of the same Scripture verses affirms Augustine’s stance regarding natural law, present in his description of the church, as a merger of saints and sinners abiding together, as portrayed in *City of God*. In essence it becomes obvious that natural law requires each and every person to remain focused on developing personal honesty, justice, and integrity in every communicative act; for God, self, and others as self, out of one’s love for God. Such actions allow a person to become a living example and model for others. These same Scriptural verses complete the argument made by Augustine (1998). Augustine (1998) claims that every person, called to a personal responsibility to develop excellence, in character, word,
and deed, should refrain from judging others because this role must be reserved for God alone. The teleology of natural law, becomes most obvious in this revised text which states it this way:

For when the Gentiles who do not have the law by nature observe the prescriptions of the law, they are a law for themselves even though they do not have the law. They show that the demands of the law are written in their hearts, while their conscience also bears witness and their conflicting thoughts accuse or even defend them (the completion of the thought in verse Romans 2:16 is found in 2:17) on the day when, according to my gospel, God will judge people’s hidden works through Christ Jesus (NRV, 1993).

On Nature

From the onset, Augustine was not only astutely educated in the various scientific theories and math of his time, he also had extensive philosophical knowledge. He understood that terms such as, *natura, essentia, ousia*, and *substantia* all denote the same thing (*De Civ. Dei* 12.2, 1998; Fitzgerald, 1999, p. 586; *Trin. 2.18*). However, the more ancient term, *natura*, more frequently became replaced with more modern terms like *essentia* and *substantia*, yet “all designate the constitution of a thing, it’s being, and the source of its activity: the nature or essence determines what a thing is and consequently the activities it can perform” (Fitzgerald, 1999, p. 586).

Augustine knew that a things nature constitutes those characteristics that it has in common with other members of the same class (Fitzgerald, 1999, p.586). He explained, all things (natures) are created by God, as God alone remains uncreated. This created order forms a hierarchy of being from highest (God) to the lowest unformed matters (Fitzgerald, 1999, p. 586). All of creation, especially natural law and divine providence, participate in this created order.
Historical Observations

Augustine’s (1960; 1998) ideas about natural law are more easily identified through his explanations of the Providence of God and the order of creation (Crowe, 1977; Fitzgerald, 1999, p. 583). Nevertheless, he also did not hesitate to indicate and discuss similarities he found between Socratic influence and Christian philosophy in his work. For example, he defined and explained the similarities and distinctions found between Christian philosophy and Neo-Platonism. He explained divine providence, saying, Plotinus, a disciple of Plato, considered providence to be the intelligible ineffable beauty of God, stretching to the very least things of this earth (De Civ. Dei 10.14). Augustine, aware that Plato (in his travels to Egypt) was possibly introduced to the writings of Jeremiah, explained that he found God and his work introduced in all different manners dispersed throughout the works of the Platonists (Conf. 7.9.13; 8.2.4; OCD 2.28.43). He explained that in the same manner that Pythagoras claimed that Plato learned theology, Augustine claims he personally not only recognized common strands of Christian truths present in some of the pagan philosophical teachings regarding what they believed to be good, truthful, and right, but he also found that frequently the pagans had borrowed from Christian philosophy and theology what they likewise found to be truthful and good as well (OCD 2.28.43). In making such observations regarding these interconnections of thought about what is good, truthful and right, one might imagine ways in which ideas about natural law and divine providence intersected (in such an eclipse of thought) when searching for principles involved in ethical decision making. However, we must also recognize that knowledge of what is good, truthful, or right is not exclusively bound to people of faith. Therefore, the importance of finding and accepting what is good, right, and truthful, regardless of where it may be located, becomes a personal responsibility for every person.
Through review of Augustine’s shared reflections one may also imagine ways in which natural law works within a person, unconsciously aware of the movement of the spirit of God (Conf. 7.9.13). For example, Augustine testifies that through one of his intrapersonal reflections he came to an epiphany in realizing that God had “procured certain books of the Platonists that were translated from Greek to Latin” for him (Conf. 7.9.13). He explains that these translated texts, although similar to Scripture yet not using identical words, revealed that the soul of man gives testimony to the light. It is not the light itself, but rather the Word, God himself, who is the true light, which enlightens every man that comes into the world (Conf. 7.9.13). In this, Augustine not only admits his own realization that God himself (the light) was present within his soul but that God also dwells in every soul, regardless of one’s stance or faith. This realization means that every person, atheist, agnostic, faithless or faith filled, holding a secular or Christian worldview, is not exempt from (the light) natural law. Augustine then also indicates distinctions between the Platonists and Christianity in explaining that although these same texts claim, “he was in the world, and the world was made by him, and the world knew him not” (Conf. 7.9.13) they did not say “he gave power to become sons of God, to those who believed in his name” (Conf. 7.9.13).

Elaborating further on the differences between Christianity and the Platonists, Augustine says these books of the Platonists claimed that the Word God was born of God but did not say, “The Word was made flesh and dwelt among us” (Conf. 7.9.4). Accordingly, the various texts also omitted saying he “emptied himself, taking the form of a servant, being made in the likeness of men, and in habit found as a man,” and that “he humbled himself, becoming obedient unto death, even death of a cross” (Conf. 7.9.13). Augustine spent years reconciling pagan and Christian philosophy, distinguishing natural law and connecting philosophy with the foundations
of theology. Speculative insights, therefore, consider that Augustine’s explaining natural law without explicit reference to the term possibly results from his historical background and education which included his fundamental connections to the Stoics and Socratics such as Plato, Aristotle, Cicero, the servus dei, the holy men of the desert, and Scriptures, especially Paul (Fitzgerald, 1999).

Inherent knowledge and practice of natural law for Augustine and his immediate audience would not have been extraordinary. The fullest comprehension of natural law would have been as ordinary as breathing for Augustine and his immediate audiences. Another supportive insight affirms Augustine’s awareness of natural law in his making distinctions where necessary and becomes even obvious when considering his great admiration for Cicero, another known pre-Christian pagan and proponent of natural law. For example, Augustine cites Cicero, who says:

For there is one true law: right reason. It is in conformity with nature, is diffused among all men, and is immutable and eternal; its orders summon to duty; its prohibitions turn away from offense…..To replace it with a contrary law is a sacrilege; failure to apply even one of its provisions is for bidden; no one can abrogate it entirely (Catechism of the Catholic Church #1956; City of God (De Civ. Dei), 1998).

Augustine shares the majority of his insights about natural law within the Confessions and City of God, but several discussions of natural law are also found sporadically dispersed throughout his other writings such as On Christian Doctrine. De Trinitate, Answer to Faustus: A Manichean, On Free Choice of the Will, and On Order (De Ordine) along with other works like his sermons for example. Although most of his scholarship intertwines threads of insights about natural law throughout his discourse, this chapter primarily concentrates on The Confessions for
defining and explaining the law. Augustine is not a Neo-Platonist, which becomes evident in his discussions, especially in this particular text showing ways in which he simply compared and united strands of similar Neo-Platonic truths held in common with his Christian predecessors and contemporaries. Many of his efforts illuminate the function of natural law within his lived experience. His philosophy succinctly unites with his rhetoric, natural theology, and Catholic doctrine throughout his work regarding natural law. Augustine becomes known as solely responsible for connecting natural law to Christian philosophy and Catholic theological doctrine.

The Catechism of the Roman Catholic Church

The Catechism of the Catholic Church (CCC) cites Augustine multiple times in its discourse on morality. As does Augustine, the catechism explains that principles of natural law are contained in the Decalogue (CCC #1955; Conf.). Likewise both he and the catechism state that the law is called natural because reason decrees that it properly belongs to human nature (CCC #1955; Fitzgerald, 1999). Again citing Augustine on the natural law the catechism states:

Where then are these rules written, if not in the book of that light we call the truth? In it is written every just law; from it the law passes into the heart of the man who does justice, not that it migrates into it, but that it places its imprint on it, like a seal on a ring that passes onto wax, without leaving the ring (CCC # 1955; St. Augustine, De Trin. 14, 15, 21; PL.42).

In its simplest terms we can understand that according to Augustine and later Aquinas “Natural law is the light of understanding placed in us by God through which we know what we must do and what we must avoid” (CCC #1955). For example, Augustine said, “For you are the true light, which enlightens every man coming into this world, and in you there is no change or
shadow of variation” (Conf. 7.9.13). Again, the reader should take note that this light is said to be within every person without exception. Such insights on this natural moral law manifest ideas that potentially develop improved ethical communicative praxis for contemporary society. For example, when Augustine claimed that every person must view himself/herself and others as both body and soul, he decidedly revealed that humans are spiritual as well as corporal beings. Later in this discussion the ethical implications become more understandable when he explains his claim that each person must develop a heightened awareness that eternal law requires every person to treat others as one expects to be treated, and this command must be followed simply out of one’s love for God.

**On Style**

In general, due to its oral nature, Augustine’s written discourse understandably has potential to create an impression of confusion for scholars. His written form is often repetitive and integrative. This research functions as a tool to succinctly review his explanations of natural law. This will objectively improve how scholars, who are more accustomed to written, rather than oral discourse, understand the law. This author addresses a little about Augustine’s style in relation to some of the communicative implications, especially communication ethics.

Augustine’s views on eternal law, natural law, temporal law, and Scripture, especially the *Genesis* account of creation in chapter 1:27 (stating that humans are created in the image and likeness of God) not only improves understanding for his oral or written claims regarding natural law, but it also enhances one’s understanding of the law itself. Augustine’s style appears mostly conversational, engaging readers in his shared insights on natural law. These shared insights create a tapestry on the topic, stitching together threads of insights about natural law interwoven
throughout his discourse so as to create an ingenious mural of the presence of God in and among all people.

**Background as Foreground**

Many scholars like Aquinas (1948) and Newman (1997) reference Augustine in their discussions on natural law, yet one quickly determines that unlike others, Augustine’s presentation on the topic results in part from his rhetorical training combined with his personally rooted knowledge of natural law and its tradition. His explanations of the law do not occur in a vacuum. *The Confessions* (testimony) reveal his intersecting entanglements and sometimes-controversial viewpoints between his Christian mother, Monica, and pagan naturalists. These distorted versions of Christianity stem from his muddled perceptions created through his involvement with Manichaeism, and his apologetic refutations of numerous other heresies as well. However, from the time of his conversion, the Trinity, Jesus Christ, and Scripture play a central role for all of Augustine’s Christo-centric insights.

The autobiographical narrative account of his life in *The Confessions* reflectively recounted his life journey en route to his becoming a Roman Catholic cleric and now functions well as a portal for this discussion of his perspectives on natural law. This particular text provides a full historical account of his Christian formation (*Conf. 9.4*) and in turn fosters considerations of several implications regarding natural law and communication ethics. Therefore, this particular chapter poses to review his perspectives on natural law through key themes occurring throughout the corpus of his scholarship.
Exploring Common Themes

Augustine’s natural theology remains extended and important (Ryan, 1960). Augustine modifies Stoic conceptions, uniting “the law of the universe” with “divine wisdom” (Crowe, 1977, p.62). Additional common themes dispersed throughout his scholarship include his proving that God in fact does exist and is self-existent. He says, God “is infinite; he is one and only one; he is supremely good; he is truth itself; and that being one, good, and true; he is supremely beautiful” (Ryan, 1960, p. 31).

Augustine recognizes that God, being neither corporal nor a soul, remains spirit, having no length or breadth, nor mass (Conf. 3.7.12). Augustine explains mass as “less in each part, than it’s whole, and if it is unlimited, it is less than any spatially definite part than its unlimited extent” (Conf. 3.7.12), yet “never everywhere whole and complete as is spirit, as is God” (Conf. 3.7.12). He acknowledges his prior personal ignorance of “what it is in ourselves that makes us be, or the meaning of the Scriptures when we humans are said to be made in the image and likeness of God” (Conf. 3.7.12). His admission reveals that he has come to appreciate that the spirit of God remains the life of corporal bodies; and he explains that God “as the life of souls, the life of lives, living yourself, and this life of all souls is never changed” (Conf. 3.6.10). Accordingly, Augustine admits his awareness that God not only dwells within the soul (natural law) of every human being, but the spirit of God also is actually the life of every human being. Augustine never suggests that God only dwells within a particular person or group of people such as Christians for example, but he in fact claims that the light (life) of God shines in every soul, believers and non-believers alike.

Augustine validates this reality saying, “In a perverse way, all men imitate you who put themselves far from you, and rise up in rebellion against you. Even by such imitation of you they
prove that you are the creator of all nature, and therefore, there is no place where they can depart from you” (Conf. 2.6.14). In this way humans are distinctly different than all other animals.

Explanations like these affirm natural law, showing it as a manifestation of eternal law in the unchanging created order (Conf. 3.7.13), distinct from temporal law that changes according to times, cultures, and circumstances (Conf. 3.7.13). He explains eternal law as the will of God saying that both natural law and divine providence are inseparable from God himself (Conf. 3.7.13).

The will of God, not a created thing, exists before the creature, because nothing is created unless the creator’s will preceded it (Conf. 11.10.12). Therefore, “the will of God belongs to his very substance” (Conf. 11.10.12). God’s will, his laws, and his being are inseparable (Conf. 11.10.12). According to Augustine, God, his spirit, his will, his love, his Word, and his laws, including natural law remain inseparable from his being, therefore, remaining eternal and immutable, existing within every human being as the presence of God (Conf. 11.12.12).

Divine providence exists as the care expressed from a loving, interactive, interpersonal, God who shares himself with all of creation, especially humanity, through grace. Augustine elaborated in explaining how God’s laws are an expression of his love and explains why they must also become a prototype for all temporal laws. All order requires governing laws. In testimony to God, Augustine affirms his understanding saying, “God’s laws have the power to fashion what is bitter but salutary, and recall us to you from that pestilential pleasure by which we fell away from you” (Conf. 1.14.22).
The Word Becomes Flesh

Augustine’s primary focus stems from knowledge of the incarnate Word (logos) becoming flesh in the person of Jesus Christ, as God and man, like us in all ways but sin. He admits the pronouncement that “The Word was made Flesh” remained mysterious for him for some time (Conf. 7.19.19). However, he eventually understood that in Christ there was a complete man, not only in body but soul and divinity; as a corporal and spiritual being (Conf. 7.19.25). Nevertheless, from the time of his conversion his bias of natural law continued to frame all his renewed insights and explanations. After encountering Ambrose (bishop) he quickly embraced a certainty that Jesus Christ, as mediator between God and man (Conf. 7.18.24), exists as the only way to truth and salvation (Conf. 8.1.1-2). His argument included his certainty that God remains the source of every good (Conf. 1.6.7; 7.12.18; 7.13.19), every truth remains good, and all truth is God’s truth (Conf. 1.5.6; 7.18.24). Much the same as a priori principles of math or science, truth remains innate in human nature, therefore, humans are always capable of discerning truth as such (Conf. 1/6; 7.18.24). Truth, Augustine explains, is one and common to all, just as much as it is true (OCD 3.2.11.E), which strongly contradicts the contemporary view of relativism in its belief that your truth may be different than my truth.

Man as Image and Likeness of God

Augustine provides an exegesis for the Genesis account of the creation of man. He explained the verse (Augustine, On Genesis, 1:7). He claimed that the Scripture verse indicates that man being created in the image and likeness of God actually references the interior man where reason and intelligence are located. Intellect and reason become the vantage point from which humans are granted their “authority over the fishes of the sea and the flying things of
heaven and all cattle and wild beasts, and the whole earth, and all the crawling things that crawl
over the earth” (Augustine, *On Genesis*, 1.17.28). Providing additional context, Augustine also
explained that when Scripture claims that human beings are made in the image and likeness of
God it does not refer to the body but to the power by which humans surpass all other animals and
receive dominion over earth, evidenced in *Genesis* 1:6. He also explained that even the upright
position of human beings indicates that being created in the image and likeness of God means in
His spirit (Augustine, *On Genesis*, 1.17.28). This statement clearly means the human likeness of
God is reflected in soul, not body.

**Two Commandments**

Recognizing and understanding what it means to be created in the image and likeness of
God according to Augustine’s explanations requires total acceptance and responsibility for one’s
communication (words and deeds). Augustine argues that the natural created order commands
that all people practice the two Great Commandments which he explains are the fulfillment of
the Law, the Prophets, and the New Testament, especially the Gospel (Augustine, *On Genesis*).
This in turn requires that all of humanity must not only abide by the laws of God, but they must
also emulate the examples illustrated in the words and deeds of Jesus Christ as portrayed in the
Gospels (*Conf.*). This love for God commands every person to treat all others, as he/she desires
to be treated, never doing to another person what one detests (*Conf.*). However, such charity can
be mistaken, if one discounts the divinity of Jesus Christ, as Augustine did for some time,
viewing Christ simply as a person of excellence, above all other men, but not as the person of
“Truth” (*Conf.* 7.19.25). Augustine enhanced understanding of his claim when he said,
Your Word, eternal truth, surpassingly above the highest parts of your universe, raised up to himself those who had been brought low, amid the lower parts he has built for himself out of our clay a lowly dwelling, in which he would protect from themselves those ready to become submissive to him, and bring them to himself (Conf. 7.18.24).

In this excerpt Augustine confirmed that each and every human being is actually a dwelling place for (natural law) God. For example, his assertion that humans are temples of the living God becomes obvious through his shared reflection. He gave testimony to God about this awareness, saying that, “you had already begun to build your temple within my mother’s breast and to lay there the foundations of your holy dwelling place” (Conf. 2.3.6). In this claim, he affirms his understanding of natural law. Another example of natural law becomes evident when Augustine reveals that when reflecting on the episode of stealing the pears from the neighbors fruit trees, he became aware that although he believed at the time, he was getting away with the theft, he eventually realized that God had been present throughout the entire episode, silently watching and fully aware of everything Augustine was thinking and doing (Conf. 2.3.6). This incident, as told by Augustine, implicitly reveals the presence of natural law (God) in his being.

**Distinguishing Natural Law and Divine Revelation**

Augustine distinguishes natural law from Divine Revelation. Many of his shared reflective recollections in *The Confessions* implicitly reveal this distinction. For example, when Augustine references his conversations with God in his interior ear or shows an awareness of God’s presence through his inner sense, he implicitly not only references natural law but indicates the presence of God within his interior being, as evidenced in his following testimony,
Already you have said to me with a strong voice into my interior ear that you are eternal, you who alone have immortality, since you can be changed by no kind of motion and your will is not varied over time, for no will is immortal which is now one thing, now another (Conf. 12.11.11).

You have also told me with a strong voice within my interior ear, O Lord, that you have made every nature and every substance, things that are not what you are but yet exist. The only thing that does not come from you is what does not exist, together with any movement of the will away from you who are and towards to look forward to nor transferring that which is in a lesser way, for such movement is crime and sin. You have told me that no man’s sin either hurts you or disrupts the order of your government, whether in the beginning or in the end. Again you told me with a strong voice within my interior ear that not even that creature is coeternal with you, whose delight you alone are, and who with most persevering chastity, drawing its nourishment from you, has nowhere and never asserted its own mutability, and with you yourself ever present with it, to whom it clings with all its powers, having neither future to look forward to nor transferring to the past what it remembers, is either altered by any change nor distended into any times (Conf. 12.11;11-12).

On the other hand, when he discusses episodes like the one in the garden when he heard “a voice like a child” coming from nowhere, instructing him “to take and read” (Conf. 8.12.29) or when he references Scripture, Augustine usually highlights the distinct Divine Revelation.

Divine Providence, an expression of God in temporality, and natural law, the expression of eternal law within human nature are understood as manifestations of eternal law within the created order of God (Augustine, c. Faustus, 22.27-30). Natural law is the presence of God.
within the interiority of every human person, although similar remains distinct from revelation that occurs exterior to self. In referencing the story of Paul from Tarsus, Augustine explained that when Paul was struck to the ground and approached by Jesus Christ, who asked Paul why he was persecuting him, remains yet another example of God’s revelation (Augustine, *c. Faustis*, 22.27-30). Revealed insights like these suggest that contextual preparations are beneficial and necessary for developing a fuller understanding of Augustine’s comments on natural law.

**Contextual Considerations**

Uncovering explanations Augustine provides about natural law requires understanding several contextual keys to unlock various expressions within different texts written by Augustine, especially *The Confessions*. Troup (1999) provides invaluable insights for reading and understanding Augustine in general. Citing Welch, Troup (1999) explains that when reading a text intended for oral delivery, both Aristotle and Augustine appear unorganized. Troup (1999) explains why these same texts have potential negative effects as written communication (p. 52). Troup (1999) relies on Walter Ong (1982), who explains that:

> In a primary oral culture, to solve effectively the problem of retaining and retrieving carefully articulate thought, you have to do your thinking in mnemonic patterns, shaped for ready oral recurrence. Your thought must come into being in heavily rhythmic, balanced patterns. In repetitions or antitheses, in alterations and assonances, in epithetic and other formulary expressions, in standard thematic settings…., in proverbs which are constantly heard by everyone so that they come to mind readily and which themselves are patterned for retention and ready recall, or in other mnemonic form. Serious thought is intertwined with memory systems. Mnemonic needs determine even syntax (p.34).
In part, this approach results because “Augustine’s discourse was still dominated by primarily oral patterns of thought” (Troup, 1999, p. 52). I argue that his suggested approach must also be applicable for understanding Scripture and/or natural law in general as both resources arose within the oral tradition. One should consider ways this approach becomes necessary and beneficial for contemporary audiences in developing improved understanding.

In light of these facts, preparing readers to approach *The Confessions*, the reader finds that Troup (1999) “provides a provisional set of protocols for contemporary readers” (p. 39). Scholars should consider these practical applications for reading all of Augustine’s work. Troup (1999) argues that such efforts require a reader to “engage the text on its own terms,” depending on it “to disclose the keys for its own interpretation,” allowing “the tensions, contradictions, and paradoxes” to “construct meaning through integration of the form and content” (p.39). Troup’s (1999) words quickly become reality in discovering that “the texture of his discourse engages readers as participants in the conversation with Augustine” (p. 38). This engagement remains especially true regarding Augustine’s shared insights about natural law intermingled throughout most of his writing. Everything Augustine wrote focused on explaining and defending the faith. However, Augustine wrote *The Confessions* and *City of God* in response to specific requests and Troup (1999) argues that Augustine’s texts are intended to be read orally by a skilled orator. Not only does this remain helpful for discovering what Augustine says about natural law, but it also aids in developing a more comprehensive understanding about the law itself. Such contextual insights open the various texts and allow Augustine’s words to open each heart in raising consciousness of the law within each soul.
Engaging Augustine

Keeping these issues in mind, the reader sees that Augustine provides significant insights for readers through his implicit and explicit references of natural law in The Confessions. He speaks but scribes wrote the text in the form of a prolonged meditation or prayer spoken directly to God (Ryan, 1960). The Confessions (a reflection on his life wherein he discovers his unconscious awareness of his interactions with God throughout his lifetime), written approximately ten years after his conversion to Catholicism and City of God (an apologetic piece that defends Catholic Christianity against the false pagan accusations), written approximately ten years before his death, function like a continuing saga about the life, wisdom, and times of Augustine. The religious, political, social, and cultural context of classical antiquity and medieval history become manifest within the body of his writings, leaving Augustine, standing metaphorically like a human bridge, connecting and illuminating the historical context of antiquity and medieval paradigms. This stance permits his insights regarding natural law to flow like a river from its pre-Socratic origins to more mature insights developed by Augustine who illustrates its pagan moral philosophical connections with Christianity.

Although these texts provide clarity for key insights regarding natural law, there are numerous secondary sources that lend support and credence to this research focused on interpreting Augustine’s revelations about natural law for contemporary communication scholars. Examples include the encyclopedia entitled, Augustine through the Ages, The Cambridge Companion to Augustine, Love and Saint Augustine, The Changing Profile of Natural Law, and The Intractable Disputes about the Natural Law. Each of these texts enriches one’s understanding of the law by augmenting and/or corroborating one’s interpretations of what Augustine explains about natural law.
Ryan (1960) further enhances understanding by explaining that the infamous passage where Augustine says ‘our heart is restless until it rests in you’ pretty much “sums up Augustine’s whole teaching on man’s relation to God” (as cited in Troup, 1999, p. 42). However, this line, considered possibly the most quoted phrase of Augustine, also implicitly sums up natural law.

Troup (1999) assures his readers that “most of the stories Augustine relates in The Confessions were in circulation by word of mouth prior to any written version” and “people were eager for them to be published” (p. 44). Ryan (1960) confirms that The Confessions remain a penetrating psychological study and unique document for understanding the spiritual and aesthetic life. Ryan (1960) identifies it as a storehouse of thought for philosophers, theologians, and others. Likewise, Ryan (1960) claims that Augustine was a man with “great emotional powers of intellect and will” (p.17). Augustine “lived a life of conscious depravity as a quasi-pagan who turned to a life of austerity as a Catholic” and may be considered a pioneer in spiritual studies (Ryan, 1960, p.17). These contextual hints provide supportive insights as to why The Confessions serves as an essential text for discovering Augustine’s insights on natural law for contemporary scholars.

Understanding the City of God

Similar to ways in which scholars like Brown (2000), Ryan (1960), Troup (1999), and Wills (1999) contextualize The Confessions, Gerard O’Daly (1999) provides supportive background for reading City of God. Augustine’s argument in City of God proposes that the temporal world was corrupt long before Christianity entered the historical arena, therefore, Christianity cannot be held accountable for the fall of the Roman Empire. He argues that good
Christians are intermingled with pretentious others. Augustine proposes that no person can know the heart of another. Therefore, only God himself may judge each person because it is God who divides those who are to reside forever in the *City of God* from those who adhere to the temporal cultural city of the pagans and/or non-believers (*COG*). However, based on what Augustine says, those who are authentic or inauthentic about Christianity exist both within and outside the Roman Catholic Church and secular society (*COG*). No person living in the temporal world can know the intimate thoughts of another. Each person can only know God and self in that each lives according to his/her conscience (natural law or voice of God within). In part, this explains why one should not only understand what Augustine says about eternal, natural, and temporal law but must also review what he says about God as foundational knowledge to understand his thoughts on eternal law. This review enables one to understand better what he says about natural law and divine providence as expressions of the divine in temporality, which is distinct from divine revelation.

**An Apologist Stance**

As discussed previously, many issues contributed to Augustine’s apologetic stance regarding the Roman Catholic Christian faith. Following his conversion, numerous misunderstandings required Augustine to provide rhetorical clarity when addressing many issues arising from various pagan perceptions, especially those involving natural law, Manichaeism, and other heresies of the day. Augustine was continuously compelled to dispute false claims from Manichaeism, for example, their belief that God had a corporal body, or the pantheistic views, whose natural theology professed a belief that their god of the cosmos was in everything which Augustine eventually explained in developing the understanding that all of creation is in
God. Many similar issues framed Augustine’s quest to define or explain God as a means of providing clarity for teaching others about God (spirit, love, Word, trinity, eternal law, natural law and/or divine providence), our God of creation and salvation.

Although Augustine defines the infinite nature, omnipresence and immensity of God, he also discusses several attributes of God. The following attributes of God, in part explain what Augustine came to know, understand, and accept about God:

Most high, most good, most mighty, most almighty, most merciful and most just: most hidden and most present, most beautiful and most strong: stable and incomprehensible; unchangeable, yet changing all things; never new, and never old, yet renewing all things; leading proud men into senility, although they know it not; ever active, and ever at rest; gathering in, yet needing nothing; supporting, fulfilling, and protecting things; creating, nourishing, and perfecting them; searching them out, although nothing is lacking in you.

You love, but are not inflamed with passion; you are jealous, yet free from care; you repent, but do not sorrow; you grow angry, but remain tranquil. You change your works, but do not change your plan; you take back what you find, although you never lost it; you are never in want, but you rejoice in gain; you are never covetous, yet you exact usury.

Excessive payments are made to you, so that you may be our debtor---yet who has anything that is not yours? You pay debts, although you owe no man anything; you cancel debts, and lose nothing (Conf. 1.4.4).

Many of the attributes of God listed in The Confessions illustrate Augustine’s ancillary comments about various aspects of natural law and/or divine providence. Therefore, it remains essential always to remember that when defining attributes of God, one is at the same time explaining his presence as natural law and/or divine providence. Occasionally referring back to
these attributes allows one to recognize ways in which Augustine implicitly references natural law. For example, when Augustine makes statements explaining that God “is most hidden and most present;” “unchangeable, yet changing all things;” “never new and never old, yet renewing all things;” “leading proud men into senility, although they know it not;” “ever active, and ever at rest;” “supporting, fulfilling, and protecting things,” or “creating nourishing, and perfecting them; while searching them out, although nothing is lacking in you” (Conf. 1.4.4). As Augustine’s explanations of natural law continue to unfold throughout this chapter, the reader recalls some of these attributes of God and compares them with Augustine’s explanations of natural law to consider how they implicitly or explicitly compare with his explanations of natural law. It remains vital to remember that like the Word, will, or laws of God, the attributes of God are inseparable from God himself who dwells within every human as natural law; universal, unchanging, and immutable.

In teaching humanity what or who God is, Augustine not only provides a list of God’s attributes, but his extensive queries create additional issues that require explanations, like those asking “What was God doing before he made heaven and earth” (Conf.1.10.12)? Augustine is searching for whatever may possibly be known by him about God in hopes of improving his and our interpersonal relationship with God while highlighting the natural law as God’s existence within each person.

An Apologetic Defense of God

Augustine reflectively addresses issues arising from false claims of Manichaeism and other heresies, as he explains that God alone is infinite and eternal (Conf. 3.7.12). God had no beginning or end (Conf. 3.7.12). Affirming this in testimony to God he says, “You alone are
eternal without beginning or end and all your creation” (Conf. 3.7.12). He clarifies that God as spirit, remains the creator and we the creatures (Conf. 3.7.12). Providing more Clarity for his points, he questions for example, who has enough artistic ability or power to make himself (Conf. 1.6.10) and elaborates on this saying “We did not make ourselves” but rather it is “he who endures forever made us” (Conf. 9.10.25). Answering his own query as to whom made humans, Augustine states that God exists as “the creator and ruler of all things except sin which he does not create but remains ruler” (Conf. 1.10.16). Augustine’s answers confirm that God not only created humanity but temporality as well, which he also rules.

Following in the footsteps of Augustine, readers may also find it beneficial to find a quiet space to seek answers to such questions or to raise one’s personal awareness of natural law. However, improving understanding about God and his natural law in the created order also requires an understanding of eternity. Eternity, like temporality, deals with time, therefore, his inquiry, engaged efforts to understand the nature of time, and this inquiry develops definitive answers to questions about eternity as well as natural law.

Augustine testifies to God saying, “You made all times, and you are before all times, and not at any time was there not time” (Conf. 11.11.13). Augustine reveals what he has come to understand about time itself, eternal and temporal.

**Time**

Augustine provides explanations about time that demonstrate reasons why understanding time becomes essential for understanding eternity and eternal law. Keeping in mind that natural law and divine providence are manifestations of eternal law Augustine inquires,
What is time? Who can easily and briefly explain this? Who can comprehend this even in thought, so as to express it in a word? Yet what do we discuss more familiarly and knowingly in conversation, than time? Surely we understand it when we talk about it, and also understand it when we hear others talk about it. What, then, is time? If no one asks me, I know; if I want to explain it to someone who does ask me, I do not know (Conf. 1.14.17).

His questioning and responses enhance one’s personal awareness that explaining and understanding time, although challenging, remains essential for understanding eternity and by default natural law. Augustine’s explanations not only become relevant for understanding eternal and temporal time, but they in turn also enhance one’s understanding of eternal and temporal law (Augustine, c. Faustis, 22.27-30).

His explanations also improve understanding ways that eternal law pervades temporality. Likewise his explanations enhance one’s understanding that natural law, within human nature, is similar to divine providence in temporal space; although distinct both are eternal law within the created order. Augustine further explains that eternal time and immutability are immune to temporal time but as we know it in past, present, or future tense (Conf. 12.12.15); therefore, it becomes essential to realize that eternal time forever remains in the present moment (Conf. 11.10.13), unable to be affected by temporality.

Giving testimony Augustine affirms this saying, You, (God) “precede all past times in the sublimity of an ever present eternity, and you surpass all future times, because they are to come, and when they come, they shall be past, but you are the Selfsame, and your years shall not fail” (Conf. 11.13.16). Echoing Scripture, Augustine again affirms this with God in testimony, saying, “Your years are one day, and your day is not each day, but today, because with you today does
not give way to tomorrow, nor does it succeed yesterday. With you, today is eternity” (Conf. 11.13.16). He explains how he arrives at this conclusion, saying:

It is now plain and clear that neither past nor future are existent, nor that is not properly stated that there are three times, past, present, and future. But perhaps it might properly be said that there are three times, the present of things present, and the present of things past, and the present of things future. These three are in the soul, but elsewhere I do not see them: the present of things present, as in intuition; the present of things past, is in memory; the present of things future, is in expectation. If we are permitted to say this, then I see three times, and I affirm that there are three times. It may also be said that there are three times past, present, and future, as common usage incorrectly puts it. This may be stated. Note that I am not concerned over this, do not object to it, and do not criticize it, as long as we understand what we say, namely that what is future is not now existent, nor is that which is past. There are few things that we can state properly, and many that we speak improperly, but what we mean is understood (Conf. 11.20.26).

**The Created Order**

According to Augustine time, eternal and temporal alike, is always in the present which means that God, his spirit, his love, his Word, his laws, and his mercy remain forever in the present moment. This has serious implications regarding sin and/or the mercy of God. Augustine has reason to rejoice and praise God. Reflectively, his awareness reached an understanding that the moment he asked for God’s forgiveness, all his past iniquities, were forgiven (mercy), and God never again remembered his sins. Augustine also realizes that even this encounter with the creator only became possible because of God’s grace, having nothing to do with anything
Augustine personally merited, and this mercy of God remains the same for every person. Therefore, natural law, the presence of God within each person indicates that God’s grace and mercy are always available for every person, yet he never unduly forces a response on the part of each human person. Such positive responses must result from the free will choice of each and every individual (Conf.)

Augustine explains that in the same way eternal law exists as the divine reason or will of God in the “heavenly commonwealth” (COG p.70; Augustine, c.Faustus, 22.27-30), God, creator of all creatures, also takes care of conserving the natural order through divine providence (Augustine, c.Faustus, 22.27-30) on earth. This care for all of creation remains providential for temporality and/or natural law for humanity. Augustine affirms this truth saying, “You give form to all things and govern all things by your law” (Conf. 2.7.12). The “eternal law commands that the natural order be preserved and forbids that it be disturbed” (Augustine, c.Faustus, 22.27-30); thus, again verifying that divine providence and natural law are manifestations of eternal law in the created order.

Explaining this natural order, Augustine says, “There is no doubt that in the natural order the soul is to be preferred to the body. In the soul of man there is reason, which is not present in other animals. Whence, just as the soul is to be preferred to the body, so reason is to be preferred, in natural law, to the other parts of the soul which are common to animals” (Augustine, c.Faustus, 22.27-30; Crowe, 1977, p. 67). Therefore the human ability to reason sets humanity apart from all other animals (Augustine, c. Faustus, 2007, 22.27-30). Augustine assures his audience that eternal law (Conf. 8.1.1; 7.10.16), is the law of every person’s very being as part of the natural created order (Conf. 4.10.15; Augustine, c.Faustus, 22.27-30). Stated differently this
means Augustine’s natural law discourse indicates that the soul of every human participates in the eternal order (law, eternity) from the moment of conception.

**Eternal Law**

In that natural law and divine providence are expressions of eternal law, it appears necessary to discuss Augustine’s explanations of eternal law as yet another means of obtaining a fuller comprehension of natural law. Augustine explains, “Eternal law forms and governs all things” (*Conf.* 1.17.12). He divides eternal law into its expressions as divine providence and natural law, and distinguishes eternal law from (human) temporal law. However, one must continually remember that everywhere one finds Augustine discussing God, eternal law, natural law, or divine providence, no actual separation exists between them, they are all merely expressions of God in his whole being (spirit, love, Word, law, will, attributes, and grace).

Recalling that *The Confessions* were written long after his conversion to Catholicism Augustine gives the appearance that such explanations require detailed expressed thoughtfulness. His engaging style makes it appear as though he is carefully walking each reader through his own thinking process. This becomes a means of developing improved understanding for his audience. In part, his detailed shared insights must also arise from his need to develop clarity for those still caught up in Manichaeism and various other heresies.

Augustine explains that eternal law is 1) universal, unchangeable, and immutable (*Conf.* 7.1.1); and 2) truth (*Conf.* 3.17.13; 4.9.9; 7.10.16; 7.21.27). Eternal law is harmonious with all of creation (*Conf.* 7.15.21; 7.10.16) and the lowest part of the world has been put in subjection by the law of God’s providence in accord with his most admirable arrangement of things (*OCD* 2.23.35). Augustine explains, the “law is good to edify, if a man use it lawfully, for “the end of it
is charity, from a pure heart, and a good conscience, and an unfeigned faith” (*Conf.* 12.18.27). One must, however, continually remain cognizant that everything he claims about eternal law remains equally applicable to divine providence and natural law.

Augustine also explains that the whole law, the prophets, and fulfillment of Scripture, depend on love, a love summarized in the two great commandments. In this proclamation it seems obvious that here Augustine claims that all law depends on love, thereby also indicating the kind of love required by the two great Commandments. These two commandments summarize all the commandments of God combined and express the necessary attitude required for praxis in that they command every person to love God with one’s whole heart, one’s whole mind, and one’s whole soul and love one’s neighbor as oneself, because of one’s love for God (*Conf.*). This is the law of love, and is laid down by divine authority (*OCD*, 1.26.27).

**Basis of the Law of Love**

This law of love is eternal law, which means it constitutes natural law and divine providence as well. Augustine says therefore, the fulfillment and the end of the law, of all Holy Scripture, is love (*OCD* 2.7.10). This law of love in no way indicates a self-seeking love but rather a love that has come to be known as self-giving love, better expressed as *agape* love.

**Natural Law**

Distinct from human or temporal law, as a manifestation of eternal law, natural law, like eternal law, remains the law of God in spirit and truth, universal, unchanging, and immutable. Throughout its historical unveiling natural law, from its onset, recognized in its pre-Socratic philosophical origins and natural theological perspectives, has always been identified as innate in
human nature. Augustine became the first to expound upon it and explain it in light of Christianity. In this move, he did not change natural law but rather made the necessary rhetorical distinctions and explained it more thoroughly, making it understandable for all mankind. As the law of God, inseparable from God’s essence and being, Augustine affirms that natural law exists as God’s presence within every human.

Whether referencing Fitzgerald (1999), Crowe (1977), or others scholars, it becomes obvious that Augustine frequently uses the term interchangeably with the term “human nature” and or “laws of nature” (Fitzgerald, 1999, p. 586). In the same way, a priori scientific or math principles are innate and can be used to explain the created order. Augustine uses the term “laws of nature” to mean, “laws found in the nature of language and music,” yet simultaneously uses it interchangeably when referencing the moral law as well (Fitzgerald, 1999, p. 586). This then affirms Augustine’s claim taken from ancient philosophy saying, “There is a moral law founded on the nature of things” (Conf. 2.4.9), which again maintains that by nature, humans have an innate moral code. It also becomes evident in relation to Roman rule and Scripture, especially in his references to natural law taken from Cicero or Paul (especially the Psalms 24, 25, 118) in his letters to the various communities (Conf. 2.4.9).

Contextually, Augustine’s awareness of the origins of natural law in pagan moral philosophy frequently becomes evident when he makes reference to its semblance among the Stoics and others, including his nominal references to the term in Plato and Aristotle (Crowe, 1977; Fitzgerald, 1999). Through his expositions natural law began and continues to flourish in the Christian sense by “initiating a consideration of the personal nature of God, mixed with the identification of a strict moral code that cannot be violated under any circumstance without retribution” (Fitzgerald, 1999, p. 582). Augustine often explains why everyone must use wisely
whatever good was promoted from the pagan worldview, which includes the undeniable natural law. Cicero was highly influential in Augustine’s life, especially evident when he references natural law.

Augustine claims that natural law is not only implanted in the conscience of every human (Conf. 1.18.29), but he also explains that in addition to the five bodily senses, humans have another sense called an inner sense. He claims this sense functions as far more important to the bodily senses in that this inner sense controls and judges bodily senses and remains far more excellent than the bodily senses (On Free Choice [OFC], 1964, 2.42-45). Augustine says by this sense, rather than the five senses used for seeing, hearing, smelling, tasting, and touching, humans are capable of apprehending a distinction between justice and injustice. Augustine argues, “the working of this sense has nothing to do with mechanism of eye, ear, smell, taste, or touch” (De Civ. Dei, 1998; OFC, 1964, Bk. 2). Augustine explains that it is through this sense that each person also realizes and remains assured of his/her existence; and through this inner sense one loves their existence and knowledge, with certainty (De Civ. Dei, 1998; OFC, 1964, Bk. 2). The spiritual and bodily gifts of nature provide assistance in the present and will be abundant in the next (De Civ. Dei, 1998, 19.10).

Previously mentioned, Augustine, (Conf.) in a heightened awareness, realized that God had always been present with him, showing him mercy long before his attentiveness led to his humble contrite stance. His testimony affirms natural law saying, “Then I sought you not according to intelligent understanding, by which you willed to raise me above brute beast, but according to carnal sense. But you were more inward than my most innermost self, and superior to my highest being” (Conf. 3.7.11), thereby affirming his awareness of the presence of God (natural law) within his consciousness.
Augustine explains natural law as a rational law; meaning natural law remains knowable by means of human reason (CCC #1955; Fitzgerald, 1999, p.586; OFW Bk. 2) and implanted within the conscience of every person (Conf. 2.14.9). Natural law, being inseparable from eternal law remains unchangeable (Conf. 3.7.13). The law is immutable as well (Conf.3.7.11-15). This contributes to the basic understanding that natural law is the presence of God; his love, his Word, his will, his laws, and his love remain within (the exact location such as heart, soul, reason, conscience, or consciousness, may or may not simply be different expressions of the reality), each and every human being from conception, making it universal.

Every person, viewed as a temple (dwelling place), houses God within (OCD 3.14.22). This alone constitutes a potential ethical framework for all human interactions, especially communication. Such harmony commands that each person not only revere God but also reverence the presence of God in others. Likewise this indicates that each person, out of love for God, loves self and others as he/she loves oneself. Hannah Arendt devotes an entire text, her published dissertation, to a discussion about this love, but in short, such love demands that no one may pervert what it means to love God, self, and others. This love, intended by God, seeks the highest good (God), not selfishness resulting from any kind of greed (OCD 3.14.22).

**Temporal Law**

In addition to everything already said about temporal law Augustine states that all finite things owe their being to God and all finite things are in God (Conf. 7.15.21). He testifies to God and speaking possibly his most quoted phrase, says, “Man who is part of your creation, bears within himself his mortality, testimony to his sin, and testimony that you resist the proud. You
arouse him to take joy in praising you, for you make us for yourself, and our heart is restless until it rests in you” (Conf. 1.1.1). His assertions validate the teleology of natural law.

However, Augustine also explains that such finite things are not in God like in a specific place but bound by his truth (Conf. 7.15.21 p. 50), thereby affirming his argument that God and his truth are present within every person. His on-going testimony actually provides additional insights about natural law in his questioning, “When I call upon God, I call him into myself, but how can God who made heaven and earth come into me” (Conf. 1.2.2). Answering the query he says, “It is because whatever exists contains God, for, ‘if I descend into hell, you are present,’ therefore, my God, I would in no wise be, unless you were in me. Or rather, I would not be unless I were in you” (Conf. 1.2.2). By this declaration, Augustine claims that not only is God within all creation but God also holds all creation within himself, thereby (Conf. 1.2.2), also providing a potential framework for disputing pantheism as well.

Augustine testifies saying, “God and Lord of all that you have created, with you stand the causes of all impermanent things and with you abide the unchanging sources of all changing things and in you live the sempiternal reasons of all unreasoning and temporal things” (Conf. 1.6.9). He asks, “Is there any channel through which being and life flow into us, that comes from any source but you, Lord, who have made us” (Conf. 1.6.9)? He responds in acclamation to God saying, “In you being and life are not different things because Supreme being and Supreme life are one and the same. You are supreme and you are not changed” (Conf. 1.6.10).

**Iniquity and Diversity**

When discussing diversity, one might first consider the expansive reach of possible differences available when considering the participation by every human person in his/her
natural created uniqueness in the eyes of God. It seems endless and overwhelming to remain focused on diversity rather than what we, as humans, share in common. However, Augustine shares his insights about diversity.

Augustine says that diversity in “Laws of customs vary according to regions and times, adaptable according to human standards; whereas, eternal law remains unchangeable and is everywhere and always the same” (Conf. 3.7.13). Agreeing that there are differences in people and leaders in the world, Augustine explains why God grants worldly dominions to both the good and the evil alike. He claims that in part, it is due to God’s patience as a means of “preventing any of his worshippers, who are still infants in respect of moral progress, from failing” (Conf. 1.12.19). Augustine emphasizes there is a “fragility of, and virtue itself” in the temporal world of human affairs (Conf. 1.12.19). He also proposes that humans, who enjoy virtue and other goods, whether of the soul, body, or both are blessed (De Civ. Dei 19.3). On the other hand, twisting away from God results in different outcomes.

Augustine clarifies that iniquity is not a substance. It is a twisting away from God (the supreme substance), and a turning towards lower things; “a casting away its own bowels, and swelling beyond itself” (Conf. 7.16.22).

**Law of Sin**

Augustine, discussing many issues that disturbed him, explains that at one time he thought he was moving closer to the truth while in reality he was actually receding from it. He explains this delusion resulted because, “I did not realize that evil is really only the privation of good, even to the point of complete nonentity” (Conf. 3.7.13).
He clarifies that God has ordered it so that every disordered mind should be its own punishment (Conf. 1.12.19). The law of sin is “force of habit whereby the mind is dragged along and held fast, even against the will, but still discernable, since it was by will that one slips into the habit (Conf. 8.5.12). In this it becomes obvious that just as humans may form good habits, they can also form bad habits or perform habits (virtuous or not) mindlessly.

Augustine claims that the unconquered habit of the flesh has a concupiscence of its own which is its evil habit. Evil habits “should be subjugated to the spirit as demanded by divine providence” (OCD 1.24.25). However, neither good nor bad habits should take precedence when responding to a given circumstance appropriately. Instead, according to the natural order, each and every situation requires a healthy scrupulous moral communicative approach based on standards to direct decisions that arise out charity.

Augustine argues that all vicious deeds are contrary to nature. Therefore, in every place and circumstance, malicious deeds must remain detested and should be punished (Conf. 3.8.15). He notes that society as a whole, inherits a moral obligation that requires them to “obtain between God and us that which is violated when the nature of creation by God is polluted by a perverted lust” (Conf. 3.8.15). Regardless of the sin, Augustine cautions “no sinner should be loved in that he is a sinner, yet every man should be loved for the sake of God and God should be loved for his own sake” (OCD 1.27.28)

Caveats of Natural Law

Natural law requires humanity to preserve recollections that even if all nations should participate in wrong deeds, under the divine law, they are held in equal guilt (Conf. 3.18.13). Divine law has not made man in such a way that people should use one another for evil deeds
(Conf. 3.8.15). Any deeds that are contrary to diverse, established human customs must be avoided and may not be violated at the will of a particular citizen or traveler (Conf. 3.8.15).

Nevertheless, “when God commands something contrary to the customs or laws of a people, it must be done, even if it’s never been done before. If it has been neglected, it must be restored; and if it has never been established, it must be established” (Conf. 3.8.15). He uses a supportive example in explaining “Just as among the authorities in human society the greater authority is set above the lesser in the order of obedience; so God stands above all others” (Conf. 3.8.15). There are however, certain things that appear to be vice or crime, which are not sins because they neither offend God nor human society (Conf. 3.9.17). Humanity must remain aware that “only the human society that serves God” can be considered just (Conf. 3.9.17). As previously stated, it remains significant to remember his claim that “everything good comes from God” (Conf. 1.6.7). Additionally, Augustine asserts that God, his truth, and his laws are the highest goods. Although there are many goods that delight humans, Augustine says, “it is God who is the joy of the upright of heart” (Conf. 2.5.10). Affirming this, Augustine concludes that not only does all good emanate from God, but salvation is also the finest good available for every person’s choice (Conf. 1.6.7). The love of God makes salvation available for every human yet continuously remains a free will choice for every person to accept or reject it.

**Law of Love (Charity) as Praxis**

Augustine says there is no person who hates himself/herself (OCD 1.14.24). In many ways God uses different Scripture verses to inform humanity that everyone who loves him will keep his commandments. Accordingly, all of humanity is obligated to follow/obey God’s laws (Conf. 2.5.10). These laws, as expressions of God’s love, are not intended to be restrictive. The
laws of God are intended as precautionary directives for humanity (Conf. 2.5.10), establishing limits for healthy psychological development. Evidence for these claims can be found through investigating developmental psychology that identifies and explains the relevance for establishing one’s boundaries as a means of accomplishing genuine personal freedom.

Clarifying this concept, Augustine provides an example of the commandment forbidding adultery but says the same is true for all the commandments. Let the reader consider for example, someone who breaks one or both of the commandments that forbids stealing or lying. In breaking the commandment, one not only sins against God but one’s neighbor as well (Conf. 1.12). Nevertheless, Augustine further explains that although a person sins, the emphasis on breaking the rule is actually a misguided focus that should be more concerned about broken relationships and/or bond of God’s love rather than the violation itself. The real error results from not understanding that God as creator, with his intimate knowledge about created human nature, shows genuine compassion for humanity and so issued orderly laws for humanity (Conf. 1.12). In this way the commandments can be seen as caution signals calling attention to the warning God gives humanity about particular issues that will harm each person and all human relationships. God cautions humanity, warning humanity that violations of the commandments disrupt the harmony of creation and when these violations occur, one or many will experience great loss, pain, and suffering because such acts violate God’s naturally intended harmonious design. Therefore, it is in one’s best interest to follow God’s compassionate loving directives.

**Loving Neighbor as Self**

Augustine emphasizes that there is not a single person who does something good against his/her will (Conf. 1.12.19). All humans seek peace, and in reality even war is the result of this
human desire for peace (*Conf.* 1.12.19). He also claims, however, that no person wants someone to lie or steal from himself/herself. This is why the law of love requires each person to love God with one’s whole heart, mind, and soul and out of this love for God, every person should love one’s neighbor as oneself. Additionally he claims that a principle directing love of self is unnecessary because self-love remains innate as part of human nature. Therefore, any self-centered traits, especially greed, destroy relationships between God, self, and/or self in relationship with others. It is essential to acknowledge that any acts that violate natural law harm human relationships with God, self, others, and/or harmony of the created order (*Conf.* 1.12.19).

**Truth**

In pursuit of truth, Augustine asks, “Is truth nothing?” (*Conf.* 4.9.14) Responding in the form of another question he asks, “Where does man find truth but in God’s law. God and his laws are truth” (*Conf.* 4.9.14). He explains how he originally turned to the nature of his own mind in his search for truth but soon became cognizant that the biases and false opinions he held concerning spiritual things actually prevented him from discerning the truth (*Conf.* 4.15.). He discovered that immutable, and eternal truth exists above his changeable mind (*Conf.* 7.17.23). This should help to conclude that erroneous thinking can and does occur. Augustine explains how his enlightened reality only occurred after Jesus Christ called to him and said, “I am the way of truth and life” (*Conf.* 7.19.25). It was only then that Augustine realized that reasons for Jesus being born as man in all ways but sin, included provisions for humanity in God’s gift of “examples for despising temporal things in order to win immortality” (*Conf.* 7.19.25).

Augustine further explained that in reality many remain unaware that God is everywhere, in that there is no place that can enclose Him. Thus, he explains that God alone is present
everywhere and always, even with those who have set themselves far from him because God is in their heart (Conf. 5.2.2). This topic allowed for Augustine to introduce the Paraclete (Holy Spirit) explaining the Holy Spirit as the spirit of truth (Conf. 9.4.8) and ones love of self. The spirit, “having fled from the immutable light reins over all,” acts so that it may rule itself and its own body, which cannot do otherwise than love itself (OCD 1.23.22).

**Truth as a priori**

Truth is common to all according to Augustine (OCD 3.2.11). Using a supportive argument of a priori principles such as those of math he says “whether they are considered in themselves or applied to the laws of figures, or of sound, or of some other motion, numbers have immutable rules not instituted by men but discovered through the sagacity of the more ingenious” (OCD 2.38.56). It is impossible to not recognize these principles as true and immutable; making no account for the learned or unlearned as to their acceptance (OCD 2.38.54). In this, Augustine validates the innate moral principle of natural law.

Augustine questions whether anyone can call truth his own when it is present, unchangingly to all who mediate upon it (OCD). He, therefore, reasons that true and unchangeable things, whether individually or combined are present and common for all men. Every person has the power to perceive truth through application of one’s intellect and reason to meditate upon it.

The reader should consider whether or not it is so that the one truth, which we both see in our own individual minds, is common to both of us. Augustine argues that he who knows truth knows the light and he who knows that light knows eternity (OCD p. 173). His assertions are quite emphatic.
As a result, in harmony with natural law, Augustine claims that God, his law and his truth are innate within human nature. Augustine says God is truth itself and all truth is God’s truth, which as previously stated, means that all things are bound together by God’s truth (Conf. 7.15.21). He finds supportive evidence, using an example of his own existence, saying “he has life, feeling, and care for his own well-being, which is itself a trace of God’s most mysterious unity from which his being existed” (Conf. 7.15.21).

Justice

Augustine implicitly reveals that he only became capable of recognizing the authentic meaning of justice through philosophical reflection and recollection of his life experiences and lessons. He confesses this saying, “I did not know that the true justice, which judges not according to custom but by the righteous law of almighty God. By this law the customs of various regions and times were adapted at different times and different places whereas eternal law itself is everywhere and always the same; it is never one thing in one place and different in another. It is present in all of creation and humankind as well” (Conf. 3.7.13). Augustine says, according to that law, “Abraham, Isaac, Jacob, Moses, David, and all those others who found praise in God’s mouth, were just men. But by ignorant men who judged by man’s day and measured the ways of all mankind by their own particular customs, they were judged to be unrighteous” (Conf. 3.7.13). He also concludes that true and authentic justice ought to remain immutable (OCD 3.14.22).

Elaborating on the subject, Augustine argues that true justice is only present when someone treats others as one desires to be treated, never doing to another person what he/she does not want done to himself/herself. Such justice is only accomplishable out of love for God
expressed in love for self and others because of one’s love for God \((OCD\ 3.14.22)\). Thus when the tyranny of cupidity has been overthrown, charity reigns with what Augustine defines as its most just jaws out of this love for God and others for God’s sake \((OCD\ 3.15.23)\). Such charity, according to Augustine, calls humanity to magnanimity \((OCD\ 3.15.23)\). This understanding of authentic justice calls humanity to stop any and all use of perverse and unnatural practices that moves a person toward temporal things, thereby preventing himself/herself from seeking eternal good \((OCD\ 3.15.23)\).

He also explains how praxis of true justice offends the wicked \((Conf.\ 7.16.22)\) elaborating that it is because they are in harmony with lower things in as far as they are not like those who abide in justice. It is for these reasons that Augustine claims that true, authentic justice judges according to the righteous law of God \((Conf.\ 3.7.13)\). Augustine finds that lower goods have their delight but none such as God who made all things. It is in God that the just man finds delight because God is the joy of the upright of heart \((Conf.\ 2.5.10)\).

Augustine cautions that careful attention must be paid to what is proper to places, times, and persons, lest we condemn the shameful too hastily \((OCD\ 2.12.19)\). He concludes, claiming that only a human society, which serves God remains one that is just \((Conf.\ 3.9.17)\).

**Reason**

According to Augustine a primary communicative implication of natural law indicates the significance of the human capacity to reason. Being made in the image and likeness of God means humans are the only animals who can reflect God’s intellect and reason in his created order. Augustine, along with countless others, argues that this capacity to reason is reserved only for humanity. Thus, Augustine indicates the important role philosophy and rhetoric play in
engaging and developing reason. Philosophy and rhetoric are means of discovering one’s potential to recognize natural law according to each individual’s ability through contemplative, reflective, introspective communication. The scholarship of Schrag (1986) affirms this reality for contemporary communicators and demonstrates that communication scholars may potentially learn how to develop such communicative praxis.

Responsible moral discourse is essential and accomplishable in many ways. For example, according to Augustine (Fitzgerald, 1999; Fagothey, 1959), and in the following chapters on Aquinas and Newman, unanimous consensus determines that every person not only has reason and intellect, but each also has a personal responsibility to use his/her innate ability to reason and exhibit truth, integrity, and justice in every communicative act. Augustine develops a clear understanding that philosophy and reflective discourse have potential to enhance the human ability to recognize and reconcile issues preventing such wisdom.

Augustine’s natural law discourse both illustrates and affirms Schrag’s scholarship. Although both scholars, Augustine (Troup, 1999) and Schrag (1986), have distinct communicative styles, each in his own way proposes that communicative praxis in not only possible but that every person has the potential to develop moral discourse through reflective practices regarding communication in developing the most appropriate responses (fitting response), essential for achieving communicative praxis. Such praxis potentially demands one to distance oneself and reflectively recollect in conscious awareness as a means of assessing his/her communicative behavior to consider whether his/her communicative actions constitute the appropriate moral response to a particular situation.

Each and every person has the capacity to discern and consider the most appropriate response to every given situation. Accordingly, Augustine (1960) and now contemporary
scholars such as MacIntyre (1998) and Schrag (1986) reveal that all human communication requires moral standards. However, through Augustine’s examples one potentially recognizes the value of also finding standard bearers as a comparative measure in evaluating one’s communicative acts.

**The Logos**

Augustine’s discussions on the Word (*logos*) becoming flesh in the person of Jesus Christ highlights the incarnate son of God as a role model for humanity in all human actions, whether words and/or deeds. God, who became man, like humans in every way but sin, makes it evident that the words and actions of Jesus Christ demonstrate the capability and responsibility each person has for developing excellent moral communication for self and others. In this claim, Augustine (intentionally or unintentionally) not only highlights considerations for Jesus Christ as a role model for humanity, but his efforts also pave the way to illustrate examples of communication ethics appearing within the Gospels.

For example, based on Augustine’s natural law discourse and reflecting on the day Jesus fed the apostles grain on the Sabbath (Mt. 12:1-8; Mk. 2:23; Luke 6:1) it becomes obvious that Jesus Christ broke the law of the Pharisees that prohibited labor on the Sabbath. On the other hand, he simultaneously addressed the real human need of hunger, a hunger not only for food but the human need for relationships, including God. Jesus also illustrates an appropriate response when confronted by the authorities. Jesus responded to their inquiry by questioning them as to whether it is lawful to do good on the Sabbath rather than evil…..To save life rather than destroy it (Luke 6:9). These questions become appropriate considerations in ethical communicative praxis.
Reviewing Augustine’s discourse, one also finds an example that enhances understanding about what Augustine means when he says that there are communicative behaviors that are not sinful because they neither offend man nor God, thus also demonstrating what Augustine has argued regarding natural law while also affirming the human need to develop one’s reasoning abilities as a means to discern appropriate communicative behaviors. This same Gospel story also demonstrates what Augustine meant when he explained the significance of redirecting one’s focus of attention. He explained how/why our focus of attention must move beyond the act of breaking the law to a focus that strengthens one’s love for God and love of self as others, as more fitting response to this love for God. However, Augustine supports his arguments when he later asks a similar question. He challenges others to consider whether loving God can ever be harmful to self or others.

**Conclusion**

Based on his discourse on natural law, one could argue that Augustine develops a unique approach to communication ethics. In the same way that he never wrote a treatise on law, he never wrote a systematic approach to ethics yet receives credibility for establishing Christian ethics. This research suggests that he actually developed communication ethics by formulating a personal accountability and responsibility for every person to communicate authentic moral goodness in every word and/or deed performed. It is obvious that prior to his conversion to Catholicism he was intellectually well grounded in pagan moral philosophy due to those he held in esteem such as Cicero, Varro, Seneca and others. It was his philosophical search for truth that resulted in several conversion experiences and developed such certainty in arguing as an apologist.
Understanding natural law as defined and explained by Augustine requires understanding that natural law and human relationships are both unavoidable and significant for every person. Natural law is a universal moral principle requiring authentic human mutual respect grounded in love of God, self, and others and these principles should be the directive for all human behavior expressed in truth, justice, and integrity in response to the grace of God.

Human relationships and diversity are universal phenomena in forming relationships. Such diversity and universality requires special care in preserving human respect and dignity through expressed truth and justice. Augustine sought to retain whatever he learned that was good and argues that every human being has a personal capacity and responsibility to recognize and retain authentic goodness. Like Augustine, each person has the capacity to transcend one’s thoughts in adherence to moral principles that require treating self and all others with human dignity that is due every human person as being created in the image and likeness of God, consisting of body and soul, carrying God within his/her human dwelling.

Likewise, each person has potential to reason such created goodness according to natural law. The study highlights the significance of safeguarding the human capacity to reason, viewing it as crucial. Calvin Schrag (1986) in his explanations regarding the human need to achieve communicative praxis, enhances a similar understanding. However, in that Schrag (1986) suggests communicators give serious considerations for rhetoric to become the new reason, this research implicitly reveals that the marriage of philosophy and rhetoric (as accomplished in the Department of Communication and Rhetorical Studies at Duquesne University in Pittsburgh, Pennsylvania) may be more correct. A feasible consideration of this study, like Schrag (1986), imagines a real need to restore reason to its rightful position, unique to humanity, in achieving communicative praxis.
The natural order, according to Augustine and others who follow his thought in the tradition of ethics, argues that God and all human relationships are inescapable, and his model claiming that all humans require love of God, self, and others as self remains invaluable for achieving happiness in temporal and eventually eternal life. Augustine convincingly argues that agreement or disagreement with these principles has no effect upon the principles as such. We must ask if communicative disorder results from the created order or human invention.

**Communicative Implications**

Augustine’s natural law discourse supports the overall thesis of this dissertation. The topic of ethics unfolds and develops into what seems to be never ending disputes occurring throughout the Western Liberal Arts Tradition.

As an example, we can look to Alasdair MacIntyre, who discusses several issues occurring throughout the philosophical tradition regarding ethics identifying some disputes as intractable in a text entitled *Intractable Disputes about the Natural Law* (2009). Calvin Schrag, (1986) making a very broad claim, says that everyone knows ethics is a science of human moral behavior and behavior implies human actions in word and/or deed. However, agreement and/or disagreement with any one of the plethora of moral theories contributes to gross confusions, leaving much of the chaos functioning as obstacles to understanding. Nevertheless, whether someone agrees or disagrees with natural law does not hinder agreement regarding the importance of such knowledge in developing context that enhances comprehension for such moral theories.

Therefore, although the final chapter of this dissertation touches more specifically upon some of the intractable disputes created by discourse on natural law, this particular chapter
simply verifies that the general thesis is valid and therefore moves the research to address some specifics of the communicative implications of Augustine’s discourse on natural law. For example, through many of his testimonies in his autobiographical narrative approach in *The Confessions*, Augustine demonstrates what Schrag (1986) defines and explains as steps one must take in the process of reflecting, recalling, and distancing oneself in review of one’s communicative style and substance. In the process of developing communicative praxis one may assess his/her communicative acts as a means of evaluating the level of excellence one achieves as a means of formulating an appropriate response. Review of various segments of Augustine’s personal journey as relayed in his autobiographical account in *The Confessions* provide significant examples to assist in understanding for explanations given by Schrag (1986) in that Augustine’s discourse demonstrates his candid ability to recall, reflect, and distance himself from his lived experience as a means of evaluating self and his communicative behavior intent on achieving the most appropriate responses to a number of issues and circumstances. This reflective process may prove beneficial for contemporary scholars in learning how to critique one’s personal communicative skills constructively. Augustine himself not only appears as yet another role model for humanity, but his discourse also clearly illustrates the scholarship of Schrag (1986) in the development of communicative praxis, and through such pedagogy one may learn and achieve communicative praxis in the twenty-first century.
CHAPTER FIVE
NATURAL LAW IN THE SUMMA THEOLOGICA

Introduction

In this chapter, the writer focuses on Aquinas and discusses some of his insights regarding natural law. His discourse on natural law validates the thesis of this dissertation in its claim that such knowledge provides essential context for many of the philosophical arguments regarding ethics, appearing within the Western Intellectual Tradition. Several of his ideas also traverse with communication ethics. For example, Aquinas discusses human communication in terms of justice as communicative and distributive. In essence, he claims it is a manufactured notion that justice equates with what humans call legal (ST Vol. II.). He references human interaction as intercourse and argues that all human communication and/or interactions function as communicative justice (ST Vol. II). In concert with many of those he references, Aquinas claims that searching for truth is a natural phenomenon and argues that humanity essentially reasons natural law in conjunction with the intellectual and cardinal virtues (ST. Vol. I). These innate moral principles, in part, constitute human nature.

His explanations surrounding natural law, reason, and virtues, not only provide context for numerous philosophical arguments regarding ethics, but they also inform many ideas shared by MacIntyre (1984), especially those regarding virtues. The discussions of Aquinas equally affirm the work of Schrag (1986) in his efforts to demonstrate the relevance of human reflective praxis and considerations for rhetoric as the new reasoning by engaging ethos as a means to rediscover the values of developing excellence of virtuous character traits required in the process of achieving communicative praxis.
Background

Aquinas (1225-1274), like Augustine in the prior chapter, is also known as a doctor in the Roman Catholic Church. Common for his historical paradigm, he began formal studies with the Benedictine monks at approximately five years of age (Selman, 2005). Throughout his formative years, his family remained insistent that Aquinas would become a Benedictine Monk in opposition to his desire to join the Dominican Order.

The cenobite Benedictines intentionally communicate a holy presence in society through working and praying within the confines of monastery walls. On the other hand, the Dominicans aimed at penetrating the permeable boundaries of structured walls to evangelize secular society by begging for food and lodging while preaching the Gospel. Currently, John Finnis, Alasdair MacIntyre, John Taylor, Jurgen Habermas, Pope Benedict XVI, and significant others warn that contemporary society once again is rapidly transforming to secularization. Benedict XVI also warns that failure to respect the natural law has a direct correlation to a rise in the practice of relativism and totalitarianism (Catholic Online, Benedict XVI, 2010. p.1). Shortly thereafter on June 24, 2010 Pope Benedict praised the work of St. Thomas Aquinas claiming that the Summa theological is a masterpiece (Catholic Online, 2010, p. 1).

In part, the serious challenges confronting contemporary society should be anticipated consequences when considering the claim of MacIntyre (1984) that the Enlightenment secularized morality (1984). The challenges become meaningful for communication ethics by reviewing ways in which these contemplative mendicant preachers provide models, and/or meaningful insights regarding ways to promote communication ethics in such arenas.

Nevertheless, attempts to prevent Aquinas from becoming a Dominican included his brothers kidnapping him and locking him in a bell tower of one of the family owned castles.
Remaining imprisoned for more than a year, his mother relented and gave her permission. Aquinas was ordained a Dominican priest in 1242, or 1243. This fact left many biographers to consider that his prolonged solitary confinement may have contributed to his peaceful, contemplative, passive demeanor (McInerny, 1993).

Aquinas is considered a mystic, philosopher, and theologian (Chesterton, 2010 p. 62). Perhaps, Aquinas should also be recognized by academia to be among its noted rhetoricians. His background indicates he received rhetorical training. The magnitude of his scholarship directed at teaching, delighting, and moving his audiences to action remains one necessary rhetorical skill he manifests. Although Aquinas lived less than fifty years, he wrote at least as many treatises. The *Summa Theologica*, if not the largest, is among the largest treatises he authored and his scholarship on natural law proves significant for moral philosophy, as well as the philosophy and rhetoric of communication, especially communication ethics.

Aquinas's work makes it obvious that he always viewed rhetorical distinctions a prerequisite for developing understanding, and most of his efforts were directed to help others achieve understanding. The importance of making rhetorical distinctions becomes evident, for example, through his efforts to provide clarity in distinguishing intricate topics such as moral philosophy from moral theology. He provides detailed explanations and/or examples of what something is not, before defining what it is actually, as a means of promoting understanding for others. Aquinas, like Ricoeur (1985) and MacIntyre (1998), envisioned significant reasons for insisting on appropriate rhetorical distinctions, seeing them as critical for developing understanding. Aquinas explained understanding as an intellectual virtue and argues that as an intellectual virtue, understanding is crucial for apprehension and conversion.
Aquinas spent considerable time in daily prayer and contemplation, especially before writing or teaching, thereby indicating potential benefits the role contemplation plays in the reasoning process and the process of developing communicative praxis defined by Schrag (1986). Therefore, this research recognizes ways in which contemplation potentially functions, as a carrier to the quiet interiority of one’s being, necessary for achieving communicative awareness of self and natural law. Schrag (1986) also shares similar insights regarding the benefits of such self-reflective practices in achieving communicative praxis. As the chapter progresses, it becomes evident that reflective or contemplative praxis is essential for discovery of natural law. This stance also demonstrates yet another way that contemplation may be beneficial in achieving the three-step process of intrapersonal reflection, recollection, and distanciation discussed by Schrag (1986), as a means for comparing the quality of one’s communicative behavior.

Additional insights reveal that prayer, as conversation with God and/or the quietness of contemplation, arguably may be participatory in one’s philosophical search for truth. Augustine, Aquinas, and significant others claim that truth is objective and becomes discoverable within the interiority of a human being. Supportive evidence is available as Aquinas claims searching for truth is an inborn natural endeavor for all humans and the human intellect is the dwelling space for truth.

In part, this reflective self-examining stance is what Aquinas means when discussing the capacity human reasoning has in heightening awareness of natural law. In essence, Schrag (1986) says the framework for comparing one’s communication in a video-like stance is necessary for contrasting one’s communicative behavior against established standards as essential for achieving communicative excellence. In this reflective stance, each person self-determines good or evil according to Aquinas. Schrag (1986) says this stance allows one to
assess his/her personal communication and know whether it corresponds in ways similar to communicative praxis as illustrated by him. One might question how it meets the criteria of an appropriate response (Schrag, 1986). Many of the issues addressed by MacIntyre (1984) and Schrag (1986) regarding virtues and character are similar to those of Aquinas regarding natural law, ethics, and virtues as communicative praxis.

**Personal Portrait and Philosophy**

Aquinas never allowed his phenomenological focus of attention to stray from imagining the end of his worldly life. Chesterton (2010) semi-explains this focus saying Aquinas always demonstrated the degree of his love for the creator and the created (p.62). MacIntyre (1984) says this is the *telos* humanity requires to acquire the desire and will to achieve moral excellence. Mirroring Christian behavior in light of Revelation and Catholic Church Doctrine, Aquinas was committed to make morality philosophically understandable and moral excellence achievable for every person through explanations that enhance understanding. Aquinas provides fundamental explanations that expand our understanding about natural law as a universal moral norm based on indemonstrable principles. He appears insistent that his audience understands moral philosophy as the origins and foundation of all ethics. It appears obvious that people in his historical paradigm, as today, found themselves enveloped in a secular worldview, experiencing similar confusions regarding moral philosophy and Christian ethics. Such distinctive understanding becomes essential for developing moral competence, especially for communication ethics, in that one has universal appeal while only a select group of humans appreciates the other.
In his aim to distinguish moral philosophy from moral theology, Aquinas (Summa Theologica, 1848) explains that theology is from above, requiring divine revelation. His explanations authenticate that natural law, together with the four cardinal and intellectual virtues, are innate and universal as part of the created ordering of human nature. He gives numerous explanations to provide clarity that natural law originated as practical moral philosophy and remains philosophically applicable to ethics in general and therefore communication ethics in particular. Through this discourse, it becomes evident that natural law encompasses ethics in general and by default, communication ethics as well. Fagothey also discusses these same issues in his text on right and reason (Fagothey, 1959).

In various ways, Aquinas systematically laid out his argument that natural law is ethics, ethics is practical moral philosophy, and practical moral philosophy requires practical moral applications to particular situations based on moral decision-making. The necessary means to resolve practical moral dilemmas ultimately requires a development of excellence in human moral character traits. These explanations of Aquinas not only foreground development for understanding how natural law relates to communication ethics, but they also show how and why a particular issue or situation becomes the primary principle requiring an appropriate moral communicative response.

Many biographers, such as Selman (2005), and C.K. Chesterton, (2010), preface the work of Aquinas saying he baptized Aristotle. It is simply a metaphorical expression indicating the overabundance of connections Aquinas made with the philosophical strands of truth found throughout the tradition that were held in common between the Roman Catholic Church and ancient pagan philosophers, especially Aristotle. MacIntyre (1984) says this linking of biblical perspectives with Aristotle in the treatment of virtues was the achievement of the Middle Ages
on Jewish, Islamic, and Christian terms (p.180). This is especially meaningful regarding reason, natural law, and virtues for moral philosophy. More often than not, Aquinas (1948) respectfully references Aristotle as “The Philosopher,” and among the many authoritative voices echoing within this tradition; he considered Aristotle and Augustine exceptionally credible, citing them recurrently as supportive evidence regarding truthful connections he made about moral philosophy.

Aquinas not only indicates how inescapable moral principles are for humans as reasoning animals, but he also raises awareness of the freedom created by these principles. He explains how and why all laws concern reason, how reason and will relate to moral choices, and why certain virtues constitute essential principles of human nature. He clarifies how natural law is the foundation of these principles and ‘good’ is the primary principle of natural law. Aquinas, together with many others including, MacIntyre (1984) caution that denial of our very nature results in continual human frustration.

Aquinas spent his adult life preaching or teaching philosophy and theology, yet some scholars, past and present, retain antithetical views about natural law, explained by Aquinas. Despite their opinions (doxa), numerous scholars like MacIntyre (2009), Finnis (1980), and Pieper (1954/1963) consider him a standard-bearer or esteem his discourse as shared wisdom (episteme). His discourse on moral philosophy is instructional, understandable, and beneficial, in this case for communication because Aquinas explains relevant issues that enhance understanding for ethics, whether personally, professionally, or as an academic discipline. His scholarship illustrates the relevance and necessity for ethical praxis in every communicative act.
Within the *Summa Theologica*, Aquinas situates natural law in an all-inclusive discussion of law, explaining it as a part of the whole rather than a stand-alone dissection as a single entity. He frames natural law as a universal, normative, moral law and enhances understanding by illustrating ways in which it intersects and overlaps with other laws, for example, laws of nature. His explanations clarify that natural law includes ethics and ethics engage practical moral philosophy, which remains applicable in all practical matters involving moral decision-making, thereby encompassing communication ethics.

In the *Summa Theologica* Aquinas defines and explains his comprehensive treatise on morality by providing his in-depth explanations on law, illustrating how nature and human nature intrinsically relate to God, creation, laws, natural law, reason, and virtues, constituting what some call natural theology. Natural theology for Aquinas, distinct from revelation, encompasses creation and the created order of God. In part, the notoriety of Aquinas is attributable to the fact that he was the first to connect the strands of truth found throughout the Western philosophical tradition on natural law to develop a comprehensive explanation of ethics originating in Classical Antiquity (Koterski, Part I, 2002).

Building a foundation for his argument, Aquinas first defines law and its essence prior to developing his extensive explanations of eternal law, divine law, natural law, old law, new law, human law, and the law of sin. He provides clarity for how these laws interface each other for the good of human nature. His goal always aims at providing detailed explanations to assure that others understand how and why human reasoning has potential to discover natural law and virtues. One example includes the distinctions he makes between moral philosophy and revealed moral theology or Christian ethics, which appears significant for Aquinas. Chesterton (2010)
sheds some light on this issue when he says, “Aquinas is almost always on the side of simplicity, and supports the ordinary man’s acceptance of ordinary truisms” (p. 80). Johnson, professor of Theology at Marquette University, is quoted on the cover of Selman’s text saying, “No longer is St. Thomas the reserve of upper-level, esoteric courses,” but says, “Now the ‘beginners’ he cared so much for can study him” and “understand his discourse” (Selman, 2005, back cover). It is remarkable then, when discussing natural law as having implications for communication ethics, new beginnings emerge once again in a hermeneutical circle. Presently, it becomes imaginable how his discourse on natural law not only enhances understanding of the importance and relevance for all moral human behavior, but also potentially develops new insights for communication ethics as well.

**Perspectives on Law**

Although Aquinas develops a comprehensive portrait of moral philosophy and consequently theology within the *Summa*, this chapter emphasizes his discussions regarding natural law. It illuminates potential ways that such knowledge informs or affirms communication ethics. His method of defining and explaining law in general and each kind in particular highlights the value laws have in developing good moral human character traits. For example, his discourse significantly improves understanding for communication ethics by referencing and defining truth and communicative justice as the basis of all human (social) exchanges. Laws, according to Aquinas (1948), Schrag (1986), or MacIntyre (1984; 1998), not only guide/direct humans, they also have potential to develop good habits and/or serve as standards. Aquinas says laws develop character; MacIntyre (1984) says, “What counts as excellence will always be relative to the standards of performance for people like us so far” (p. 160); and Schrag (1986)
claims we need established standards as a measure to determine our evaluative progress in communicative praxis. Aquinas also explains that laws are effective for developing the human capacity for good reasoning and the formation of good habits. However, MacIntyre (1984) expresses the necessity to distinguish good moral qualities of a person from character as an agent. Schrag (1986) considers rhetoric as a new reasoning that engages ethos to explain, promote, and reclaim ways to develop moral character traits, necessary for developing human communicative praxis.

**Specific Insights of Aquinas on Law**

Aquinas explains that the foundation for understanding law. He begins with recognition that there are only two extrinsic principles of all human acts. Every human act either “inclines someone to evil which is the devil” (*ST Vol. II*, Q. 90) or the act moves to good, which inevitably is God, who not only instructs by his, laws, but assists each person through grace (*ST Vol. II*, Q. 90). The discussion of God and his grace concludes with Aquinas explaining that God’s laws are his grace (love). He also claims that everyone must recognize God as the universal good established by Aristotle (*ST Vol. II*, Q 90). Although Aquinas explains the relevance of introducing someone gradually to moral foundations or principles, he fails to emphasize that such an awareness of good/God is usually enduring and rarely occur as an instantaneous event for most people.

**Aquinas Explains the Essence of Law**

Aquinas explains why understanding the essence of law is prerequisite to understanding law itself, claiming such comprehension mandates a deeper understanding of: (1) ways in which
law pertains to reason; (2) its correct end; (3) its cause, and (4) promulgation (ST Vol. II. Q 90, a. 1). He determines that law belongs to reason because it belongs to reason to command (ST Vol. II. Q 90 a.1). He claims that Gregory of Nyssa and The Philosopher both say, “The appetite obeys reason” (ST Vol. II. Q 17). Aquinas reasons that God’s laws are a gift to humanity and says that although laws may restrain or restrict they are not constrictive. Laws actually create realistic autonomy as authentic responsible freedom (ST Vol. II, Q 90 a.1). This issue becomes more understandable by referencing negative commandments. Consider, for example, that although commandments such as “Thou shall not lie” or “Thou shall not kill” forbid something they also provide a plethora of free moral choices, available and acceptable for human resolution (ST Vol. II, Q. 90 a.1). Psychology, for example, stresses the significance of setting boundaries. It becomes understandable when one grasps an awareness of the freedom acquired when a person decidedly defines his/her limitations or boundaries for others.

Aquinas Defines Law

Aquinas formalizes his definition of law saying it is “an ordinance of reason for the common good, made by him who has care of the community and has promulgated the said law” (ST Vol. II, Q 90 a.4). However, he divides the definition and explains each component separately to enhance understanding. He first bases his conjecture on the Latin lex [law], derived from ligare [to bind], and provides ample evidence for arguing that the “rule and measure of human acts is the reason” (ST Vol. II, Q 90 a.1 ad 3). Aquinas then credits Aristotle for being the first to establish reason as the first principle of all human acts (ST Vol. II, Q 90 a.1 ad 3).

When Aquinas later explains the law of sin, concupiscence becomes more understandable as a natural consequence of the created ordering. Augustine says it remains a natural tension
between desire and pleasure due to original sin. Kreeft (1993), a prominent Aquinas scholar, pithily defines concupiscence as “sense appetite seeking pleasure” (p.29), whereas Aquinas says that the law of sin directly results from willful perversion of reason.

Aquinas elaborates on why thinking about exterior acts entails thinking about a finished product. He gives an example explaining the way an architect envisions the finished product of a house built to explain that in a similar to the way an architect envisions a finished product of his work is relative to the way God as creator envisions all creation. Aquinas references Isidore in the *Etymologies* to explain ways in which this example not only indicates the necessity for critical reflective thinking before communicating it enhances understanding about the relationship between law and reason. He also explains that every law requires concern for the common good and may never be formulated for private concerns (*ST Vol. II*, Q 90 a.2).

He again cites Isidore in the *Etymologies* to explain why every law requires consensus of the community affected by such a law or constituted by an authoritative figure representing the community. Institution of any law requires promulgation if binding obedience is its expected outcome (*ST Vol. II*, Q 90 a.3). Aquinas explains that promulgation of a law binds every person to observance, whether present or absent when such proliferation occurs (*ST Vol. II*, Q 90 a.3). Aquinas further explains that it is the written characters that make laws enduring. He cites Isadore not only to affirm the Latin translation but also to explain what it means. He says that a law must be observed because it is written. The written form of law contributes to its endurance and creates stability through illustrating respect and concern for others (*ST Vol. II*, Q 90).

Aquinas uses these arguments to affirm that God promulgates natural law by instilling it into the human mind, declaring that each person knows it naturally, thereby validating his claim that natural law is a law of the created natural order (*ST Vol. II*, Q 90). Explanations like these
advance comprehension that natural law, like any other law of nature, such as physics or math, remain indisputable. It also illustrates how natural law is as much a part of human nature as one’s DNA that constitutes body chemistry, affirming that natural law remains indisputable, universal, indelible, and immutable for all humanity. On the other hand, although reconcilable, one should not confuse the implicit natural law with the explicit divine command theory based on the Decalogue and the Two Great Commandments (Koterski, 2002, Part II). One is our natural participation in the eternal laws of creation while the other involves explicit prescriptive commands of God. Although one is implicit and leads its benefactors to follow what is good and avoid evil, the other provides explicit written laws. Regardless, both are identical laws of God and as such are inseparable in commanding human communicative actions and/or interactions, through word or deed.

**Reasoning**

Discussing natural law, nature, and human nature, Aquinas expounds on the process of human reasoning by comparing and contrasting speculative and practical reasoning. He explains how the act of speculative reasoning (intellect) starts by definition, then enunciation, and concludes with the syllogism/argument. To explain the difference he references the Philosopher Aristotle’s *Ethics*, 8.3 and says that in practical reason the conclusion is similar to operation in speculative reason in that it moves from the proposition to the conclusion and uses something analogous to a syllogism in things to be done (*ST Vol. II*, Q 90 a.2). However, there are universal propositions for all reasoning and every universal proposition of practical reason, when ordering action, has the character of law. Similarly, reasoning considers the very act of reasoning itself and, based on principles, is constituted by each individual person. From this explanation, one
may conclude that communication ethics, as an act of practical moral philosophy, reasons from moral principles to achieve moral resolutions to practical matters.

Aquinas explains that in the same way reason is the first principle of all human acts, there is in reason, a principle in respect to all the rest, and law pertains to this principle especially and principally. He establishes that as the object of practical reasoning, practical matters are the first principle of practical reason. This idea becomes applicable to communication ethics in that ethics as praxis engages practical matters and requires practical reason.

Aquinas, like Aristotle, explains that the last end for all human life is felicity and happiness (ST Vol. II, Q 2 a.7). Consequently, law must also consider ordering happiness and since every part is ordained to the whole, as imperfect to perfect, with each person as one part of the perfect community, a law must regard its relationship to universal happiness. However, Aquinas finds it noteworthy to admit that Aristotle on his ethics discusses happiness in relation to the political community as well but says that legal matters, which humans call just, are adapted to produce and preserve happiness and its parts, for the body politic. From this idea Aquinas concludes that Aristotle’s Politics I.I identifies the state is a perfect community (ST Vol. II, Q 90 a.2).

When distinguishing legal from communicative justice, Aquinas seems to be saying that human laws equate justice with legal concerns, whereas authentic justice requires honesty and fairness in all human social interactions. Justice becomes most imaginable through expressions of distributive justice in the actions of community leaders such as those who emulate excellence in moral character in all their communicative acts.

Aquinas also considers it necessary to explain principle, saying in any genus, whatever is the most, is the principle of the others. Using the example of fire, he says fire is the most in the
cause of heat, which in mixed bodies we call hot to whatever degree these bodies participate in fire. In a similar way, particular matters concern the common good to the extent that the common good is the common end. Similar to the way that nothing stands firm in speculative reason except whatever is traceable back to the first indemonstrable principles, neither does anything stand firm regarding practical reason unless directed to the last end (common good) (*ST Vol. II*, Q 90 a.2).

Aquinas claims that it is through a command and participation in it that each person is a law unto himself, in as far as, he/she participates in the order of some ruler. In lieu of this information, MacIntyre (2006) would remind us that although natural law is about each individual person, we must always remember that we are also dependent, rational animals. Aquinas notes that an individual cannot efficaciously lead another person to virtue because a person admonishing another without the law has no power. He credits Aristotle (*Ethics*, 10.10) for saying “law creates the power leading to virtue” (*ST Vol. II*, Q 90 a.3). We may ask if this implies that humans require laws to develop habitual communicative justice and excellence in moral character. However, Aquinas reminds us that the good of each individual is not the end in itself but rather each person constitutes a contribution to the common good and this good is what constitutes the end as he opens his discussion on law.

**Diversity of Law**

Similar to ways in which we understand that people are different, laws are diverse as well. Aquinas reviews six issues regarding law. He considers eternal law, natural law, human law, and divine law, seeks to explain whether there is one divine law or several, and discusses key issues regarding a law of sin (*ST Vol. II*, Q 91).
Eternal Law

Aquinas defines eternal law as the providential government of the universe and all that is in it by Divine Reason. He explains that Augustine (On Free Choice 1.6), confirms this saying, “Law which is the Supreme Reason, cannot be understood to be otherwise than unchangeable and eternal” (ST Vol. II, Q 91 a.1). Aquinas claims that divine reason governs the universe and such government, like the laws of nature, affirms the very nature of law itself (ST Vo. II, Q 91 a.1). Both he and Augustine (On Free Choice, 30) claim that not only is eternal the highest idea, everyone must comply with the natural ordering of creation (ST Vol. II, Q 93 a.1). However, both Aquinas and Augustine deduce that because Divine Reason is not subject to temporality, laws governing the universe must be eternal (ST Vol. II, Q 91 a.1) and divine law bears the character of eternal law as ordained by God to the government of things forever known by Him (ST Vol. II, Q 91 a.1).

Promulgation of eternal law occurs through both the spoken Divine Word and the written word of Scripture (ST Vol. II, Q 91 a. 1). Aquinas explains that the end of divine government is God and because God is inseparable from his law, wherever one is present so the other is as well (ST Vol. II, Q 91 a.1). He indirectly affirms that natural law claims that God himself is unmistakably present within every person (ST Vol. I, Q 103). He also explains that God, in his wisdom, as creator of all things, stands as the artificer to the products of his art. Accordingly, all created things have the character of art, exemplar, or idea, of divine wisdom. He explained that although the spoken word is something uttered by humans, each person must always vigilantly calculate their words and what their words express, which agrees with Schrag (1986) in this being a primary objective for communication ethics. One may question whether it is discernible that Schrag (1986) considers this a step for communicative praxis, manifested in a “fitting
response” (p. 203). From this framework, Aquinas determined that the first direction of all human acts to their end directly correlates with natural law.

**Divine Law**

Divine law is equally necessary to direct human conduct (*ST Vol. II*, Q 91). An example of divine law is the *Decalogue*. Aquinas argues that law directs humans to their proper acts in view of their last end, identified as eternal happiness, proportionate to the natural faculty of humans (*ST Vol. II*, Q 91 a.4). He claims that humans require direction to their end by means of law given by God (*ST Vol. II*, Q 91 a.4). The uncertainty of human judgment, especially in contingent and particular matters, requires the divine law for guidance because divine law provides necessary clarity regarding what one ought to do, or what one ought to avoid, thereby ascertaining certain doubt free judgments (*ST Vol. II*, Q 91 a.4). Aquinas also claims that divine law enhances assurance for human direction. He bases this idea on his belief in the profound competency that humans knowingly have in ascertaining the inadequacy of human laws for directing the interiority of one's *being*. It is divine law that deals with the interiority of one’s *being* and therefore should always “supervene” (*ST Vol. II*, Q91 a.4). Through this lens, one may consider ways in which natural law may be superior in directing humans to what is good. Nevertheless, like Augustine before him, he explains that divine law remains essential for human nature in that it forbids all sin and guarantees that God will inevitably punish every evil act done by a person, thereby freeing humanity to comprehend and trust divine Providence (*ST Vol. II*, Q 91 a.4).
Divine Law, Old Law, New Law

Aquinas explains there is only one divine law and provides an example using the Book of Leviticus to explain its twofold division as the Old and New law. He claims (*ST Vol. II, Part I*) that making such distinctions creates division and explains how such divisions establish distinction in two ways. The first distinguishes things that are specifically different like an ox and a horse; but he claims one should also distinguish perfect from imperfect in the same species. He uses an example of ways Paul in the verses *Gal.3:24-25 (NRV, 1993)* compares the state of a man with that of a child but explains ways that the New Law compares the state of one man with another man.

The intention of law always aims at directing human acts according to the order of righteousness, and remembering the common good strives to induce men to observe lawful commands without fail (*ST Vol. II, Q 94*). Aquinas and Augustine claim that the New Law is superior to the Old because it not only commands through explicit directives but it also directs interior actions of human beings (*ST Vol. II, Q 91 a.5*). Aquinas claims that natural law directs man by way of certain general precepts that are common to the perfect and the imperfect alike but remains the same for all people (*ST Vol. II, Q 94*). Therefore, we may recognize the practicality of considering natural law as a normative principle to direct communication ethics.

Referencing Augustine, Aquinas affirms that human law cannot completely forbid or punish all evil deeds because such efforts may become destructive by eliminating good things as well (*ST Vol. II, Q 91 a.4*). His conclusion is that any human efforts to completely eradicate or punish all evil would also “hinder the advance of the common good which is necessary for human intercourse” (*ST Vol. II, Q 91 a.4*). Aquinas consistently references all human
communication as intercourse, thereby classifying every social interaction of word and deed as communicative justice, which affirms that all human communication inescapably engages ethics.

**Natural Law**

Natural law according to Aquinas is an impression of the Divine Light within every person. For Western civilization, awareness of natural law, occasionally referenced as a law of nature, arose in the pre-Christian era, as a universal higher moral law. Natural law, from the onset was always viewed as normative and applicable to every person, as part of the created natural order (Koterski, 2002, Part I).

Aquinas opens his discussion of natural law referencing the Gentiles, referencing *Roman* 2:14 in the Scriptures to explain how they naturally did things unknowingly required by law (NAB, 2005). He references the interpretation *Gloss* and affirms that, “Although they have no written law, they have the natural law, whereby each one knows and is conscious of what is good and what is evil” (*ST Vol. II*, Q 91 a.2). He explains that everything subject to divine Providence is ruled and measured by eternal law in as far as its imprint on them derives their inclinations to their proper acts and ends and it is in this way that rational creatures are subject to “divine Providence in a most excellent way” (*ST Vol. II* Q 91 a.2). Every rational creature shares in eternal reason through an inclination to their proper act and end and this reciprocity of rational creatures with eternal law is natural law (*ST Vol. II*, Q 91 a.1 ad 2).

Natural law functions as a means to discern good and evil through this imprint of the Divine Light within every person (*ST Vol. II*, Q 91 a.2). Such participation indicates that contemplative reflective communication is normative, having potential for raising awareness of natural law through reason. In other words, when Schrag (1986) explains the necessary steps in
achieving communicative praxis through recollection, reflection, and distanciation he illustrates one way human reasoning can rediscover natural law through its communicative capacity to assess what is good and avoid evil, evidenced in what Schrag (1986) identifies as a “fitting response” (p.203).

Human participation in eternal law as natural law also appears to frame reciprocity as a part of the created natural ordering in human nature, thus affirming his later discussion of the golden rule. Aquinas enhances understanding of natural law by explaining that even irrational animals participate in the eternal in their own way, but because rational creatures participate in an intellectual and rational manner, such participation of eternal law in the rational creature becomes properly called a law because law always pertains to reason (ST Vol. II, Q 91 a.2). On the other hand, because irrational creatures do not participate in a rational manner, their participation is only present for them by way of equivalence (ST Vol. II, Q 91 a.2).

Aquinas also claims every act of reason and will comes from nature because the human desire for things results from principles naturally known for the sake of the end, which occurs from a natural desire for the ultimate end. This complete action, from its originating act to its ultimate end, is a direct result from natural law (ST Vol. II, Q 91 a.2).

Understanding Natural Law and Habits

Aquinas explains the connection between natural law and habits by illustrating how we know natural law is not a habit. He references Augustine, who explains that natural law is in infants and the damned that cannot act; again validating that natural law is not a habit (ST Vol. II, Q 94 a.1). Aquinas says we may call something a habit in two ways, properly and essentially. He determined that natural law is something appointed by reason in a similar way that a proposition
is a work of reason (ST Vol. II, Q 94 a.1). Using his example of a person giving a good speech through the habitual use of correct grammar he explains that what a person does is not the same as the methodology used to accomplish it, which also illustrates why a law properly and essentially cannot be a habit. It is in the same way we know the precepts of natural law are in human reason habitually, and this is the only way (essentially) in which someone may say natural law is a habit (ST Vol. II, Q 94 a.1).

Aquinas (1995) highlights ways that Aristotle, in his Ethics 2.5 discusses the genus of virtue, saying it is manifestly a principle of action but principles of action are power, habit, and passion, as three things in the soul, thus determining once again that natural law cannot be a habit (ST Vol. II, Q 94 a.1). Natural law is a principle of reason and reason is a function of the intellect.

Synderesis is the law of our intellect, which is the dwelling place for precepts of natural law (Aquinas, 1948). These precepts are the first principles of all human acts. Aquinas insists that the only way someone may call natural law a habit is through its continual presence. He explains that sometimes an issue prevents an individual from making use of what is in him habitually. For example, Aquinas explains that a sleeping person cannot make use of the habit of science nor can a child who has an age defect make use of the habit of principles or even natural law that is in him habitually (ST Vol. II, Q. 94 a.1). This evidence becomes yet another reason to emphasize that knowledge of natural law remains essential to advance the development of communication ethics. Natural law and its principles are habitually (consistently) present within human nature. However, it is more like a pre-disposition that matures with age, knowledge, wisdom, and a reflective process.
Precepts of Natural Law

Precepts of natural law compare with practical matters as first principles to matters of demonstration, but there are several primary indemonstrable principles that are principles of natural law as well. Aquinas emphasizes that although there are many precepts of natural law, there is only one foundation (ST Vol. II, Q 94 a.2). He says, however, “precepts of natural law relate to practical reason in the same way the first principles of [logical] demonstration relate to speculative reason, both are self-evident principles” (ST Vol. II, Q 94 a.2). Aquinas claims a thing is self-evident, either in itself, or as it relates to us. He uses the statement “Man is a rational being” to demonstrate what he means by self-evident. He explains that this conditional syllogistic statement is self-evident because whoever says man, implies a rational being (ST Vol. II, Q 94 a.2). If on the other hand, someone does not know the definition of man, the self-evident claim becomes invalid (ST Vol. II, Q 94 a.2). Aquinas references Boethius who also claims there are certain axioms or propositions, knowable in themselves, and universally knowable by everyone (ST Vol. II, Q 94 a.2). Examples of such propositions include knowing “Every whole is greater than its part, and things equal to one and the same are equal to another” (ST Vol. II, Q 94 a.2). However, there are self-evident propositions known to the wise that are unavailable to the unlearned because the unlearned cannot grasp it; nevertheless, there is a certain order found in things apprehended universally (ST Vol. II, Q 94 a.2).

In this order of apprehension, the first thing apprehended by humans is their being and every other act of apprehension implies knowledge of this (ST Vol. II, Q 94 a.2). Aquinas references Aristotle’s Metaphysics 4.9 to verify it is common knowledge that the first universal principle proposes, “The same thing cannot be affirmed and denied at the same time; and it is on this we base the notion of being and non-being,” which is the basis of all the other principles (ST
It is because being is the first thing apprehended simply, that good becomes the practical reason directing someone to action; therefore, every agent acts for an end under the aspect of good and it is this, that establishes the first principle in practical reason (ST Vol. II, Q 94 a.4). However, in the same way, being is the first thing apprehended simply, good is the first thing practical reason apprehends, and because practical reason always directs action, every agent acts for an end under the aspect of good. In this way the first precept of natural law becomes good. Good is to be pursued and done; evil is to be avoided (ST Vol. II, Q 94 a.2). This then becomes the primary principle that forms the foundation for all other precepts of the natural law (ST Vol. II, Q 94 a.2).

In looking for principles to direct communication ethics, scholars may conclude that pursuing good and avoiding evil should be an acceptable principle for all communicative action, especially ethics. However, when questioning the good humans should seek, Aristotle simply identifies this first principle as good while Aquinas argues that the good to be pursued is God (good). However, Aristotle and Aquinas both explain that the endeavor requires praxis of right reason in harmony with the intellectual and cardinal virtues.

The Equality of Natural Law

Aquinas consistently claims that natural law is identical for everyone. He references Isidore in the Etymologies 5.4 for supportive evidence in his claim that “natural law is common to all nations” (ST Vol. II, Q 94 a.4). Aquinas and multiple authoritative voices within Western tradition on ethics agree that natural law is the same for all humans regardless of race, color, creed, or culture. Its simplicity and universality may support scholars in concluding that natural law is a universal principle sufficient to direct communication ethics. However, the reader should
recall that Aquinas cautioned that any discussion about moral principles requires sensitivity. Ethical matters, especially communication ethics, require awareness regarding every contingent matters in that each contingent matter becomes a first principle for action. This reality requires careful considerations for potential communicative stability. Praxis engaging normative universal principles surely requires simplicity, sensitivity, flexibility, and astute attention to diversity and characteristics of human nature.

Aquinas also warns that even though practical reason addresses contingent matters concerning human actions and necessarily engages general principles, the more we descend to matters of details, the more frequently we encounter defects (ST Vol. II, Q 94 a.4). Such effects later become evident as various contemporary scholars attempt to focus intently on diversity. Likewise, it becomes evident that scholars throughout the tradition reacted to what Aquinas wrote about natural law. In attempting to voice their biased opinions (doxa) about such issues they deconstructed his explanations of moral philosophy. In essence, natural law actually requires a focus on the common attributes of human nature rather than a hyper focus on issues stemming from diversity. Scholars might also consider whether current attempts to address diversity may inadvertently be contributing to social divisiveness and polarization as well.

**The Alterability of Natural Law**

Aquinas argues that the first principles of natural law consistently remain unalterable. Referencing Isidore in the *Etymologies 5.4*, Aquinas notes that natural law concerns all things held in common and universal freedom (ST Vol. II, Q 94 a.5). He explains that in the *Decretals*, the natural law, dated from the creation of the rational creature, remains invariable in temporality (ST Vol. II, Q 94 a.5). On the other hand, essential changes in natural law, viewed as occasional
adaptations, are acceptable for the good of humanity. Aquinas explained that human laws came into existence for the benefit of the common good by making adaptations to the divine law.

Similarly, when something previously held lawful ceases to be, sometimes, specific eliminations to natural law are also favorable. However, Aquinas emphasizes the significance of realizing that although natural law remains altogether unchangeable in its first principles there are necessarily possible adaptations allowed in its secondary principles (ST Vol. II, Q 94). For example, written law, seen as a correction to natural law when it provides something necessary, is acceptable. Another example considers instances of ways in which some people perverted natural law in their hearts by somehow esteeming things naturally considered evil, as acceptable, resulting in perversions that require written corrections (ST Vol. II, Q 94 a.5).

Aquinas (1948) argues there are two ways a thing can be said to belong to natural law, (1) by natural inclination, such as not harming another person; and/or, (2) because nature did not supply the opposite. These examples manifest how general the principles of natural law are, thus indicating how appropriate this principle can be for communication ethics primarily because it is unavoidably universal and general in details. Assuring people that they have knowledge of right and wrong, discoverable through quiet interior reflection, seems like a simple foundational principle to build upon for moral goodness in communicative praxis.

**Natural Law as Indelible**

Natural law remains indelible for every person for all time (ST Vol. II, Q 94 a.6). Aquinas references Augustine in *The Confessions* and explains that he says natural law is “The law is written in the hearts of men, which inequity itself effaces not” (ST Vol. II, Q 94 a.6). Aquinas explains that the secondary more detailed precepts follow closely from its first
principles as conclusions but have potential for concealment. However, if reason hinders application of the general principles to particular points or practices because of concupiscence or others passions, something else occurs. In such instances, the secondary precepts potentially become obscure in the human heart through evil passions. Such blotting may occur in the same way errors occur in speculative matters regarding necessary conclusions that lead to vicious and/or corrupt habits. Conversely, among some people, we may also find those who do not esteem actions such as theft or other unnatural vices as sinful (ST Vol. II, Q 94 a.6).

Nevertheless, Aquinas concludes that although it is impossible for sin to blot out the universal principle of the law, in particular cases secondary precepts potentially become camouflaged (ST Vol. II, Q 94 a.6).

A Law of Sin

All of creation authentically infers the existence of universal natural principles such as the laws of the cosmos, physics, or laws of created animals, including humans. Both humans and animals share in various natural inclinations (ST Vol. II, Q 91). On the other hand, Aquinas explains that in the same way humans experience the law of concupiscence, there is also a law of sin and those subject to it receive a twofold inclination from a lawgiver. However, Aquinas cautions that a law for one may be a violation of the law for another and he uses an example explaining how fierceness is potentially the law of a dog but not the law of sheep or other mild animals to make his point (ST Vol. II, Q 91 a.6). Similarly, humankind, prearranged by divine ordinance, assumes a proper natural human condition. This human nature predisposes each person to act in harmony with reason; and this law was so effective in the primitive state that nothing beside or against reason can ever leave man unaware (ST Vol. II, Q 91 a. 6). However,
when humans turned their back on God (original sin), they fell under the influences of sensual impulses, and these impulses uniquely affect each person individually.

The inclination of sensuality, called the *fomes* in other animals, has the nature of a law in such things as direct inclination. On the other hand, in humans, “it is not the nature of law in this way, but is a deviation from the law of reason” (*ST Vol. II, Q 91 a. 6*). The *fomes*, as a human incentive to evil, results naturally through creation and justice of divine law (*ST, Vol. II, Q 91 a.6*). Humans, suffering from the *fomes*, suffer from deprivation of their proper dignity, which is a consequence of impoverishment of original justice caused by perverting their reason (*ST Vol. II Q 91 a.6*). Sensual inclinations are considered a common good for all animals because they promote the preservation of the species nature. However, in humans who are reasoning individual, sensuality must always remain subject to reason (*ST Vol. II, Q 91 a.6*). If sensuality strays from the natural order of reason it becomes manifest in humans as the *fomes*, which is similar to the sensual impulses of non-reasoning animals.

Human sensuality is subject to reason, but when it participates in concupiscence to the point of rejecting the order of reason, it results in the *fomes* (*ST Vol. II. Q 91 a.6*). Perhaps, when discussing communicative implications of natural law scholars might consider any potential correlations between the *fomes* explained by Aquinas and/or *emotivism* discussed by MacIntyre in *After Virtue*. For example, one may ask if emotivism could potentially be a symptomatic manifestation of a much more serious problem confronting society. In reviewing issues such as these regarding communication ethics, scholars must not only consider reason, but should also consider ways in which our choices relate to communicative justice or praxis.
Will and Free Will

Aquinas says will and free will are the same subject (ST Vol. I, Q 82 a. 1-4), but argues that choice is the proper act of the will (ST Vol. I, Q 83 a.3). Aquinas explains that the words of Augustine are to be understood as the necessity of coercion because he, himself, claims that natural necessity does not take away the liberty of the will (ST Vol. I, Q 82 a. 1-4). Aquinas further explains that human will, as far as it desires a thing naturally, corresponds to the intellect regarding natural principles more than reason, which extends to opposite things (ST Vol. I, Q 82, a. 1-4). Aquinas claims choice makes us the masters of our own actions and says that Aristotle (Vol. II, 1948, Ethic iii.9) claims that choice regards the means to the end, not the end itself (ST Vol. I, Q 82 a. 1-4). He explains Aristotle’s claim in the Metaph. vi. Did. v.2 saying it means that good and evil, as objects of the will, are in things whereas truth and error as objects of the intellect are in the mind (ST Vol. I, Q 83 a.3).

Virtue: a Subject of Natural Law

Aquinas concurs with Damascene in his De Fide Orthod. Aquinas summarizes the citation by explaining that all virtues are natural, therefore all virtuous acts are the subject of natural law. This claim verifies that natural law, its principles, and the intellectual and cardinal virtues, are foundational for communication ethics as well. There are two ways to speak of virtuous acts: (1) under the aspect of virtuous; and (2) in their proper species, which verifies that virtuous acts belong to natural law because natural law encompasses everything to which man is naturally inclined according to his nature (ST Vol. II, Q 94). Since the proper form of man is his rational soul, every man has a natural inclination to act according to reason, and this means to act according to virtue, because reason naturally dictates that humans are to act virtuously, meaning
natural law prescribes all acts of virtue. If we speak of virtuous acts in themselves, such as their proper species, not all virtuous acts are prescribed by natural law because there are many things done virtuously to which nature does not first incline but only through inquiry are found conducive to well living.

When speaking of human nature, we either mean all sins as being against nature as Damascene claimed in his *De Fide Orthod. ii. 30*, or the nature common to humans and all other animals. In this second sense, certain sins, like unisexual lust, which is contrary to natural sexual intercourse in all animals, contradicts nature. This issue also considers acts in themselves because various conditions of humanity considers certain acts virtuous for some, proportionate and becoming to them, but vicious for others because it is disproportionate (*ST Vol.II*, Q 94 a.3).

**Natural Law and Virtues**

One may summarize or define natural law as a law of nature existing as part of creation, whereby a person receives an impression of God within his/her *being* at conception. The law functions like a GPS travel device, providing direction for each in doing what is good and avoiding evil until arriving safely at their chosen destiny. As a law of human nature, natural law is universal, undeniable, indelible, unalterable, and providentially participatory. This participation may not necessarily be a conscientious awareness of the communicative reciprocity between God, self, and others. Natural law requires no instruction, although such knowledge is beneficial.

The proper effect of every law aims at obedience. Law has the power to lead its subjects to their proper virtue thereby making its subjects good. Based on this alone, the necessity for
establishing laws/guidelines regarding communication ethics appears essential. Laws can function as standards for behavior.

MacIntyre (1984) claims any practice involves standards of excellence. Obedience to rules participates as an achievement of goods (pp. 187-188). Aquinas argues that the good explained by Aristotle remains synonymous with God, as the first principle of natural law. Natural law is the first principle of reason and reason is the first principle of all human acts. For humans, acting according to reason is to act according to virtue, and therefore, virtues as well as natural law are principles of reason.

Readers should note that Aquinas, along with countless others explains that the four cardinal virtues, justice, prudence, courage, and temperance are innate, knowable, and foundational for all other virtues. The intellectual virtues of wisdom, science, and understanding are equally innate. These virtues function as parts of a whole and the foundation of all speculative reasoning. The cardinal and intellectual virtues are intrinsic universal principles that function to direct individual human moral goodness, whereas the theological virtues of faith, hope, and charity are not universally common to humanity. Aquinas explains these virtues are from above, and such knowledge requires divine revelation and education.

**Understanding Virtue**

Aquinas says virtue, a principle of human actions, requires comprehensive understanding (*ST Vol. II*, Q 56 a.4). He defines virtue as “a good quality of the mind by which we live righteously and of which no one can make bad use”(*ST Vol. II*, Q 56 a.4). Similarly, Augustine explains virtue as God working within us without us, thereby indicating we may or may not be conscious of his indwelling actions and our reciprocal participation (*ST Vol. II*, Q 56 a.4).
Virtue, not formed out of matter, has matter in which it exists within its subject, yet concerns its object. The subject of virtue is the power of the soul, as intellect or reason, and its object fixes it to a certain species (ST Vol. II, Q 56 a. 1). Aquinas explains why his previous reference to the habit of good grammar improves understanding for virtue and says that although a habit such as good grammar equips a person with the aptness to speak correctly, it does not always make someone do so (ST Vol. II, Q56, a.3-4).

The foundational virtues are principles of natural law, innately present within each person. The habit of virtue not only confers the ability to act correctly, it also confers the right use of such abilities, thereby making it obvious that virtue is a habit directed in two ways as good human acts. Virtue not only makes its possessor good but also makes his/her productivity good as well. Virtue as a subject of habit can be in both the practical and speculative intellect without reference to the will. However, since virtue is an operative habit, the end of virtue is operation. Aquinas explains that since the end of virtue is an operative habit we always reference it as good because there are operative habits that are vicious and referenced as evil. There are also times when we may reference some habits as both good and evil. For example, we often find ways of voicing an opinion that can be true and false. Such an example develops clarity regarding ways in which virtue remains distinguishable from habit because virtue is always good (ST Vol. II, Q 56 a.2).

Aquinas says virtues, infused or acquired, have God as the efficient cause of an infused virtue. The best understanding of infused virtue can be found in the words of Augustine when he says, “God works within us without us” (ST Vol. II, Q 56 a.2). However, omitting Augustine’s words renders the definition applicable to all virtues in general (ST Vol. II, Q 56). Virtue, called good, does not infer the good as being but indicates a good fixed within reason. Aquinas
references Dionysius to explain, “The good of the soul is to be in accord with reason” (*ST Vol. II*, Q 55 a. 4). Virtue, viewed as good, is the principle of reason. Aquinas, in agreement with Aristotle’s *Nicomachean Ethics*, explains that virtue cannot be in the irrational part of the soul, except by way of its participation in reason (*ST Vol. II*, Q 56).

**Theological Virtues**

Aquinas (1984) claims the three theological virtues concern God and his grace. He explains that although these virtues concern God and his grace, humankind, in viewing nature, can reason them but does not always accept or respond in faith (*ST Vol. II*, Q 62, I a.1). In part, this perspective illustrates how these foundational virtues differentiate communication ethics from Christian ethics, even though both retain natural law as their foundation. The reader may consider for example, that according to Augustine and Aquinas, God is naturally present in every person without fail, yet not all accept Christian baptism or practice Christian philosophy.

Aquinas explains that humans, perfected by virtue, are directed to happiness (*ST Vol. II*, Q 5 a.7), but human happiness is twofold in that it is proportionate to human nature. One type of happiness occurs when humans adhere to their innate natural principles and the other, a happiness surpassing human nature, is only obtainable through the power of God. However, reason and will, naturally directed to God, as the beginning and end of nature, only function in proportion to each person’s nature (*ST Vol. II*, Q 62 a.1). This reality is remarkable in that MacIntyre (1984) argues that when analyzing the *Nicomachean Ethics* there is a fundamental contrast between “man-as-he-happens-to-be” and “man-as-he-should-be-if-he-realized-his-essential-nature” in the teleological scheme of things (chap. 5). The essence of natural law
becomes exemplified in the second choice. This issue illustrates ways in which pagans and Christians shared similar perspectives regarding morality.

According to Aquinas, the intellectual and moral virtues are proportionate to one’s nature and remain distinct from each other. Habits as well are distinct from one another but in respect to the formal difference of their objects. The object of the theological virtues is God, who is the last end of all, which exhibits an idea that surpasses human reasoning (*ST Vol. II*, Q 62 a.2). The object of the intellectual and moral virtues on the other hand, is something fully comprehensible to human reason. Virtue in the irascible and concupiscible powers is nothing more than certain conformity of these powers to reason. The irascible and concupiscible powers in themselves, as parts of the sensitive appetite, are common to human and dumb animals alike. However, considering rationality through participation in reason is proper only to humans and, as such, is the subject of human virtue.

**The Moral Virtues**

The four cardinal (innate) virtues of temperance, justice, prudence, and fortitude (courage), function as foundational pillars for all other virtues. These virtues are naturally knowable to every person and function within reason, as principles of natural law.

Understanding principle becomes evident in the comparison of perfect to imperfect. In such a comparison perfect becomes the principle; therefore, we call virtues that imply integrity of the appetite, principle virtues. Of these four foundational virtues, prudence serves a dual role as an intellectual and moral virtue, functioning as the primary principle of every other virtue (*ST Vol. II*, Q 61 a.1).
Aquinas confirms and explains Gregory, in his *Moral ii*, claims that the entire structure of good works builds on the cardinal virtues. Aquinas then explains how we identify things in respect to their formal principles or according to the subjects in which they are: but either way, it is undeniable these are the four cardinal virtues. The formal principle of every virtue is good, as defined by reason. However, good may also be considered in two ways: 1) as existing in the very act of reason whereby there is one principle virtue, prudence; or 2) according to the way that reason puts its order into something else. In this way, if it applies to operations we have justice or passions that also require two virtues (*ST Vol. II*, Q 71 a. 2). Aquinas explains that Cicero in *De Invent. Rhet. ii*) also reduced all virtues to the four cardinal and three intellectual virtues and says these principles are discoverable in certain acts and passions. Thus, the good found in acts of reason is primarily present in the command rather than its council or judgment (*ST Vol. II*, Q 61 a. 2-3). Therefore, the good defined by reason and put into operation as something right and due exists in respect of another person on a basis of equality (*ST Vol. II*, Q 61 a. 2-3).

These primary virtues, first found in respect of their common formal principle, explain why we say ‘principle’ in comparison with all the other virtues. For instance, any virtue causing good in reason may be called prudence while every other virtue causing the good of right and due operations is called justice. Virtues that curb and repress passions are prudence and virtues that strengthen the mind against passions are fortitude. Temperance, on the other hand is about natural concupiscence of food, drink, and sexual matters and similar to prudence by way that we ordain other matters of law to a moral common good.

Justice has a righteousness of its own by which it puts outward things right, meaning those things that came into human use, which is the authentic meaning of justice. This concept differs from the legal use of the word. However, the righteousness common to all virtues denotes
order to a due end and divine law is the rule of human will (ST Vol. II, Q 61 a.2). Although it is possible to make bad use of a virtue objectively, one cannot make bad use of virtue as a principle of action that could make an act of virtue evil.

**Intellectual Virtues**

The intellectual virtues of wisdom, science, and understanding are foundational principles of the speculative intellect that prepares the intellect to consider truth. Truth is twofold: we know it in itself, and/or we know it through another (ST Vol. II, Q 57 a.2). When knowable in itself, truth is a principle, understood at once by the intellect. Understanding is the habit that perfects the intellect for considerations of truth and the habitual praxis of all principles. However, truth known through another becomes knowable in the intellect by means of reason’s inquiry as a term, which also happens in two ways (ST Vol. II, Q 57 a.2). First, it is the last in some particular genus and the ultimate term of all human knowledge, and, secondly it is the ultimate term of all knowledge, science, and wisdom, which considers the highest causes (ST Vol. II, Q57 a.2). Wisdom habitually judges all things correctly and sets them in order, because there can be no perfect and universal judgment without basing them on first causes (ST Vol. II, Q 57 a.2). Science perfects the intellect; although wisdom is a kind of science in as far as it has what is common to all sciences. However, that which is last in a particular genus of knowable matter is science. These virtues are distinct but function as parts of a whole that must occur in a certain order of their perfection. For example, a rational soul is more perfect compared with the sensitive soul; and the sensitive soul is more perfect compared with the vegetal soul. Using this example, Aquinas illuminates how science depends on understanding, and both science and understanding
depend on wisdom in judging conclusions of science and the principles on which they are based *(ST Vol. II, Q 57 a.2).*

**Truth**

Truth, as a principle, is universal. Universals/principles are independent of time and place and in this way are everywhere and always the same but because the human intellect is not eternal, neither is the truth of enunciable propositions, which formed by us, begins in temporality *(ST Vol. II, Q 16 a.6-7).* Therefore, knowledge of what is universal and necessary remains more constant than that of particular or contingent things, thereby indicating that knowledge of universal and necessary things belongs to science and other intellectual virtues.

Truth in speculative matters is the same for all humans regarding principles and conclusions, but everyone does not equally know such truth regarding principles considered common notions. However, principles retain moral goodness by remaining flexible in each particular situation because truth is only the same in general principles. Where there is the same rectitude regarding matters of details, all do not equally know such truth. Therefore, whether in speculative or practical reason, when it regards general principles, truth in goodness is not only the same for all, it is also equally known by all.

Using an example of a triangle, Aquinas (1948) explains that although it is true that three angles of a triangle are equal to two right angles, not everyone knows it. Similarly, when considering proper conclusions of practical reason, neither truth nor rectitude is the same for everyone, yet even where it is identical, everyone still does not equally know it. In this way, it becomes evident that communication ethics does not begin with the proper conclusion but rather each particular situation becomes the first principle *(ST Vol. I, Q 16 a.6-7).* Aquinas also explains
that it is right and true for everyone to act according to reason, and as a proper conclusion from this principle goods entrusted to another should be restorable to their owner. Although this is true in a majority of cases, in a particular case, if such an act would be injurious and unreasonable, one must cautiously handle the circumstance (ST Vol. II, Q 94 a.4). This explanation develops one example of communication ethics as communicative praxis. One conclusion we may draw from this example is that the general principles of natural law, as principles for communication ethics, are the same for everyone in truth and knowledge, but the specific details require flexibility mandated by each particular issue or situation. Therefore, as human reason rules and commands the other powers, so it is with all natural inclinations belonging to the other powers, in that they also require direction according to reason.

Aquinas consults numerous authoritative voices to define and explain truth. He explains that truth consists of what is true in the intellect as far as it conforms to the object understood (ST Vol. I, Q 16 a. 1). This idea indicates why humans value integrity and shows the relevance for the role integrity plays in communicative praxis. Aquinas says, “Truth is a supreme likeness without any unlikeness to a principle” (ST Vol. I, Q 16 a.1).

Truth is knowable in the intellect, not things, according to Aquinas. He (Aquinas) references those like Augustine in De Vera Relig, xxxvi; Aristotle in his Metaph. vi. and viii. 6; Hilary in De Trin v); Anselm in his De Verit. xii); to substantiate his claims. Relating truth to the intellect Aquinas explains that (Aristotle in his Metaph. viii. 6 for example) many additional authoritative voices all concur that truth is correctness, perceptible by the mind alone; for what is right is that which is in accordance with the principle (Aquinas, 1948). His conclusions clearly provides reasons that help to understand why communication ethics requires acknowledgment of basic principles. Such principles establish standards for direction and set limitations without
functioning prescriptively. In summation, the authoritative voices referenced by Aquinas concur that truth is definable by the conformity of a thing to the intellect, and to know this conformity is to know truth. Aquinas explains that similar to the way good signifies that to which the appetite tends, so truth denotes that towards which the intellect tends.

Aquinas explains that the mind, which is the cause of the thing related to it as its rule and measure, is converse in a case in which it receives its knowledge from things. Thus, in a similar way, we say a house is true when it expresses a likeness of the form in the architect’s mind, and we say words are true as far as they are the signs of truth in the intellect (ST Vol. I, Q 16 a.2). Giving an example he says, “A stone is called true, which possesses the nature proper to a stone, according to the preconception in the divine intellect. Thus, truth primarily resides in the intellect, and secondarily in things according to ways in which they relate to the intellect as their principle” (ST Vol. I, Q 16 a.2).

He explains that when the intellect judges that a thing corresponds to the form it apprehends about that thing, it first knows it and then expresses truth (ST Vol. I, Q 16 a.2). In the same way good is desirable to humans is the same way truth relates to knowledge (ST Vol. I, Q 16 a.3). When speaking of absolute, truth precedes the idea of good (ST Vol. I, Q 16 a.4). The will and the intellect work together mutually because the intellect understands the will, and the will, wills the intellect to understand (ST Vol. I, Q 16 a.5).

**Justice**

By nature, humans are social animals. MacIntyre (1984) explains how man, in his actions, practice, and fictions, is essentially a story-telling animal. MacIntyre (1984) explains, however, that humans tell stories through their history that aspires to truth. History provides
significant evidence that telling stories plays a key role in educating humans into the virtues (1984). To the extent that the primary virtues are in a person according to the condition of his/her nature, he/she behaves well in the conduct of human affairs because of these virtues (ST Vol. II, Q 61 a. 5).

Aquinas argues that we are assured that the most appropriate act for humans requires them to intentionally strive onward to divine things (1948), as Aristotle declares and Scripture (Matt. v.8) admonishes humanity to strive for perfection (ST Vol. II Q 61 a.5). Assuming that society has lost its way, by being inattentive to realities of moral decline confronting it as MacIntyre (1984) claims or remaining unaware of some of the created issues that Aquinas addresses, may now inspire scholars to take specific steps to achieve communicative praxis. For example, contemporary scholars may consider ways to explain more explicitly the benefits of knowing the relationship of natural law to the cardinal and intellectual virtues and how they relate to ethics as moral philosophy. These considerations include explanations that incorporate fundamental knowledge of the cardinal and intellectual virtues as a means of achieving communicative praxis. Aquinas offers additional insights that enhance understanding communication ethics by explaining that there are two kinds of justice, communicative and distributive (ST Vol. II, Q61 a.1-5).

This understanding becomes relevant for communication ethics in his claim that communicative justice consists of mutual giving and receiving as in buying, selling, and all other kinds of intercourse/social (communicative) exchanges. Concurring with Aristotle (Summa Thelologica, 1948), Aquinas claims that although communicative justice directs human exchanges, this intercourse (communicative dialogue) of business does not belong to God but instead requires the development of excellence in human moral character traits for humans (ST,
Vol. II, Q.61, a.1-5). He supports his claim referencing Aristotle and Paul in Romans 11:35 (ST Vol. II, Q 21 a. 2). Aquinas illuminates the relevance of identifying practical moral philosophy as communicative justice and his explanations further enhance understanding that natural law undeniably remains applicable to communication ethics. Evidence supporting the communicative implications of his natural law discourse, especially communicative justice also appears (at least implicitly) in the scholarship of MacIntyre regarding virtues (especially as discussed in After Virtue and Who's Justice, Who’s Rationality). We also find such evidence for the communicative implications of natural law in Schrag’s (1986) scholarship explaining his practical approach for understanding and integrating ethos as a means of reintroducing the development of moral character in achieving communicative praxis.

Distributive justice consists in distribution whereby a ruler or a steward gives to each what his/her rank deserves it (ST Vol. II, Q 21 a.2). As such, distributive justice is the proper order displayed in ruling a family or any kind of multiple that evinces justice of this kind in the ruler so that the order of the universe, seen both in its effects of nature and its effects of will, manifests the justice of God (ST Vol. II, Q 21 a.2). Aquinas provides a supportive example when he references Dionysius who claims “We must see that God is truly just, in seeing how He gives to all existing things what is proper to the condition of each; and preserves the nature of each one in the order with the powers that properly belong to it” (ST Vol. II, Q 21 a. 2). He explains however, that Aristotle does not understand things that are naturally righteous, as a general principle, but rather views justice as a conclusion drawn from principles, having correctness in the majority of cases and only failing in a few. Recognizing that theological explanations are not acceptable to every person, Aquinas explains goodness is the principle of communication between the persons of the Trinity. His implicit message manifests the meaning that when
humans are just in their interactions and exchanges with one another, they illuminate (often unintentionally) the goodness of the creator. All communication should focus on achieving good in accord with right reason. In this way, we conclude that communicative praxis should function like a prism, reflecting truth, justice, and communication ethics as practical moral philosophy.

**Communicative Implications of Natural Law Discourse by Aquinas**

Numerous communicative implications become evident in the discourse on natural law by Aquinas. This study limits comments to a few issues.

It becomes remarkable when realizing that Aquinas does not express personal opinions or develop new theories of moral philosophy but chooses to enhance understanding by taking a hermeneutical approach that unifies strands of truth and wisdom found within the tradition. This approach allows for constructive comprehensive explanations that improve meaning for moral philosophy including its distinction from Christian moral theology. His scholarship helps to grasp the relevance for achieving moral competence and the human value of remaining focused on praxis of vitreous communicative behaviors. Similar to Augustine’s perspectives, the scholarship of Aquinas implicitly suggests that all communication has ethical implications. All communication has universal enduring principles that should be taught as a means to guide all human communication. These principles remain operative regardless of race, color, creed, or culture in retaining dignity and respect for every person. This understanding remains relevant for communication ethics as praxis, especially when considering the contemporary move towards secular society and social globalization.

Secondly, the discussion on natural law, reason, and virtues as explained by Aquinas proves invaluable when taking a hermeneutical approach to re-discover beneficial knowledge
present within the tradition. His knowledge promotes understanding that enhances the dignity of humans by explaining ways that humans are reasoning communicative animals and every communicative act engages ethics. Although, as reasoning animals, every person knows what is good and evil without instructions, Aquinas also explains the benefit of providing support for ethical praxis through definitions, explanations that enhance understanding and the necessity for establishing, laws, standards, and direction. Achieving praxis of communication ethics requires comprehensive understanding and meaning about ethics as moral philosophy, truth as a human necessity, and communicative justice as a standard for all human interactions. Such efforts must function like a symphony in concert with natural law and human reason in harmony with the cardinal and intellectual virtues. These principles function in the development of human moral character traits that exhibit excellence. His explanation of the intellectual, cardinal, and theological virtues resolves many concerns shared by MacIntyre (1984;1998) regarding issues about the limitless number of virtues while providing a framework for on-going research regarding efforts to enhance understanding and communicative praxis. Communication ethics should mirror moral goodness in communicative praxis defined by Schrag (1986).

Many of the practices Schrag (1986) explains as necessary to achieve communicative praxis correlate with much of what Aquinas addresses in his discussions about moral philosophy. These practices promoted by Schrag (1986) are supported by the work of Aquinas (Summa Thoelogica, 1984) and remain significant for contemporary communication scholars. For example, Aquinas explains how humans can reason natural law effectively by reflecting on their created nature. In line with such thinking, Schrag (1986) explains why and how recollection, reflection, and distanciation contribute to ethical communicative praxis. Based on this study, reflecting on human interaction remains consistent with human nature.
Aquinas demonstrates the value of returning to the earlier tradition of philosophy as a means of discovering beneficial insights that may open paths to new horizons when considering a given issue. Schrag (1986) argues that rhetoric as epistemic remains limited but becomes almost limitless as hermeneutic because, like the blinds of a window opening, we are able to envision a panoramic view of our potential to understand the human condition and out of this notion the rhetoric of philosophical truth on moral discourse emerges (p. 189). Although Aquinas merged philosophy with his discourse, Schrag (1986) argues that the marriage of rhetoric and philosophy remains essential (p. 189). The discourse of Aquinas regarding natural law reveals potential that arises out of a marital love story in which rhetoric and philosophy, joined together like a horse and carriage, signals an end to the epistemological inquiry of philosophy and rhetoric as a form of argumentation. Similarly, the work of Aquinas (Summa Theologica, 1948) illustrates the correctness in Schrag’s (1986) claim that this is not simply another propositional truth describing a cultural state of affairs in the history of philosophy as a discipline, but rather the articulation of a task, performed repeatedly as a project of recollection (p. 189). Aquinas exercised such a repetitive task of recollection to reclaim resources present within tradition that also point to the potential for contemporary transformation. As Schrag (1986) suggests, such transformations allow us to seek wisdom from the past to inform the best possible practical application for contemporary issues (pp. 189-190). Aquinas not only provides explanations that illustrate communicative praxis similar to Schrag’s (1986) work, Aquinas’s scholarship on natural law, ethics, and virtues enhance understanding its relation to practical contemporary communication ethics.

MacIntyre (1984; 1998; 2007; 2007) categorically explains the moral issues confronting contemporary scholars that are prohibiting moral praxis from occurring, while Schrag (1986)
defines communicative praxis, explaining what moral communication looks like, and offering instructions on ways to achieve it. Both scholars share many of the same ideals promoted by Aquinas regarding the development of moral characteristic traits and the required praxis of temperance, prudence, fortitude, and justice, which are innate and occur naturally in all humanity.

In essence, Aquinas (1948) reveals his reasons for explaining why being human requires that humanity first understands ethics as moral philosophy and communicative justice as an essential practice of all social interactions. He explains that human reason unavoidably engages natural law. He provides clarity as to how human reason, functioning harmoniously with the intellectual and cardinal virtues, remains essential in achieving moral excellence and communicative praxis. Morality remains strictly pertinent to humans and without fail communication. This knowledge requires attentiveness and adherence as part of the natural created order. MacIntyre (1984), in concert with Augustine and Aquinas, claims that lack of cooperation with one’s nature will persistently lead to frustration. Aquinas clearly provides reasons that explain why this occurs. He explains that natural law has natural consequences according to whatever manner each person participates in the intercourse of communicative justice of everyday life. MacIntyre (1984) on the other hand, believes that we must unravel this moral chaos as a means to achieve understanding and achieve ethical praxis at this social juncture, as a means of hope in restoring moral goodness. Like Aquinas, MacIntyre (1984) raises awareness of ways that history provides evidence of some pending consequences that occur when humans defy or ignore their very nature. Although the scholarship of MacIntyre began with a strong bias intent on recapturing Aristotelian virtues, his scholarship currently indicates his gradual movement towards understanding morality and virtues as Aquinas portrays it.
Schrag (1986) wants us to understand that communicative praxis becomes possible by defining and explaining it in ways to achieve moral discourse as communicative praxis. Although natural law remains innate, the practice of ethics requires looking at the communicative implications of natural law, explained with clarity by Aquinas. This examination ultimately requires acknowledging some of the mistakes scholars created by their reactions to his discourse.

Liberal individualism was emerging from the sixteenth to the eighteenth centuries (Koterski, Part II, 2002; MacIntyre, 1984). In the following chapter, Newman stresses his distrust for liberalism saying it will result in the destruction of society and the church. Currently, MacIntyre (1984) provides significant insights through his claims that “the struggle between commensurable and the incommensurable; a criteria less moment resulted in many mistakes” (pp. 39-50).

We might consider whether contemporary society is in a moral crisis created in part by this criteria less moment. MacIntyre (1984) also explains ways that Kant created a universal criteria-lacking passion. Hume (1711-1776) bases his ethics on self-preservation focused on passions without reason and Hobbes (1588-1679) constructed the idea of a social contract as a way to explain the relation of an individual to his newly envisioned nation-states (Koterski, 2002, Part I & II p. 131). Hobbes, according to Koterski and personal reading, claimed the only ethical drive is self-preservation, thus placing each individual in competition with the similar desires of others. Hobbes also considered natural law as a set of practical rules for human survival and wrote the *Leviathan* (1691) with an individualistic component as its principles (Koterski, 2002, Part II pp. 21-22). One may question whether such contributions contributed to the development of the rampant perverted individualism present in the Western hemisphere. To the contrary, when one understands Aquinas, it becomes evident that the only individual
component of natural law is human reason and the ethical situation that arises. In reality, natural law emphasizes authentic human autonomy that demands a responsible concern for others in relation to God and self, while ethical praxis also requires acknowledgment that each particular circumstance or issue becomes the primary principle requiring moral resolutions.

John Locke (1632-1704), a British empiricist, altered explanations of natural law by combining his idea of a social contract with his conception of natural human rights (Koterski, 2002, Part I & II p. 153). Locke’s perspective imagined a state that defined natural law as rights in a willingness to establish a social contract. Nevertheless, this contract fostered revenge for anyone who harmed another (Koterski, 2002). One communicative implication of this chapter reveals that numerous adaptations and distortions of natural law discourse by Aquinas have occurred over time.

According to Aquinas, justice and truth are essential components of human intercourse (social interaction) and such acts mandate excellence of moral character requiring virtue to behave well in the conduct of all human affairs.

Communicative justice participates in human affairs, which requires direction based on human laws that have pinnacle standards established in accord with the intellectual and cardinal virtues. Law assists reason but requires reasoning based on principles not emotions or the process of reasoning itself (ST Vol. II, Q90 a.1). However, Aquinas also explained that law does in fact have the power to lead humans to virtue. He states that human law “should be made to suit the majority of instances, not framed according to what may possibly happen in an individual case” (ST Vol. II, Q 96 a.1).

The purpose of human law should concentrate on gradually leading humans to virtue (ST Vol II, Q 96 a.3). Aquinas explains this in his statements claiming that there are two ways to
name a particular act, an act of virtue. The first comes from the fact that a person does something virtuous, for example, an act of justice requires doing what is right, an act of fortitude requires doing brave things, and in this way, law prescribes certain acts virtuous (ST Vol. II, Q 96 a.3). The second way an act can be called virtuous requires someone to perform a virtuous thing in a way a virtuous person does it. This type of action proceeds from virtue but does not come under the precept of law (ST Vol. II, Q 96 a.3). Through these statements and explanations, Aquinas provides explanations that improve understanding for communicative ethics.

Aquinas considers whether humans are bound in conscience by human laws and asserts that laws framed by humans are just or unjust. Just laws have the power of binding conscience because every just law is a consequence of eternal law (ST Vol. II, Q 96 a.4). There are ways to identify a law as just. Laws, whose form imposes proportionate burdens in considerations for the common good (in that each person is one part of a community) make everything one has belong to the whole; in the same way nature inflicts a loss on the part in order to save the whole. In this way, such proportionate burdens are just and binding in conscience, as legal laws. On the other hand, Aquinas explains ways in which human laws may be unjust and says that any law, contrary to human good or opposed to the divine good is unjust. Disobedience to such laws does not bind one in conscience, except when avoiding scandal. Aquinas references Augustine (On Free Choice 1.5) who says, “An unjust law is no law at all” (ST Vol. II, Q 96 a.4). For example, Aquinas claims that an unjust law is one of a tyrant because tyrants demand allegiance reserved for God alone (ST Vol. II, Q 96 a.3). Aquinas affirms that all just human laws come from God and argues that humanity should disobey any law contrary to the commandments of God (ST Vol. II, Q 96 a.3).
Considering communication ethics requires thinking about various levels of authority in that each person is obligated to obey the higher form of authority. For example, in the hierarchy of the church, a deacon and priest are subject to the local bishop within a particular diocese, yet at the local parish level the deacon is subject to the commands of his pastor. However, in any case, where the Bishop gives a directive and the pastor commands something contradictory, relating to the same issue, the deacon is obligated to obey the bishop as his higher authority, no longer bound by the mandate of the lower authority (the pastor). Another way a person is subject to a law views the agent as coerced and the authority figure as the coerker. This way only considers the wicked as subject to the law because as Aquinas explains, coercion and violence are contrary to the will; and the will of the good remains harmonious with just laws, whereas the will of the wicked remains discordant from it. In this sense, he claims only the wicked are subject to this law and says human law is not applicable to the just because they practice an innate law (natural law) without the need for positive law, thereby demonstrating the work of the law written in their hearts.

Aquinas (Summa Theologica, 1948) argues that every law directed to the common good, derives its force from natural law. He verifies that human conduct based on moral principles is teachable and learnable. Therefore, in the same way, knowledge of the good, synonymous with God, for Aquinas, and simply good for Aristotle, is natural law by which reason, united with the intellectual and cardinal virtues provides universal principles for moral human behavior. He claims that human nature and our being identified as communicating reasoning animals affirms that natural law is normative and universal for every act, especially communication ethics.

In his discussion on truth, Aquinas attests to the value integrity has for human moral life while showing that truth dwells in the human intellect and becomes knowable through expressed
integrity of word and deed. Not only is natural law universal, but also it is also rhetorically approachable through reasonable honest discourse. Humans easily learn through laws and as story-telling animals can reason what is good and right, while avoiding evil.

**Conclusion**

MacIntyre (1984) says that contemporary moral discourse, presently compromised by excessive interminable arguments, prevents meaningful resolution to any given disagreement (p. 6). MacIntyre (1984) explains the heart of the moral crisis that stands before us and lays out the limits of “emotivism” (p.2). He claims we are no longer able to appeal to moral criteria as some set of standards and although the language of morality is in grave disorder, MacIntyre (1984) says we do not have the luxury of doing nothing. Despair is also not an option for us (p.5). MacIntyre (1984) also claims there is no rational way to secure moral agreement within the culture (p. 6) and clarifies how such dilemmas, including emotivism, are some of the unintended consequences of the Enlightenment. MacIntyre (1986) argues that we should adopt a stance on the virtues and claims that to “adopt a stance on the virtues will be to adopt a stance on the narrative of characters of human life” (p. 144). The framework established by Aquinas has the potential to realize that such a stance becomes possible based on his explanations of natural law integrated with the intellectual and cardinal virtues. MacIntyre (1986) affirms the claims of Aquinas in saying the potential for leading a moral life is possible through natural observations as part of the created order rather than divine revelation. For example, the Stoics were a people who lived good moral lives without a Christian theological perspective. The human potential includes the ability to reason created goodness and this claim continues spur arguments about
natural law. On the other hand, contemporary social behavior indicates that that reason itself may be clouded. This ambiguity should concern communication ethics scholars.

It seems significant to note that regardless of any overt criticism, natural law potentially remains a vital force for ethics in general and communication ethics in particular. MacIntyre (1988) affirms this saying, “The Stoic answer is that men, as rational beings, can become conscious of the laws to which they necessarily conform and that virtue consists in conscious assent from the inevitable order of things” (p. 105). He explains, “A great part of modern morality is intelligible only as a set of fragmented survivals from tradition” (MacIntyre, 1984, p.269). MacIntyre (1984) says “the inability of modern moral philosophers to carry through their projects of analysis and justification connects with the fact that the concepts with which they work are a combination of fragmented survivals and implausible modern inventions, in addition to the rejection of this Aristotelian tradition” (p.269). Aquinas (Summa Theologica, 1948) and MacIntyre (1998) affirm the value of Aristotle’s contribution to ethics.

Like Aquinas, MacIntyre (1984) says a virtue is an acquired human quality, the possession and exercise of which tend to enable us to achieve those goods which are internal to practices and the lack of which prevents us from achieving such goods. Aquinas explains that the intellectual and cardinal virtues as infused and therefore establishing laws, and providing supportive communication and education can enhance understanding, which can become the impetus for communicative praxis.

Aquinas (1948), MacIntyre (1984; 1998), and Schrag (1986) each connected stands of truth found within the tradition on philosophy, rhetoric, natural law, reason, virtue, truth, and communicative justice. Contemporary communication scholars, embracing such wisdom, may use the knowledge provided by these scholars and rhetorically find ways to teach, delight, and
persuade humanity to recognize the value and necessity for ethical praxis. Such efforts have potential to revive human discourse and elevate it to the dignity of what it means to be human through communicative praxis. It seems that in the midst of the chaos described by MacIntyre (1998) the situation potentially requires following Schrag’s (1986) suggestions. Following the recommendations made by Schrag (1986) may start by setting aside personal daily patterns of quiet reflective time coupled with explicit narratives that support understanding through defining, explaining, and teaching the significance and value of morality as praxis. This rhetorical practice may be one step toward the way back to robust engagement with natural law and its vitreous principles.
CHAPTER SIX
EMBRACING THE THOUGHT OF NEWMAN
ON THE NATURAL LAW

Introduction
This chapter introduces John Henry Cardinal Newman (1801-1890) and reviews his philosophical perspectives regarding natural law through discussions on Natural Theology, Natural Conscience, conscience, natural law, reason, and revelation. His narrative takes shape through texts such as Plain and Parochial Sermons, Selected Sermons, and Conscience, Consensus, and the Development of Doctrine. John Henry Cardinal Newman’s insights enhance knowledge and understanding of natural law through his scholarship on conscience and its relation to the law.

Personal Portrait
From his earliest youth Newman loved reading, studying, and discussing the Bible. His phenomenological focus concentrated on discerning and following God’s will (Strange, 2008). Throughout his life, he retained strong aversion towards “liberalism in religion” meaning skepticism and relativism (Orevis, 2010, p. 29). When discussing issues of the day, such as Darwin’s theory of evolution (with which he saw no problem), his response would be, “In a higher world it is otherwise, but here below to live is to change, and to be perfect is to have changed often” (Orevis, 2010, p. 29). Newman maintained a lifelong conviction that everyone progressively changes, especially when obeying mandates of one’s conscience.
Conversion Experiences

Conversion represents change, and such changes often dramatically alter one’s standpoint. Newman (1979; 1994) identifies and discusses three significant personal conversion experiences. Each conversion experience created reflective disruptions, which prevented his deviation from his lifelong quest for Truth. Newman’s first experience (age fifteen) resulted in acknowledging his preference for moral excellence was waning. He became scrupulously aware his pursuit of intellectual excellence was causing him to drift toward the liberalism of his day (Zeno, 1987, p. 33). The second conversion experience resulted from his pursuit of rationalism and intellectual excellence. Newman’s ambitious pursuits left him overworked with family worries, collegial issues, and responsibilities, coupled with the unexpected death of his dearly loved youngest sibling, Mary. Collectively, these issues contributed to a physical collapse in November 1827 (Strange, 2008, p. 17). These events also impelled Newman to contrast the value of pursuing intellectual excellence with the value of friendships, thus resulting in Newman placing higher value on interpersonal relationships. He focused on improving family relationships and forming new friendships. Newman’s new interests resulted in shifting his intense focus from rationalism to shared interests with others. He formed meaningful friendships with three influential people, Edward Pusey, John Keble, and Hurrell Froude. Newman eventually became confident and comfortable sharing a “devotion to the Catholic Tradition in the Church of England” known as “the Oxford Movement” with Pusey (Strange, 2008, p. 17).

Newman also confesses his life-long commitment to journaling suffered significant time lapses between entries (Apologia Pro Vita Sua, 1994). In his June 25, 1869 entry, he notes this repetitive review developed a keener awareness and appreciation for the Providence of God throughout his life (Strange, 2008, p. 109). Along with other shared reflections on Providence,
Newman again references his major conversions, noting that serious illness followed each. He recalled that the first experience led him to authentic Christianity; the second, resulted in his total break with liberalism; and the third preceded commencement of the “Oxford Movement” (Strange, 2008, p. 109). Newman realized how each experience was a progressive development in his providential path to Catholicism. It is also evident that these life-transformative experiences appear as etched within his mind, enabling him to retain his conviction of discerning and obeying the will of God.

**History of his Thought**

Writing the *Apologia Pro Vita Sua* and *An Essay on the Grammar of Assent* became a natural source for Newman to reveal in-depth aspects of his thought process including the phenomenon of natural law. The *Apologia*, considered a history of his thinking mind, reveals his search for Truth (conscience) coupled with his responses of how one understands (apprehends) right and wrong (Newman, 1994, p. 144). Responding to his conscience, he found it necessary to rebut accusations that as an Anglican he was secretly a Roman Catholic at heart. The *Apologia Pro Vita Sua* is a narrative showing the intellectual development of his spiritual quest leading from Protestantism to Catholicism (Newman, 1994, p. xx). When refuting various errors, Newman often reminded others “Augustine himself had been converted to Catholic Christianity from Manichaeism after hearing some chance words of a child-----an event which is also the dramatic turning point of *The Confessions*” (Newman, 1994, p. xxvi).

*An Essay in Aid Of the Grammar of Assent*, known as “a seminal work in the philosophy of religion” (Newman, 2008, p. 17) provides Newman’s rationale for claiming one can apprehend an idea or truth, giving assent to its proposition, without fully understanding or
grasping its comprehensive meaning. This scholarship develops understanding of natural law through its two-fold objective intended to “show that you can believe what you cannot understand” and “you can believe what you cannot absolutely prove” (Newman, 2008, p. 17).

**Philosophical Standpoints on Truth**

As a philosopher and theologian, Newman lived a holy, prayerful, contemplative Christian life focused on his desire to know and obey the will of God. He asserts that every person is a philosopher because all humanity participates in searching for truth. In his continual search for truth, Newman remained in dialogue with God. Additionally, he usually references all communication, whether with God or others, as intercourse (occasionally, social intercourse), thereby also emphasizing serious moral implications of discourse for philosophers and rhetoricians. Such subtlety not only lends support for developing communicative praxis emphasized by Schrag (1986), but it also demonstrates the significance of communication ethics praxis, as well.

Newman (1996) defines truth as “facts and their relations, which stand towards each other pretty much as subjects and predicates in logic” (p. 41). He elaborates saying truth never contradicts Truth, emphasizing conscience and scripture both contain truth. He claims when one discovers Truth in conscience, it always synchronizes with scripture. Newman’s intellectual development provides explanations as to why and how conscience, antiquity, the bible, and the church, each not only set standards for decision-making, but also constitutes valid sources of authority. According to his criteria, these sources should inform and/or direct on-going human developments (Newman, 1994, p. 256). Accordingly, conscience is the private domain in one’s search for truth while the remaining sources are public spheres and should function as standards
for comparing, contrasting, or formulating critical thinking. He summarizes his ideas arguing that all humanity not only lives in search of truth but should remain attentive not only to the fact that truth exists, but also retain an awareness that every human has ability to discern it (Newman, 1994, p. 127). Like Aquinas, Newman claims the divine command (law) carries an obligation (action) to follow it, doing what is right and avoiding wrong. He held fast to these views as an Anglican and a Roman Catholic (Newman, 1994).

Newman (1994) personally confesses his conscience, saying, “he came to a conclusion that there is no medium in true philosophy” (p. 182). Comparing Atheism and Catholicity as an example, Newman (1994) explains why “a perfectly consistent mind must embrace one or the other” (p.182). He consistently answered questions about being Catholic by replying, “I am a Catholic by virtue of my believing in God; and if I am asked why I believe in God, I answer that it is because I believe in myself” (Newman, 1994, p. 182). Newman professes that he finds it impossible to believe in his own existence (of which he is certain) without believing in God who lives within him as a “personal, All-seeing, All-judging, Being in my conscience” (Newman, 1994, p. 182). Throughout his discourse, he uses examples like this affirming his claim that conscience is the voice of God found within every human heart.

Augustine (1960), Aquinas (1948), and Newman (1994) each uniquely define and explain natural law yet concur that it is the eternal law present within every person from creation. Additionally, as noted, Newman (1996), claiming belief in his self-existence, uses his created personhood as one proof for the existence of God. However, he specifically demonstrates that Christianity becomes exclusively distinct through Baptism, which he calls regeneration. Explaining why he identifies Baptism as regeneration, he says Baptism is rejuvenation because it brings about the indwelling of the Holy Spirit of Jesus Christ, who regenerates the person,
providing additional on-going assistance in leading recipients to God. Newman also concludes a natural phenomenon occurs in searching for truth. According to Newman the natural order eventually leads a person from created laws of nature, especially natural law, to God, Christianity, and ultimately Catholicism, which is the process explained by Newman (1996) as Natural Theology.

**Natural Theology in Newman**

Newman (1996) claims that Natural Theology is not only the basis of natural law but also the reason why universities must institute Theology as a branch of knowledge. Newman (1996) substantiates his claim, explaining, “The word ‘God’ is a Theology in itself, indivisibly one, inexhaustibly various from the vastness and simplicity of its meaning” and why acknowledgement of God, admits an “historical and metaphysical fact” (p. 29). Newman’s (1996) evidence admits how God “is reported to us by testimony, handed down by history, inferred by an inductive process, brought home to us by metaphysical necessity, urged on us by the suggestion of conscience” and “is a truth in the natural, as well as in the supernatural order” (p. 29).

Natural Theology, according to Newman, provides essential background for recognizing natural law as part of creation and our nature, set apart from Christianity or what the Church considers Revelation. Clarifying, he explains how Natural Theology shares the distinctness of Father, Son, and Holy Spirit as the Trinity and says it is an “incomprehensible mystery yet the works of God present in Creation” (Newman, 1994, p. 127). Expounding on this mystery Newman (1994) explains the Son of God, known to humanity as the Word of God, and declares His glory throughout creation. Jesus Christ is God, made human, like us in all ways except sin,
now manifesting “the Living and Eternal Law of Truth and Perfection” (p. 127). Newman (1994) explains, “the Holy Spirit always was and forever remains the quiet presence of God within creation as the source of life, bringing form and order to the shapeless and void chaos” (p. 127). God placed “the voice of Truth into the hearts of all rational beings” (Newman, 1994, p. 127). Therefore we can conclude that natural law manifests God’s voice of truth on the interior of one’s being.

Newman (1979) defines conscience as “the connecting principle between the creature and his Creator” (p. 106) and identifies conscience as the voice of Truth (God) and source of harmony man obtains by following natural law (Newman, 1994, p. 127). Newman (1997) assures his audiences those who live in peace are at leisure wherever they find themselves, regardless of any faith affiliations (p. 372, 2.19). God knows our thoughts, hopes for our obedience, and remains present with us regardless of our actions (Newman, 1997, p. 373, 2.19). Again, St. Augustine provides a good example of all that Newman conveys here when he shares his story about the pear theft in The Confessions. Augustine explained how he became aware that although he thought he was getting away with theft he later discovered God Himself was innately present the entire time, attentively watching Augustine’s involvement in the event (Ryan, 1960).

Newman (1994) also affirms that most people are unaware that the external laws of God constitute part of human nature present within the interiority of one’s being, retaining union with God and Nature (p.373, 2.19). This lack of awareness raises issues to consider. For example, one may seek to discover potential effects of disobedience to the laws of God (Commandments). Thus, one may consider the potential effects on human behavior when recognizing any disparity between the interior law and contradictory exterior behavior.
Descriptive Themes of Natural Law

Newman (1992) frequently references natural law as innate, human nature, God Within, or the Voice of God present within the laws of nature, but typically discusses it as conscience. Newman explains it is through God’s grace that humanity, gifted with conscience, becomes enabled to listen and have full potential to obey its directives (p. 248). In his sermon, “Faith without Sight” Newman elaborates on natural law. Attempting to develop one’s critical thinking through discussions of the law as part of the ‘laws of nature and the human mind’ he raises issues regarding the relationship of faith and reason saying that in certain circumstances “faith and reason are opposed” (Newman, 1997, 2.2 p. 240).

Because Newman diligently studied the Alexandrian Fathers, who consistently and frequently reference the indwelling of the Holy Spirit (Strange, 2008, p. 215) it was natural and ordinary for him to reference Augustine (Father and Doctor of the Church), and Aquinas (Doctor of the Church), when explaining natural law in a letter to “His Grace, the Duke of Norfolk” (Newman, 1992, pp. 448-449). Newman (1992) explains to the Duke of Norfolk how even Catholic allegiance to the Pope does not supersede an obligation to follow one’s conscience if the directives of the Holy Father conflict with natural law (pp.448-449). Newman (1992) provides explanations to support his claim. He references Cardinal Gousset in commenting that Augustine also taught the eternal law is “Divine Reason or Will of God” and claimed that it “commands observance, forbidding disturbance, of the natural order of things”(pp. 448-449). In this discussion, Newman (1992) tells the Duke that Aquinas explains this eternal law in a similar way saying, “natural law is an impression of the Divine Light in us” (pp. 448-449), claiming it is “participation of the eternal in the rational creature” (Newman, 1992, pp. 448-449). This law (conscience) apprehended in the minds of individual men is indelible according to Newman.
Newman (1992) also explains that although it may suffer refraction when passing into the intellectual medium of each, it does not lose its character as Divine Law and retains the prerogative of “commanding obedience” (pp.449-450).

Again using an argument of Gousset, Newman (1992) justifies “As God creates, fashioning the world and all within it, He gives the world its laws but only imparts reason and conscience to creatures of the higher order” (pp. 448-449). Therefore, natural law, the law of humans, as part of the natural order of the laws of nature, function as the “voice of God” (conscience) for every human (Newman, 1994, p. 188). Emphasizing we have the seed of Truth and holiness implanted in us, Newman initiates many questions. For example, one may seek to know whether this law is as incontestable as the law of gravity. The scholarship of Augustine (The Confessions, 1984), Aquinas (Summa Theologica, 1948), and Newman (Apologia Pro Vita Sua, 1994) on natural law claims the law is permanent and cannot be retracted. Newman (1994) further explains that Truth is the law of God and holiness love of Divine Law (p. 266). Newman says (1994) we are spiritual and moral before we are intellectual (p. 266). Advancing his argument, Newman (1994) uses the example of an infant and claims that before the age of reason a baby remains holy, not religious.

**On Conscience**

**Natural Conscience**

Newman (1994) argues that cultivating one’s conscience from within as well as enlightening it by external aids, potentially enables a person to learn much of his/her responsibility to God and humanity. Moreover, through appropriate responses to Providence and
grace, one may advance toward a fullness of religious knowledge. Newman (1994) concludes, “Generally speaking, a person makes little or no effort to gain just views of their relations to the world and their Creator, consequently apprehending only part of the moral law” (p. 398).

Explaining conscience as God’s representative within each human, Newman (1997) says, “Every religious mind under every dispensation of Providence will be in the habit of looking out and beyond self as regards all matters connected with its highest good” (pp. 239, 2.2). He explained that a person of a religious mind set responds to conscience immediately, directing one’s thoughts to some being exterior to self, who gave the directive, as superior to the person. Therefore, conscience is not only the voice of a “Being exterior to self” it is “The Word” spoken within the human person” (Newman, 1997, p 239, 2.2). Repeatedly, Newman (1997) stresses that each person knows this voice is exterior to oneself by implication because “a law implies a lawgiver” and “a command implies a superior” (p. 239, 2.2). Hence, the law, command, or rule of conscience is more than the personal voice of God; it is the presence of God as God’s Self within every individual (Newman, 1997, p. 239, 2.2). Newman (1997) also notes we must “rule our heart” because the heart is the focal point for activity of the conscience (p. 239, 2.2).

According to Newman (1979), imagination, direct impressions, testimony of facts and events, history or description is what reaches the heart, not reason (p. 89).

**Conscience Reveals Beauty**

Nature reveals the beautiful and beauty reveals a loving creator. The order of nature stands in place, “reflecting God who made it, continues it, and moves it by fixed laws self-caused and self-sustained” (Newman, 1997, p. 458, 2.29). Through God’s grace, humanity, enabled to
enjoy God’s gifts and beauty, should pause to thank Him and respect those who are His instruments in communicating it (Newman, 1997, p. 458, 2.29).

Conscience, superseded in the mind of men by a “so-called moral sense, regarded merely as love of the beautiful, partly by rule of expediency is forthwith substituted for in details of conduct” (Newman, 1994, p.112). This leads one to conclude that the conduct of a person explicitly reveals the interiority of one’s implicit moral thoughts or standpoint.

Philosophy reveals something as simple as romance, a poem, or a play may teach us. For this reason, Newman says, “Let poets or the men of harmony, deny, if they can, this force of nature or withstand this moral magic” (Newman, 1996, p. 138). Additionally Newman explains, “In reality every person is a virtuoso of a higher or lesser degree and every person pursues a grace of one kind or another” (Newman, 1996, p.138). Additionally he claims, “The most natural beauty in the world is honesty and moral truth; for all beauty is truth” (Newman, 1996, p. 139). Newman notes that virtue is only one kind of beauty and the determining principle of virtue is taste, not moral values. However, he also explains, “eloquence eventually became the test and standard of virtue” (Newman, 1996, 1.24, p. 199). Therefore, it seems Newman recognizes virtue as excellence or character regarding conscience, not the behavior itself. He explains how “conscience intimates a lawgiver being superseded by a moral taste or sentiment, which has no sanction beyond the constitution of our nature” (Newman, 1996, pp. 139,140).

The great rule according to Newman (1996) is “to contemplate ourselves if we want to gain a standard of life and morals” (p. 140). His claim becomes more understandable in reviewing Schrag’s (1986) explanation for this idea of contemplating oneself. Within Schrag’s (1986) discussions about distanciation, one discovers the potential to objectively recall and reflect upon his/her behavior (communicative or other) as a means of evaluating self-behavior in
relation to praxis. Objectively analyzing self-behavior based on established standards to discover one’s strength or weakness is a process. This process, accomplished through reflective practice of distanciation, becomes even more understandable by recognizing how the process entails an objective recalling and reviewing self-behavior, especially communicative, as if it were a videotaped performance, thus enriching progress in one’s self development.

Conscience: Evidenced in Children

In his sermon “The Mind of Little Children” Newman (1997) reminds us how personal recollection of ourselves and experiences of children reveal the infant soul, in the first years of its regenerative state, when it discerns the unseen by things visible. Likewise, children are a realization of the “Sovereign, the Adorable, the incredulity, and ignorance about what is transient and changeable” (Newman, 1997, 2.6 p 267). Nevertheless, when the mark of a matured Christian appears, earned from recognition of things temporal “while living in the intimate conviction of the Divine Presence, the reality becomes magnificent” (Newman, 1997, p. 267, 2.6).

Newman (1997) explains, “I do not mean of course that a child has any formed principle in his heart, any habits of obedience, any true discrimination between the visible, and the unseen” (p. 267, 2.6), but children are innocently vulnerable to those entrusted with their care. In the prior comment, Newman demonstrates a stance required by us in relation to God. Newman (1997) explains, “The Spirit of God creates in us the simplicity and warmth of heart which children have” not the “perfections of His heavenly hosts, high and low being joined together in His mysterious work” (p. 267, 2.6). He asks; “for what are implicit trust, ardent love, abiding
purity, but the mind both of little children and the adoring Seraphim” (Newman, 1997, p.267, 2.6)!

Newman (1997) discusses distinctness with which the conscience of a child tells the child the difference between right and wrong. Newman (1997) explains, “as persons advance in life and yield to temptations which come upon them they lose this original endowment and are obliged to grope about by the mere reason” (p. 267, 2.6). Newman’s (1997) explanations regarding “The Mind of Little Children” begs a response to a question asking oneself; do I live each moment aware of God’s indwelling presence and do I habitually unlock my heart and subject my thoughts to Almighty God? Remaining open to one’s conscience promotes ways in which a person potentially remains humble like a child according to Newman (1997).

In another sermon, Newman (1997) personalizes the theme of the psalmist (Psalm 119: 97-100). He explains that as a child, he received religious instruction by those reflecting the Gospel through integrity of word and deed. Newman explains how they introduced him to the Creator with all His gifts, taught him responsibility in showing appreciation and service for the gifts he received. He says they not only trained him in his duties and taught him appropriate responses; they made certain he accomplished them. Newman explains how obedience to the commandments taught him responsibility and clarity regarding knowledge of God’s Truth. In retrospect he replied, “Your testimonies, O Lord are my study in helping me to learn from within by means of a purified heart, changed will, chastened reins, mortified appetite, restrained tongue, and subdued vision, I became wiser because of obedience to your commandments” (Newman, 1997, p. 1630, 8.8). Through this model, Newman (1997) demonstrates what it means to maintain a childlike stance. He claims there are benefits to observing one’s conscience. Relating his comments to Schrag’s (1986) explanations for developing communicative praxis through
reflecting, recollecting, and distanciation potentially enhances understanding and our potential for improved developments en route to communicative praxis.

**Conscience: Proof for the Existence of God**

Newman (1992) argues the existence of conscience is undeniable because it provides “proof of a Moral Governor” which alone gives it meaning and scope; the reality of a “Judge and Judgment” reveals the phenomena of conscience (p.81). This dual phenomena reveals and affirms the existence of God. Newman (1992) also explains why passions and the social principle (natural law), innate in us, “gives divine sanction to society and civil government as well” (p. 81).

It is evident that conscience, the voice speaking within a person, causes recognition of a being outside oneself, although a person rules his/her heart and conduct by an inward sense of right and wrong and not by the maxims of the external world. This inward sense does not allow a person to rest in oneself, but to seek the One who has put His Word within his/her being. (Newman, 1997, p. 239, 2.2).

Conscience is not a talent nor is it learned but rather it is an innate universal gift. This gift, not intended for any particular or exclusive person, group, or faith, graces everyone. Conscience is unmistakably present within every person including for example, pagans, atheists, or agnostics. The voice of conscience is a “Being exterior to self” (Newman, 1992, p.81). Possibly St. Augustine provides the best example in demonstrating what Newman is saying when he reveals his interpersonal and intrapersonal conversations with God and self in *The Confessions* (Ryan, 1960). This becomes even more understandable when Newman (1997) explains how the rule of conscience mediates the voice of God as a law or command, the law as
an inward sense of right and wrong, binding us to submit dutifully to it (pp.239-241, 2.2). He explains why the content of the law as rule or command and one’s duty are a type of revelation but one occurring naturally in every created person (Newman, 1997, pp. 239-241, 2.2).

Conscience: As Law

According to Newman (1997), God comes to us as “Law and Lawgiver,” prior to learning to reflect on our sense perceptions and “He sets up His throne within us and enables us to obey Him” (p. 933, 4.21). The authority of conscience undeniably recognizes “The Supreme Being is of a certain character, which expressed in human language, we call ethical” (Newman, 1992, p. 447) because “God has the attributes of justice, truth, wisdom, sanctity, benevolence, and mercy” (Newman, 1992, p. 447). These eternal characteristics are the nature and law of “His Being, identical with Himself. As Creator, He implanted this Law, which is Himself, within the intelligence of all His rational creatures (Newman, 1992, p. 447). From this Newman (1992) concludes Divine Law is “the rule of ethical truth, the standard of right and wrong, a sovereign, irreversible, absolute, authority in the presence of men and angels” (p. 447). Newman (1992) then explains that although it eventually became fashionable to consider conscience a creation of humans, he attests to the fact that doctrine is the source for his claiming conscience is the “voice of God” (p. 448).

Demonstrating natural law is not strictly Roman Catholic philosophy, Newman (1992) explains because when Anglicans, Wesleyans, various Presbyterian sects in Scotland, and other denominations speak of conscience, they also mean the voice of God. Hence, it is present in the nature and heart of man, distinct from Revelation. They also speak of an innate principle, existing prior to any training, although most agree training and experience provide strength and
formation. Accordingly, conscience is a constituent element of the mind just as reasoning powers, our sense of order, the beautiful and our other intellectual endowments are. Similar to Catholicism, these denominations consider conscience as the internal witness of both the “existence and the Law of God” (Newman, 1992, pp. 448-449). The reader should note, Newman (1992) previously explained God as being, saying His being remains inseparable from his character and laws.

**Conscience: “A Moral Sense”**

In the sermon “Faith without Demonstration” Newman teaches there is a voice within us, assuring us there is something higher than earth. He explains, we are unable to analyze or define exactly who or what whispers to us because among many reasons “it has no shape or material form” (Newman, 1997, p. 1397, 6.23). Nevertheless, in one’s heart, experience prompts a person toward religion or the guilt of sin. The voice of this “All-powerful, All gracious, Creator” fulfills and sustains our yearning nature and incites us to a noble faith in a Being we cannot visibly see (Newman, 1997, p. 1397, 6.23).

Newman (1997) further explains although it is impossible for humans to conceive fully living forever (eternal time) or the end of the world (temporality), each experiences an awareness that one’s allegiance is not to the world. This consequently results in one’s responding to natural law, to serve God. Scripture completes (affirms) these precepts begun in nature. Both conscience and Scripture raise our consciousness to a level of realization that recognizes that we alone are responsible for what we do. Reality of personal responsibility challenges everyone to recognize that true autonomy does not constitute the destructive individualism found within the
Western Tradition. An authentic sense of autonomy functions as a radical responsibility for self, manifesting personal responsibility as responsibility to God and others along with self.

Newman (1994) also claims that the development of human society “has a new framework, and fosters and develops a new character of mind; and this new character is made of the enemy of our souls” that closely resembles Christian obedience, but with an “accidental likeness” (p. 113). Although Newman’s historical paradigm differs, similar contemporary discussions taking place seem redundant regarding morals, values, and virtues. For example, as cited in Taylor (2007), MacIntyre explains we are in the new dark ages, while Taylor identifies the current culture as secular society, saying, “the nineteenth century saw a great rise in unbelief” with “unleashed freedom to find anything definitive to believe in” (pp. 322-323). However, with rare simplicity, Newman frames the root cause of the issue telling his audience “truth has been sacrificed for expedience” (Newman, 1994, p. 114). According to Newman, lack of truth is a major factor contributing to moral decline, including lax conscience or the lack of virtue (character or excellence).

**Relating Reason and Conscience**

Conscience and reason are so interconnected discerning that their necessary distinction is intricate. In promoting understanding of natural law, Newman (1992) uses various explanations to help others to comprehend that conscience (natural law) commands (as the voice of God) and reason initiates the intellectual process for determining one’s response to obey or disobey the command given. Conscience commands the heart while reason functions within the intellect of humanity. Discovering the intricacy and distinctness of the relationship of conscience (natural
law) and reason becomes discernible through Newman’s (1992) shared insights found within his sermons.

*Parochial and Plain Sermons* is an eight-volume compilation of his sermons. Although Newman (1992) considered “faith and reason” (p. 3) general subject matter for all his sermons, he devoted serious efforts in comparing the complexity of conscience and reason as well. These sermons met the “very real and great, intellectual, and spiritual needs of man----giving depth, precision, and largeness to his belief and apprehension of the Mysteries of God” (Newman, 1997, p. xvii) in Newman’s day. His thoughts currently offer new insights regarding ethics in general and communication ethics in particular for contemporary society as well. The reader should consider for example, how his knowledge of natural law not only improves understanding of the law but also enhances contextual understanding for various philosophical arguments. Some examples include Locke who disputes natural law with his blank slate theory (*tabula rasa*) or Hume who in disagreement with natural law argues that humans are no different from any other animal in the kingdom. Imagine how current knowledge of every person’s innate ability to know right from wrong may or may not influence communication ethics through ordinary daily conversations.

These issues become more definitive, knowing that many Newman scholars like Ian Kerr would concur with W.J. Copeland in claiming “the genuineness and truthfulness Newman (1997) applies to his study and knowledge of himself, his own nature with its manifold powers, capacities, and responsibilities, along with his relation to the supernatural and unseen is uncanny” (p. xvii). Newman’s insights not only refine wide-range understanding about natural law but also advance comprehension of Schrag’s (1986) scholarship regarding communicative praxis and this research regarding communication ethics praxis. For example, Newman’s
discussions on reason begin to develop validity regarding Schrag’s (1986) proposal that rhetoric has potential for becoming a new means of reasoning. Both scholars share similar perspectives regarding value and necessity of established standards, recommending such standards are useful as a tool for assessing one’s progress in a given area. For instance, Newman relies heavily on antiquity, conscience, scripture, and the church as authoritative standards. Schrag explains how the process of reflecting, recollecting, and distanciation based on established standards potentially develops insights that allow one to evaluate his/her communicative progress in achieving praxis. One relevant issue seems to be finding standards contemporary society can agree.

In one instance, Newman (1992) indirectly defines natural law explaining why commands of natural or divine law require obedience while also illuminating the intricacy between conscience and reason. Also, the reader should recall in referencing natural law, Newman says, “He implanted this law, which is Himself, in the intelligence of all His rational creatures, then as the rule of ethical truth; the standard of right and wrong, is a sovereign absolute authority” (Newman, 1992, p.447). This statement claims moral standards are established and illustrates Newman’s declaration that the human standard for right and wrong is God and His law, established from creation. It is God telling us right from wrong, especially when making moral decisions. What Newman does not clarify explicitly is that upon receiving the command (from God), a person reasons whether to obey or disobey then justifies his/her decisions.

Because the law was later adapted for Roman Catholic Christianity, this particular philosophy requires that one continually recall that natural law arose out of Pre-Socratic times. It flourished throughout the Western philosophical tradition, retaining its authenticity and integrity.
of natural law tradition, genuinely remaining moral philosophy within this postmodern paradigm as well. Therefore, Natural Theology, according to Newman (1974), and similarly explained by Augustine (1960) and Aquinas (1984) means God; with His laws is present within every human, from creation, regardless of one’s faith affiliations or lack thereof.

There are many antithetical approaches to natural law; therefore, it is rhetorically appropriate to acknowledge such disagreements. For example, throughout his scholarship, Newman (1997) addresses issues raised by skeptical approaches to natural law, like those posed by Locke and Hume. Skeptical or pessimistic responses, such as Kant’s *Critique of Pure Reason* or Montaigne, who Paschal accuses of “ridiculing all attempts at certainty in anything” (Newman, 2008, p. 246). Newman provides evidence of many such debates. Newman (2008) concludes however, that Montaigne “could afford to play with life, and the abyss into which it leads us” (p. 247). These manufactured arguments (as Newman calls them) do not invalidate Newman’s (1997) discourse on natural law or his that claim holiness, “an inward separation from the world,” remains necessary for admission into heaven (p. 8, 1.1). He explains, “To obtain the gift of holiness is the work of a life” (Newman, 1997, p. 12, 1.1). Newman’s prior testimony reminds us that holiness is love of the Divine Law and this indicates that love of God’s laws internally separates one from the world. Good works, the means of our accomplishments, endowed through God’s grace, strengthen and make visible the holy principle God implants in the heart, and without it (as the Bible tells us) “we cannot recognize Him” (Newman, 1997, pp. 9-10, 1.1). Nevertheless, arguments or disagreement with the principle of natural law does not diminish the tradition, nor Newman’s standpoint. For example, if a philosopher decides to identify ethics as mathematics it does not change the reality that mathematics is arithmetic and ethics is moral philosophy. Criticism may partially be defeated in recognizing that Newman
(1997) notes, “No one is without some good quality or other” (p. 328, 2.14). This insight seems to beg questioning whether seeking common ground, especially in communication ethics should include searching for good qualities in others and overlooking their human flaws.

Comparing Conscience to Reason

Newman (1997) argues, “Our reasoning powers are very weak in all inquiries regarding moral and religious truth” (p. 141, 1.17). He explains, “Clear sighted as reason is on other subjects and trustworthy as a guide, still, in questions connected with our duty to God and man, it is very unskillful and equivocating. After all, it barely reaches the same great truths that are authoritatively set forth by conscience and scriptures; to these divinely sanctioned informants, the probability is it will miss the Truth altogether” (Newman, 1997, p. 141, 1.17).

According to Newman (1997), conscience (the voice of God) “is the first principle of morally outward acts, and done on principle, creates inward habits” (p. 10, 1.1). These “separate acts of obedience to the will of God, good works as they are called, are a service to us, gradually severing us from this world of sense, and impressing our hearts with a heavenly character” (Newman, 1997, p. 10, 1.1). Newman also emphasizes our duty (responsibility) lies in such acts maintaining these “acts of course of every kind, acts of the mind, as well of the tongue, or of the hand; but anyhow-----it lies mainly in acts; it does not directly lie in mood or feelings” (Newman, 1997, p. 160, 2.14). Considering such statements initiates questioning whether Newman is attempting to develop clarity regarding duty in relation to ethics. One may also ask if Newman is saying every person has a personal duty (responsibility) to form interior moral habits that perpetuate moral actions based on natural law. However, Newman does explicitly clarify natural law is the first principle of all moral actions, and morally good behavior based on this
principle, develops interior good moral habits of behavior. These insights are also pertinent regarding ethics in general and the development of communication ethics praxis in particular.

Previously in this research, Newman implicitly identified all communication as moral by referencing it as intercourse. He also retains moral excellence as his mantra. Conversely, what he does not make explicit, and which seems evident from this research, is an explanation that virtue consists of excellence in character, developed from within, for every person; and excellence in moral character, as a human cornerstone, may be essential in laying a foundation for communication ethics praxis. Affirming necessity for communication ethics praxis may additionally enhance understanding why ethics should always remain the cornerstone for communication and rhetorical studies as emphasized at Duquesne University in Pittsburgh, PA.

On the other hand, Newman (1997) explains “In the world, Reason is set against Conscience, and the issue usurps its power, causing men to become ‘wise in their own conceits’ and ‘learning from their own understanding’ they err from truth” (p. 141, 1.17, P.P.S.). Newman (1997) poses an additional caution, warning those highly gifted with “clear, brilliant, and powerful reason.” He says they are in danger because “Intellectual power is fearfully unfolding amid neglect of moral truth” (p. 143, 1.17). This issue, not new for Newman, is simply repetitive testimony of his major conversion experiences. Contextually however, although Newman frames his discussion of the law within a different historical paradigm, MacIntyre (1998) and Taylor (2007) raise similar issues regarding ethics for contemporary society while Calvin Schrag (1986) addresses the ethical stance for communication through his scholarship on communicative praxis. However, unlike other scholars, Newman (1994, 1997) provides significant insights regarding natural law for contemporary research by discussing reason in conjunction with conscience.
According to Newman (1997), our memory and reason frequently deceive us, yet no one suggests it is absurd or irrational to continue to trust them. In general, he says they (reason and memory) prove to be faithful witnesses and only mislead us occasionally. As a result, we should take the chance that they are correct but he cautions us saying that we are pragmatically obligated to dwell upon what is most likely rather than possibilities (p. 124, 1.15).

Using religion as an example, Newman claims that although conscience and reason lead us to resolution and attempts for a new life, they cannot instantly make us love it or obey the commands. It is long practice and habit, which make a person love religion, and at the beginning, no one can make another obey consistently any more than someone can move mountains (Newman, 1997, p. 78, 1.9). Relating this example to moral excellence in all behavior, especially communicative, theoretically indicates that developing communication ethics praxis potentially begins with integrating knowledge of natural law as a means of contextualizing philosophical arguments regarding ethics and following Schrag’s (1986) directives for communicative praxis. Such praxis, however, requires a hermeneutical approach seeking new insights for developing interior moral excellence.

Nevertheless, Newman (1992) also assigns value to feelings in relation to conscience. Feelings have a unique role in the thought of Newman. Newman (1992) claims feelings are beneficial in creating the initial exercise of conscience and reason by removing the arduous sense related to the command, often occurring at the onset. According to Newman (1992), feelings provide an impulse, potentially carrying us over the first obstacles, rather than allowing obedience to the command to feel overwhelming. Along with Augustine, Newman (1997) claims that following the laws of God become joyful when one aligns his or her free will with God’s will (pp. 76-82, 1.9). Newman also recommends that when obedience appears too severe or
trying, whether due to reason, imagination, or feelings, one should remain silently humble and submit all his/her faculties by turn, “without complaining about the sublimity of its range” (Newman, 1997, p. 1335, 6.18). He also validates the role and authority of the Church saying God shares “His infinite love and power with the Church, in Christ’s place, to guide us along the way of life” (Newman, 1997, p.13, 1.1). Maintaining one’s perspective regarding natural law often requires recalling that the law is not exclusively Christian, especially when reviewing sermons specifically directed to Christian congregations. As this law relates to Natural Theology (natural law or Voice of God) Newman (1997) also explains God’s promised grace supports everyone as well and “grace is not given that people may know more” but “that they do better” (p. 131, 1.16). Therefore, as this research continues, questioning how reason and conscience interact as a spiritual or intellectual function of humanity is relevant.

**Confusing Reason with Conscience**

In saying, “where civilization exists, reason in some shape or other, is the incentive or the pretense of development” (Newman, 1992, p. 77). Newman (1992) assertively explains that one may use reason to convince oneself of almost anything (p. 77). This issue becomes more understandable as Newman (1997) explains, “Conscience and Reason in subjection to Conscience are powerful instruments (under grace) which change a man” (p 78, 1.9). Consider for example, without much forethought, a person routinely trusts his/her memory and reasoning power, even though people frequently use it to deceive themselves (Newman, 1997, p. 124, 1.15). Stating another case in point Newman (1997) strengthens his claim. He claims in such mundane practices like sleeping or travel, confidence in our memory is so strong that one person might reason with another all day without successful persuasion. They may, for example, try to
convince us that we slept through a day or provide details of events occurring upon our return from a journey, differently than our own recollection of the same events (Newman, 1997, p. 124, 1.15).

Recalling various aspects of standpoint theory supports understanding for Newman’s (1997) discussions. Remembering how the strength of one’s position and the power of one’s biases influence our insights and responses to a given idea or issue becomes beneficial. It affirms ways in which human reasoning may potentially not only allow us to convince ourselves of almost anything but it also makes dissuasion difficult as well. Newman (1997) claims this effect is the result of misplaced trust in the general soundness of one’s personal reasoning powers (p. 124, 1.15). This single act distorts reality, resulting in committing sin (error). Newman (1997) identifies the sin (error) as misplaced trust and explains that this misplaced trust is trust in self, rather than God, (p. 124, 1.15).

In this context, Newman (1997) explains his reasons for striving to accomplish moral excellence arguing that humanity must realize holiness is a prerequisite for entrance into heaven and such holiness is only obtainable through love and obedience to God, especially His laws. Newman (1997) explains Conscience as the voice of Truth (God). Accordingly, knowledge and obedience to the will of God is the valid objective of Conscience. The object of reason is truth and if reason fails to attain truth, “either the premise or the process is at fault” (Newman, 1994, p. 218). Newman (1997) also reasons, “We obey God, primarily because we actually feel His presence in our Conscience bidding us to obey Him” (p. 129, 1.15).

God blesses every person with grace (His love) to influence, guide, and strengthen each in performing his/her duty towards Him and others (Newman, 1997, p.129, 1.15). Previously it was noted that recipients of God’s grace are not particular, exclusive, or select groups of people,
but God’s grace remains constant for everyone. For example, God gives His grace to all humans, as sinners and immortal beings, not exclusively “to reasoners, disputers, or philosophical inquirers” (Newman, 1997, p. 131, 1.16). Grace helps each person accomplish God’s will. Grace instructs all persons as to who and what they are, where they are going, what each must do, and how to do it, thus enabling everyone to change his/her flawed nature from evil to good.

According to Newman (1997), God’s grace allows us “to make ourselves a new heart and a new spirit” (p. 131, 1.16). However, grace does not reveal anything for the sake of saying it, neither directly to someone, nor through His Holy Word, nor “does the Holy Spirit act for us” (Newman, 1997, p. 131, 1.16). Conscience (natural law or voice of God) tells us what to do, reason determines the response, and grace provides the strength for such accomplishments, but every individual is responsible to carry out the commands given to him/her through his/her conscience. This explanation does not validate individualism but rather promotes praxis of genuine autonomy integrating responsibility of self with responsibility to God and others.

Rewards are abundant for following God’s will, according to Newman (1997). He explains how obedience to God potentiality permits someone to gain awareness through self-knowledge and suggests that self-knowledge may be the first step towards knowing God. Using a child as an example, he asks his audience to imagine a child who under God’s blessings profits from his teacher’s guidance and trying to accomplish his duty to please God perceives there is much in him which should not be there. His own natural sense of right and wrong tells him, peevishness, sullenness, deceit, and self-will are tempers and principles that should cause guilt and shameful feelings about such bad tempers and principles in ones heart. As a person ages he or she develops a more mature understanding about these issues. Wishing and striving to respond to the law of conscience, one often discovers even with utmost efforts and intense prayers, he/she
continues to fall short of what he/she knows is right and the aim to achieve it. Therefore, respecting one’s conscience assures a more powerful and enlightened guide, as it becomes more refined and challenging (Newman, 1997, 8.8). Some may identify or explain this as informed conscience. However, the reader should again recall that education and knowledge are not prerequisites for knowing right from wrong nor hearing or obeying the voice of conscience.

**Discerning Conscience and Reason**

Conscience and reason both lead but their leadership role is different. God leads conscience while reason leads through intellect. As previously stated, God and His laws are inseparable in the nature of God. Also previously noted, reason does not have this kind of knowing and cannot always be trusted. However, one can always trust what comes by way of conscience because it comes from God according to Newman. Like Aquinas, Newman (1997) explains, “I mean our certainty that there is right and wrong, that some things ought to be done and other things not done; that we have duties, the neglect of which brings remorse: and further that God is good, wise, powerful, and righteous, therefore, we should obey Him” (p. 140, 1.17). All these notions and a plethora of others like these come from natural conscience, meaning “They are impressed on our minds from our earliest years without our trouble” (Newman, 1997, p.140, 1.17). However, unlike reason, “They do not proceed from the mere existence of our minds although it is true they are strengthened and formed thereby our intellect” (Newman, 1997, p. 140, 1.17). These ideas proceed from God “whether within us or without us; though we cannot trust them as implicitly as we can trust the Bible” (Newman, 1997, p. 140, 1.17).

Newman claims Scripture is the most reliable source for written truth (Newman, 1997, p. 5, 1.1) explaining it is trustworthy because these truths, preserved in writing, cannot be lost or
altered. He also confirms that placing trust and belief in following conscience, even if one later discovers it to be incorrect, remain the best policy. Using the biblical account of St. Paul in Acts 23:1, Newman (1997) again provides an example for contextual understanding.

Paul, convinced he was correct in killing Christians, was a man of conscience (Newman, 1977, p. 140, 1.17). Although Paul judiciously relied on his conscience and later discovered his erroneous behavior through revelation, he was not liable for the sin of “self-confidence” (Newman, 1997, p. 140, 1.17). Giving his own account of the issue (Acts 23:1), Paul says, “I have lived in all good conscience before God until His day” (Newman, 1997, p. 292, 2.9). Commenting on this account, Newman (1997) explains, “there is no ease, no self-indulgent habits, no willful sin against the light, I will say no pride” (p. 292, 2.9), which verifies that Paul lived according to conscience yet once enlightened, he corrected his erroneous behavior. On the other hand, Newman (1997) cautions about the impossibility of discerning the conscience of another and says although no one can detect falsehood for another, “we can help each other” (p. 199, 1.24). While every man must “discern for himself information given through natural conscience it can be trusted as confirmed in Scripture” (Newman, 1997, p. 199, 1.24).

Explaining natural law as the presence of God and His laws within each person, Newman (1997) provides supportive evidence saying those who seek the unseen God, “seek Him in their hearts and hidden thoughts, not in loud words, as if He were far off from them” (p. 157, 1.19). Such is Christ’s gracious promise in the Bible. The promise of the new covenant reveals God is within every human person, and the spirit of Jesus Christ is within those baptized, which rejuvenates them and provides additional guidance, strength, and comfort. Accordingly, Jesus Christ did not engage temporality to eliminate the laws of God but to fulfill them by changing the frame of reference from duty to desire (Newman, 1997, 1.19).
This standpoint framed everything Newman said and did. He consistently expressed a desire to follow God’s will in this temporal space and to spend eternity in God’s presence (Newman, 1997, 1.19). For Newman (1997), praxis of moral excellence in all behavior, especially communication is the most appropriate way to achieve this ambition. However, remember once again, natural law does not exclusively belong to any person or group but remains the universal reference point, as first principle of morality for all humanity.

Silenced Conscience

There are ways of ignoring or silencing natural law (Newman, 1997, p. 203, 1.24). Newman claimed that most people, living in neglect of God, silence their conscience (natural law) or promise God they will repent sometime in the future (Newman, 1997, p. 11, 1.1). This was one of the sins Augustine discussed in The Confessions. Saint Augustine himself admitted that he maintained this stance for many years before submitting to the will of God (Ryan, 1960). Also, the voice of God does not actually become silent, but rather the listener develops a deafness.

Reviewing the effects of conscience reminds us of the force of habit. At first conscience warns us against sin but ignoring it, conscience “soon ceases to reprimand us, making sins once known in time, secret sins” (Newman 1997, p. 37, 1.4). Therefore, silence becomes a metaphor for ignoring natural law (Newman, 1997, p. 203, 1.24). However, he also explains, realistically, “the conscience of sinners speaks loudly to them about the wrath of God” (Newman, 1997, p. 203, 1.24) providing testimony that God’s presence remains in the interiority of every person, even when sin occurs.
People easily convince themselves (reason) those strong declarations of Scripture are figurative or no longer relative. In circumstances like this, “Conscience has been silenced” (Newman, 1997, p. 204, 1.24). Newman explains how the Pharisees were lawbreakers, the Gentiles, reasoners, and public officials, infidels. The Gentiles also “took pride in regarding all religions as equally true or false” (Newman, 1997, p. 293, 2.9). However, “they were proud and despised the voice of conscience” (Newman, 1997, p. 105) thereby, illustrating the commonly held “creed of shallow men, in every age, who reason a little and feel not at all, who think themselves enlightened and philosophical” (Newman, 1997, p. 204, 1.24). Newman concludes saying, “The Holy Spirit is quenched by open transgressions of conscience and by contempt of His authority” (Newman, 1997, p. 293, 2.9).

Accordingly, he explains that what these shallow thinkers received concerning God came from Natural Theology but only speaks to them of benevolence and harmony. He explains how such people refuse to credit Scripture and simply seize parts conforming to their own opinions. Many argue duty only requires us to solace ourselves here (in moderation of course) with the goods of this life and their only duty is an expression of gratitude for the gifts received. They count fully on God’s mercy and believe amendment is sufficient to atone for offenses. His or her philosophical views on human nature contend all people should remain all embracing, all accepting, and all loving for all people, at all times. This is what matters to them. The inconsistencies of their youth in their practice of faith and religion are history and because they forgot their sins, God does as well. Newman (1997) says in these views, “We see nothing there of ‘God’s wrath, of which the conscience of a sinner loudly speaks” (p. 203, 1.24).

Newman (1997) argues that when a man deceives himself into trusting his destiny to what the heavens tell Him, instead of consulting and obeying his conscience, and/or he
misinterprets and perverts the whole tenor of Scripture, “conscience is silent” (p. 204, 1.24). However, this perception is “imagined, not real” (Newman, 1997, p. 205, 1.24). God’s presence remains. We can metaphorically use a radio to imagine what Newman is saying. Sound waves make the sound of the radio accessible to anyone who wants to hear it. However, if a person wants to hear the transmission he/she simply needs flick a knob and turn the radio to the on position. On the other hand, if he/she does not want to listen to the radio they simply turn the dial to an off position and the sound is no longer audible.

There are many schools of ethics according to Newman. Many such schools associate religion or ethics with the “exercise of excited feelings” and envision “God solely as a God of Love” (Newman, 1997, p. 409, 2.23). These persons believe they converted from sin to righteousness by the “manifestation of God’s love to their souls” yet fail to recognize a need to work out salvation because their presupposition considers how Christ did it for them, therefore, “they do not feel a need for moral change” (Newman, 1997, p. 409, 2.23).

A final group, “those of a mystical mind, untutored imagination, and subtle intellects, follow the theoria of the old Gentile philosophy” (Newman, 1997, p. 409, 2.23). These individuals propose the “human soul is pure by nature; sin is an external principle corrupting it; evil is destined to final annihilation; Truth is attained by means of imagination; conscience, a taste; holiness as a passive contemplation of God; and obedience a mere pleasurable work” (Newman, 1997, p. 410, 2.23). These individuals are also accustomed to make love the one principle of life and providence, in heaven and earth, as if it were a pervading spirit of the world, finding sympathy in every heart, absorbing all things in it and kindling a rapturous enjoyment in all who contemplate it. They “sit at home speculating, and separate moral perfection from action” (Newman, 1997, 2.23 p. 410). This approach is the antithesis of communicative praxis.
Newman (1997) claims that failure to recognize God as both Love and Wrath is not only a rejection of Scripture but a rejection of conscience as well (pp. 410-411, 2.23). He also says, “Our conscience gets corrupted, true; but the words of truth, though effaced from our minds, remain in Scripture, bright in their eternal youth and purity” (Newman, 1997, p. 38, 1.14). Truth indeed, “has power in that it forces man to profess it in words” but when they go to act instead of obeying it, “they substitute some idol in place of it” (Newman, 1997, p. 44, 1.15).

However, when one chooses to embrace the cross by “speaking the truth in love” and “loving the truth” like saints John and Paul, he/she will recognize “the excellence and beauty of self-denial, and austerity, the hazard of disbelieving the Catholic Faith, and the duty of zealously contending for it” (Newman, 1997, pp. 410-411, 2.23). Thus this recognition calls for humanity to suppress their feelings, embrace discipline, and become loving in the midst of “firmness, strictness, and holiness” according to Newman (1997) who assures everyone that humanity can prosper when they embrace the wrath of God in the same way they embrace His love, as “real characteristics of His glorious nature” (p. 411, 2.23).

Sources of Authority

As previously discussed, Newman (1997) proposes conscience, antiquity, scripture, and the church, function as sources of authority for all humanity. These sources set precedence for knowing and following Truth. These four sources, individually or collectively, establish standards for moral guidance. Newman (1997) claims natural law is innate as conscience and conscience echoes the voice of God within every person. Hence, natural law constitutes the natural order of creation. Conscience is a three dimensional human phenomenon as innate, indelible, and although unique in individual experience, universal without exclusiveness.
Newman (1979) argues “what is not universal has no claim to be considered natural, right, or of divine origin” (p. 314). Newman (1992) explains, God speaks clearly to humans in two ways, in our hearts and in His Word.

Returning to the biblical account of St. Paul’s conversion as an example, Newman (1992) explains St. Paul did not know the Word (Bible) but obeyed his inward voice of conscience. According to Newman (1992), this voice for Paul, obscured with human feelings and traditions, distorted in part what Paul thought his conscience was telling him. However, regardless of his erroneous behavior, God’s grace and Revelation re-directed Paul’s actions for good. Contemporary humanity shares the same human tendencies as Paul and all other humans throughout history.

Revelation according to Newman is the manifestation of the “Invisible Divine Power or the substitution of the voice of the Lawgiver for the voice of conscience” (Newman, 1992, p. 109). Again, recalling the story of St. Paul, Newman concludes by explaining that regardless of how we learn God’s will whether from scripture, antiquity, or what St. Paul calls ‘Nature’ striving “for certainty that it is His will is what really matters” (Newman, 1997, p.272, 2.7).

**Summary**

Newman provides significant evidence supporting his claim that natural law is innate within every person as conscience, naming it the voice of God and demonstrates why God is an undeniable reality. He argues conscience is “the closest source of knowledge, independent of books, educated reasoning, physical knowledge, or philosophy” (Newman, 1979, p. 304). Accordingly, conscience not only teaches the existence of God, it also “provides for the mind a real image of Him as being, His rule, and a code of moral duties” (Newman, 1979, p. 304).
Newman (1979) views Roman Catholicism as a natural progression on a continuum beginning with creation. His scholarship attests to the authority of antiquity, tradition, scripture, and the Roman Catholic Church including its Magisterium (teaching authority).

Newman (1996) uses his own personhood to prove the existence of God and successfully argues for instituting the discipline of Theology into universities using their claim to teach universal knowledge in support of his proposal. Newman explains God is a metaphysical, historical fact and “truth in the natural as well as the supernatural order” (Newman, 1996, p. 29). He clarifies how and why the dual phenomena of conscience as “Law and Law Giver” reveals and affirms the existence of God as well (Newman, 1992, p. 81).

In still another way, Newman (1994) elaborates on the Christian distinction, claiming that Jesus Christ also proves the existence of God. He explains why discussing God, as a purely metaphysical subjective being is erroneous and substantiates his claim saying in the fullness of time God became man, fully human, fully divine, like us in all ways but sin. Expounding on the topic, he goes on to say, Jesus Christ, as son of God, is “God a righteous Judge and above all, our Savior, as our visible Lord God takes the place of the world as only begotten of the Father, having shown himself openly, that we may not say that God is hidden” (Newman, 1994, p. 65). He also argues God established the rule of ethics as indelible within human nature as part of the laws of nature (Newman, 1992, p. 447).

Newman’s sermon the “The Incarnation” also demonstrates Jesus Christ, called the Word of God, mediates between the Father and all creatures; “bringing them into being, fashioning them, giving the world its laws, imparting reason, and conscience to creatures of a higher order, and revealing to them in due season the knowledge of God’s will” (Newman, 1979, p. 246, 2.3). Christians, assured of some reality though mystical fellowship with the Father, Son, and Holy
Spirit recognize this real presence of fruits and grace of Jesus Christ in the soul, claiming God is one with every believer, “as in a consecrated Temple” (Newman, 1979, p. 249, 2.3). Newman defines a true Christian as one who has a ruling sense of God’s presence within oneself. He further explains saying the following:

Revelation in Scripture is not a mere collection of truths, not a philosophical view, not a religious sentiment or spirit, not a special morality, poured out upon mankind, mixing with mankind as a stream might pour itself into the sea, mixing with the world’s thought, modifying, purifying, invigorating it; but an authoritative teaching (1979, p. 304).

He continues to explain that Scripture “bears witness to itself and keeps itself together as one, in contrast to the assemblage of opinions” (Newman, 1979, p. 304). It speaks to all humans, as “being ever and everywhere one, and the same, and claiming to be received intelligently by all whom it addresses, as one doctrine, discipline, and devotion directly given from above” (Newman, 1979, p. 304). Newman (1979) claims Christianity is an extension or progression of religion of nature (p. 304). Newman (1979) explains, “By Religion I mean the knowledge of God, of His Will, and of our duties towards Him” (p. 305). Nature furnishes three channels to help us “acquire this knowledge, viz. our own minds, the voice of mankind, and the course of the world; that is of human life and human affairs” (Newman, 1979, p. 305).

**Conclusion**

Newman’s scholarship and sermonic discourse constitutes communicative praxis through his epistemological communication by someone, about something, for someone while retaining integrity of thought, word, and action. In significant ways, his rhetorical approach improves our understanding of ethics for communicative praxis. His responses to numerous antithetical
discussions regarding moral philosophy indicate how discussions regarding ethics are riddled with opinions (doxa) appearing throughout the Western tradition. His usual references to communication as intercourse reveal explicitly his perspective that all communication requires an ethical foundation thus demonstrating the relevance for communicative praxis. Newman’s thought and practice relating to natural law significantly correspond to some insights that appear in the work of Schrag (1986) and of MacIntyre (1984; 1998).

**Antithetical Viewpoints Regarding Natural Law**

Newman’s (1979) natural law discourse not only improves meaning and understanding of the law, but also serves to enhance understanding of various philosophical debates regarding ethics. Newman (1979) disputes several antithetical viewpoints like those of Locke, Hume, Pascal, and others regarding natural law. For example, although Newman expresses great respect for the character and abilities of Locke he strongly rejects Locke’s empirical ideas, relating to natural law. Not only does he disagree with Locke’s *tabula rasa* theory he also disputes Locke’s contention that reason rather than conscience or revelation “is the ultimate judge of faith” (Newman, 1979, pp. 139-140). Newman (1979) counters Locke’s claim that reason and convictions “are irrational, enthusiastic, perverse, or immoral” by explaining why reason and convictions are natural, making them legitimate (pp. 139-140). Newman (1979) explains why problems with Locke’s theories result in Locke’s consulting his own ideal of how the mind ought to act, instead of “interrogating human nature, as an existing thing, found in the world” (pp. 139-140). According to Newman (1979), this issue “requires psychological facts to determine our constitutive faculties and proper conditions whereas Locke would form men as he thinks, into something better and higher” (pp. 139-140). In his usual style, Newman (1979) prefers to
reference facts rather than speculation to substantiate his claims. He claims, “Abstract arguments are always dangerous” (p. 136) and explains, “Intellect and imagination are common for all humans” (Newman, 1979, p. 93). Newman (1979) argues that all things “in the exterior world are unity and individual” (p. 29). Nevertheless, “the mind not only contemplates the unity; realities, as they exist, but has the gift, by an act of creation, of bringing before it abstractions, and generalizations, which have no existence, no counterpart, out of it” (Newman, 1979, p. 29). Newman (1979) concludes, “It is in human nature to be more affected by the concrete than by the abstract” (p. 50).

Previously Newman (1979) also specified why assent does not require comprehensive understanding and explains how Locke and Gambier’s oppositional positions erroneously teach complex degrees of assent. Such teaching results in Newman (1979) explaining why their assertion destroys assent as an act of the mind altogether. Newman (1979) explains how Locke incorrectly labels “probabilities as assent, rendering moral certainty merely as strong inferences of a proposition; leaving ‘doubt, wavering distrust, and disbelief’ as nothing more than strong contradictory probabilities” (p. 146). Newman (1979) argues, “Probable reasoning can never lead to certitude” (p. 136). He also comments on ways in which Hume like Locke entertains a personal hypothesis (Newman, 1979, p. 93). Newman (1979) explains that Hume disregards natural law and “entertains” his vivid imagination hypothesis, “mocking natural law as a necessary inviolable law” (p.81). Like others, Bacon also disputes natural law, contending that we extend our power over nature, thus “denouncing traditional interpretations of facts” (Newman, 1979, p. 82). Regardless, Newman’s (1979) natural law discourse provides evidence supporting this dissertation thesis and demonstrates potential benefits knowledge of natural law
provide for contextualizing philosophical arguments regarding ethics, thereby improving on-going development for communication ethics.

**Communication as Social Intercourse**

Newman (1997) considers all communication as ethically charged. For example, he usually references communication as [social] intercourse and claims that truth exists. Newman sees the human pursuit of truth as necessary, and normative. Synonyms for intercourse indicate that Newman’s commitment to communication is social in nature. For example, Newman (1997) explains that God not only views us as individuals but also as a body. According to Newman (1997), God views us as a certain definite whole of which parts may alter the process of disengaging from the sinful world----with reference to some glorious and harmonious design upon us, who are the “immediate objects of His bounty” and shall be the “fruit of His love, if we are faithful” (1997, p. 304, 2.11). What becomes most evident is Newman’s (1997) perspective that all communication requires ethics as foundational in expression and authentic truth in its exchange. This then supports understanding why communicative praxis always requires truthful discourse.

Newman (1997) claims conscience binds us to seek truth (p. 320). Newman (1997) also explains certitude is right conviction in that “Truth cannot change; what is once truth is always truth; and the human mind is made for truth, and so it rests in truth; as it cannot rest in falsehood” (p. 181). Similarly, one finds Augustine expressing these sentiments in explaining our hearts remain restless until they rest in God (Ryan, 1960). According to Newman (1997), not only does truth exist, our intellect, made for truth, “can attain truth and having attained it, can keep it, recognize it, and preserve the recognition” (pp. 82-87). He concludes that truth is the
building principle all humanity desires and seeks although one may not be conscientiously aware of it. Although truth exists, it often requires education for its acquisition. However, without education God [Truth] communicates with us privately and individually through conscience. The use of reason is weak regarding moral or religious truth, but reason becomes strengthened by subjecting it to conscience.

Referring again to the story of St. Paul in Scripture, Newman (1997) assures audiences that as long as we are seeking truth, even though mistakes occur, ultimately the unchanging truth is obtainable. Additionally, Newman (1997) explains, “Matters of faith, indeed, He reveals to us by inspiration, because they are supernatural: but matters of moral duty, through our conscience and divinely guided reason” (p.272, 2.7). Newman (1997) argues “matters of form by tradition and long usage, bind us to the observance of them even though are not enjoined in Scripture” (p.272, 2.27)

This chapter explored some communicative implications that knowledge of natural law provides for communication ethics. First, natural law as part of the laws of nature is universal in claiming that all humans enter the world equipped with moral standards and a moral compass promoting one’s innate ability to know right from wrong. Human nature in all ages and all countries remains the same “mutatis mutandis continuation of civilization which began in Palestine and Greece” (Newman, 1996, p. 169).

The pursuit is available, desirable, and normative for all humans according to Newman. A silenced conscience (voice of Truth) does not indicate disappearance of conscience from a person but simply means a particular individual has chosen to ignore or disobey his/her conscience repeatedly.
In similar ways, Schrag (1986) provides evidence to support many of Newman’s claims regarding communicative praxis. For example in considering the ethical and social aspect of communication we find that Schrag (1986) invokes many opportunities to explain how communicative praxis moves discourse from monological to dialogical. He argues that within dialogue speakers move back and forth in a conversation with one another and reveal thinking that becomes difficult to trace back to its origins. Such dialogue constitutes a co-development of creativity (Schrag, 1986). Similar to Newman, Schrag (1986) claims such creativity results from the reality that, “No ‘I’ is an island entire of itself; every subject is a piece of the continent of other subjects, a part of the main of intersubjectivity” (Schrag, 1986, p. 125).

Schrag (1986) also explains that hermeneutical philosophy, communicative praxis, multiple interpretations of human experience, and conversations provide possibilities for the future. Schrag (1986) further explains communication as “a ubiquitous phenomenon pervading both the private and public sphere,” thus establishing the reciprocity of the act and action (p. 21). Schrag (1896) elaborates, saying the “space shared by communication is a space shared by praxis” (pp. 21-23). Therefore, as Schrag (1986) explains, communicative praxis consists of two dimensions simultaneously: “it is linguistic and actional; it is distinctively rhetoric of speech and rhetoric of action” (p. 22). Communication “imparts objective knowledge while the disclosure itself shares intersubjective concerns independently illustrating the signifying power of speech and language and the intentionality of action” (Schrag, 1986, p. 22).

Although Schrag (1996) suggests rhetoric may potentially become a new reasoning, one might first consider another hermeneutical approach in developing appropriate rhetorical responses that potentially enliven natural law or rekindle a silenced conscience within contemporary society. For example, Newman (1997) says that “Deafness to the voice of God”
and “hardness of heart” is symptomatic in those who do not seek God with all their heart (p. 141, 1.17). Practices that lead to hardness of heart, leaving one open to weakness (lack of sufficient grace) include consistent refusal to obey the voice of God or lack of time spent daily in prayer (Newman, 1997, 1.19 p. 163). Contemporary factors may also include excessive noise created by technology in multiple arenas, the lack of designating daily time for silence, or failure to schedule reflective time. For example, Newman (1996) claims that contemplation of the universe “leads onwards to divine truth” for “divine truth is not something separate from nature, but it is nature with a divine glow upon it” (p. 38).

Of equal value is the argument of MacIntyre (2007) regarding his seeing an existing need to move discussion of moral philosophy from the scholarly arena to the “plain people” suggesting that it potentially opens pathways to improve understanding that may result in improved moral practice. It becomes obvious that Newman demonstrated this result through his sermonic discourse. His congregations and readership are vastly diverse yet he intentionally addresses the commonality present within all humanity showing moral philosophy is a human affair, especially through communication.

Newman’s (2008) hared knowledge about natural law constitutes communicative praxis. He claims it is our duty to fulfill our nature through doubting, inferring, or assenting. Newman (2008) insists that our “duty is, not to abstain from any function of our nature but to rightly do what is in itself right, rightly” (p. 28). The guiding impulses and ideas of Newman depend thoroughly on natural law principles that propel communicative praxis within a well-defined ethical frame.

Therefore, consistent with MacIntyre’s philosophy and Schrag’s communicative discourse this chapter suggests that by utilizing a hermeneutical approach and asking new
questions in relation to Newman’s discourse on natural law an opening for the space of “intersubjectivity” for communication ethics praxis becomes possible.
CHAPTER SEVEN
COMMUNICATIVE PRAXIS AND THE NATURAL LAW

Introduction

The central purpose of this study has been to discern the implications of natural law for
communication ethics, specifically to expand our knowledge through a constructive hermeneutic
approach that develops “horizons of significance” (Schrag, 1986, p. 97). Explaining and defining
natural law and tracing its lineage throughout history became one means of distancing oneself
and allowing its historical development, and evidence to enhance meaning and understanding for
communication ethics as praxis. Defining and explaining natural law, ethics, and philosophy
provides insights that enhance understanding about ways in which these terms are distinct yet
interconnected. As MacIntyre’s (1998) narrative account of the history of ethics informs this
study, insights from this study on natural law improve understanding of his scholarship and
therefore, improve communicative praxis. Exploration of the Liberal Arts Tradition together with
the Catholic Intellectual Tradition clearly shows that a narrative account of natural law also
enhances understanding about how and why this law remains a philosophy of ethics for all
people, in all places, for all times. This claim continues to be defined and explained in various
ways throughout the study and its conclusion.

The thesis claims that basic knowledge about natural law remains essential for
developing necessary context that potentially improves understanding of various arguments
about ethics, especially communication ethics. The rationale for this engagement in
communicative praxis proposes that when scholars can more fully comprehend many of the
philosophical arguments about ethics, “horizons of significance” will develop (Schrag, 1986,
As horizons of significance develop they will become sources for “rhetorical turns” (Schrag, 1986, pp. 72-94) and these significant turns will allow communicative ethical transformations to follow.

As new insights develop, scholars, as participants in communicative praxis, are able to contribute more comprehensive meaningful improvements in the praxis of communication ethics. A synthesis of the study identifies key points that may assist scholars in considering the impact that knowledge of natural law has for communication ethics and reveal several ways in which communicative praxis assimilates principles of natural law. The philosophy and rhetoric of these two ideas share in a reciprocity that equates with goodness. Communicative praxis, explained and defined by Schrag (1986), shares in many aspects of natural law, while many of the ideals of natural law appear in the process that Schrag (1986) explains as necessary for achieving communicative praxis. For example, MacIntyre (1998; 2007) and Schrag (1986) propose ways to develop moral character traits, illustrate the necessity for reflective assessment of one’s communicative behavior, emphasize the role of reason in achieving excellence in human dialogue, and each remain diligent in efforts to enhance human understanding about communication and ethics. This study captures an understanding of the essence of natural law and shows its communicative implications for all discourse or communicative behaviors.

This particular chapter discusses several key insights from the study. This synthesis has a few basic divisions. The first discusses the background to natural law together with some of its communicative implications. Second, it summarizes and synthesizes contributions of Augustine, Aquinas, and Newman about natural law, including several communicative implications. Third, the discussion provides contemporary examples of practical implications of natural law for communication ethics. Finally, the chapter explores a constructive hermeneutical approach,
summarizing some of the insights and challenges that are currently confronting communication scholars. In seeking understanding through participation in constructive hermeneutics, scholars may agree that we are walking the philosophy and rhetoric of communicative praxis into the twenty-first century.

**Natural Law as Background for Communication Ethics**

Communication scholars and the general populace (those persons MacIntyre (2007) identifies as “plain persons”) are repeatedly confronted by real issues, which are involved in communication ethics. We live in a time of narrative contention, moral chaos, and social upheaval. MacIntyre (1984; 1998) and Schrag (1996) specifically identify several issues contributing to the confusions about morality. They provide momentous insights that help scholars to think through the problems so as to develop new insights and potential solutions. Moral and ethical issues abound without resolutions. This remains an emphasis of both MacIntyre and Schrag, who devote much attention to such unavoidable issues. Throughout the study implicit yet obvious issues are also identified as obstacles to understanding. For example, attentiveness to rhetorical distinctions and explanations remains deficient as we cross the permeable boundaries of each discipline in the Liberal Arts Tradition, and through this study some of these deficiencies become clear.

Alastair MacIntyre and Calvin Schrag are two communication scholars who take a constructive hermeneutical approach to identify several primary obstacles in the study of communication ethics. Their insights support the call for the development of communicative praxis. Similar to Augustine (1960), Aquinas (1948), and Newman (1979; 1994), the scholarship
of MacIntyre (1998) and Schrag (1996) also addresses truth and justice in relation to communication ethics.

MacIntyre (1998) and Schrag (1996) explain additional objective issues that are contributing to misunderstandings. For example fragments of conceptual themes, lacking context, have prevented comprehension of ethics as theory and practice for morality (MacIntyre, 1998, p.2). This study affirms that knowledge of natural law has suffered a similar fate and the lack of a narrative account of this principle inhibits comprehension of ethics, especially communication ethics. Schrag (1986), like MacIntyre, also claims that issues like this impede understanding and prevent praxis. Therefore, misunderstanding functions as a serious obstacle to communicative praxis. In response to some of the claims and challenges proposed by MacIntyre (1998; 2007) and Schrag (1986), this study provides essential context for many arguments about ethics. On the other hand, it becomes relevant to note that identifying problems actually positions scholar’s mid-way toward finding solutions.

Beyond the lack of distinctions, Schrag (1986) and MacIntyre (1998) attend to emotivism, narcissism, rampant individualism, misunderstanding of ethics in general, and the contemporary need to establish personal reflective time daily. Another misunderstanding includes an erroneous conception that natural law, or even moral goodness in some cases, explicitly and solely relates to Christian theology. This conception results in part because of the explicit emphasis on the Divine Command theory. A personal search for understanding illuminated the negative effects of missing explicit knowledge of natural law in relation to philosophical conversations about ethics. This lack of necessary context creates additional confusion. Such confusion prevents comprehensive understanding thereby making it obvious that basic knowledge of natural law, serving as a pre-cursor to the study of ethics, frames an essential
contextual foundation that may assist scholars in developing improved understanding for many philosophical arguments found within the Western Intellectual Tradition regarding ethics, especially communication ethics. The study also vigorously stresses the necessity for rhetorical distinctions and explanations, as a means to minimize misunderstandings, as we cross the permeable boundaries of each discipline as well.

**Synthesized Understanding of Natural Law**

Augustine, Aquinas, and Newman consulted tradition and developed consistent definitions and explanations for improved understanding of natural law in very distinct historical paradigms. Each of them identified important general aspects of natural law and provided some unique insights as well (horizons of significance in Schrag’s terms). All three scholars emphasized that natural law primarily remains moral philosophy. Augustine was the first to connect and illustrate the similarities between natural law and Christian Catholicism. Aquinas demonstrates the value of consulting the tradition as a means to enhance explanations that develop meaningful understanding. He recaptured the value of knowledge found throughout the tradition, including Aristotle’s work in relation to natural law and ethics, yet he never developed a moral theory of his own. Aquinas simply sought ways to make the essence of natural law better understood. Newman focused and highlighted natural law in identifying conscience as an expression of natural law. Newman explains how conscience (natural law) as the voice of reason, remains informed by the voice of God, with or without conscious awareness. Augustine not only claimed that natural law remains implanted in the conscience of every human (*Conf.* 1.18.29), but he also explained that in addition to the five bodily senses, humans have another sense called an inner sense. He claims that this intuitive sense functions far more importantly to the bodily
senses in that this inner sense controls and judges bodily senses and remains far more excellent than the bodily senses themselves (OFC, 1964, 2.42-45). Augustine claims that this sense, rather than the five senses used for seeing, hearing, smelling, tasting, and touching, equips humans for the capability of apprehending a distinction between justice and injustice. This intuitive sense functions within reason.

Although the insights and explanations of Augustine and Newman concur with the view of Aquinas, he (Aquinas) explains natural law with an unmistakable clarity. Aquinas succinctly defines and explains the four kinds of law. In the Summa he explains that eternal law, the law of God, expresses the providential ordering of nature to its specific intended end. In humans it is called natural law. Divine law pertains to the explicit commands of God. For example, the Decalogue (Ten Commandments), and/or the Two Great Commandments are enactments of divine law. Koterski (2002) summarizes Aquinas, explaining that natural law “invokes human participation in God’s eternal law as regards the providential ordering of human life; the use of human reason to reflect on what our common nature is; and what is required to respect that nature, as found in all human beings” (p. 34). Human law, also known as positive law (because it is posited or laid down by human authority), governs temporality. Aquinas tells us that human laws are much more explicit in their being tailored to govern a specific concern or habitat, whereas natural law remains less determinate (Koterski, 2002). As explained by Augustine, Aquinas, and Newman, human law should never contradict, impede, or violate natural law. If or when human law impedes or contradicts natural law, civil disobedience remains the appropriate response.

Natural law, a law of human nature, requires further explanation about the nature of humans. Aquinas, in agreement with Aristotle, explained that the nature of a thing becomes
discoverable through observation and reflection. Aquinas, like Aristotle, explains that the nature of a specific species remains evident in its structural features and observance of the performance of its specific activities. Therefore, its nature must be considered its internal principle. Each scholar defined human nature as rational, saying that the ability to reason sets humans apart from every other animal. Augustine emphasized the reality saying, “that there is a moral law founded on the nature of things” (Conf. 2.4.9), which again maintains that by nature, humans have an innate moral code and remain communicative storytelling animals.

For Aristotle, good was the internal principle of natural law and although Augustine, Aquinas, and Newman agree with him, they also explained that God, who is all Good, remains the primary principle of natural law. Therefore, we find them concluding that everything that is good comes from God. Is there anyone who denies that there are multiple goods in temporality? Therefore seeking something good in accord with right reason constitutes participation in natural law.

In summation, the generalizations of Augustine (1960), Aquinas (1948), and Newman (1979; 1994) claim that natural law remains a part of God’s eternal laws, governing the created order of the universe. Natural law governs each different nature. Intrinsic in nature, natural law constitutes part of human nature and humans remain distinct from all other animals in their ability to reason. As a law promulgated by God, natural law becomes the basis of choice between good and evil. The exercise of free will allows a choice to follow or ignore the dictate of reason. Natural law serves as an innate moral compass that promotes choice to do whatever is good and avoid evil. Aristotle identifies good as the reasonable primary principle, whereas Augustine (1960), Aquinas (1948), and Newman (1979; 1994) claim that God is the ultimate good. This
fundamental law of God, innate in human nature, indicates that God dwells within each person from the moment of conception.

Augustine (1960), Aquinas (1948), and Newman (1999) explain that because God remains inseparable from his laws, he resides wherever his laws are present. In part this is what is meant when it is said that humans are created in the image and likeness of God, which also indicates that humans serve as temples for the indwelling presence of God (Augustine, 2002; 2007). As vessels that house God, every person is called to love God, self, and others as self, because they love God. In light of these teachings, humans are expected to treat others with dignity and respect, regardless of any given circumstance. This philosophy makes the communicative implications relating to the expectation for civil discourse quite imaginable. Mahatma Gandhi and Martin Luther King, Jr. are recent examples, attesting to the necessary restraint often required for civil discourse. This type of restraint usually requires a full grasp (conscious or unaware) of natural law.

Many natural law scholars, base their expertise on positions held by Augustine, Aquinas and Newman. For example, Aquinas referenced Aristotle extensively in his discussion about natural law. Mortimer J. Adler (1978), like Aquinas, claims that Aristotle is for everyone. MacIntyre (1998), who began with an emphasis on Aristotelian virtue ethics, now engages the philosophy of Aquinas about the cardinal and intellectual virtues. In agreement with Augustine, Aquinas, and Newman many contemporary scholars claim that natural law serves as an innate moral compass, naturally guiding all humans to a participative awareness that enables each person to distinguish good from evil or virtue from vise. For example, MacIntyre (1998), moving from an Aristotelian virtue ethics milieu, now relies on insights established by Aquinas in relation to natural law and its universal teleology and practical engagement. This perspective
includes a recognition of the innate intellectual and cardinal virtues that develop and support his efforts to enhance understanding for the development of communication ethics. Although Schrag (1986) himself does not discuss the universal moral law, he defines and explains the significant roles understanding, reflection, and reason play in communicative praxis.

**Understanding Natural Law as Communicative**

One scholar concisely defines natural law as “reason reflecting on nature” (Koterski, 2002, p.). In his text discussing ethics together with right and reason, Fagothey quotes Aquinas to explain that; “The law promulgated through the very nature of the beings it governs is called natural law” (1959, p. 167). The technical term natural law identifies the created natural moral law (Fagothey, 1959). Fagothey (1959) reminds us of the words of Aquinas in the *Summa Theologica*, and quotes his saying, “The natural law is nothing else than the rational creature’s participation of the eternal law” (p. 167). It was Augustine who explained that the eternal law is in God, yet when applied to creatures it becomes known as natural law. This law, identified as natural law, becomes known as such because it is promulgated to man through his rational nature (Fagothey, 1959). Reason plays a crucial role in developing ethical communication. However, it remains notable that reason does not imply the scientific versions of rationality and logic. This study shows that the principles of right reason include natural law together with the cardinal and intellectual virtues.

Natural law from its genesis remains known as a law of nature in much the same way as the laws of mathematics, physics, chemistry, or one’s human DNA. Neither belief, disbelief, agreement, nor disagreement affects the ontological or metaphysical reality of its a priori existence. In humans, natural law functions as the primary principle of reason. Reason remains
the distinctive feature that separates humans from all the other animals. Reason is a moral principle promoting choice between good and evil. The cardinal virtues of justice, prudence, courage, and temperance, together with the intellectual virtues of understanding, science and wisdom are principles of right reason (Fagorthey, 1959). Natural law eternally remains an innate, universal, immutable, unchangeable law of the created moral order, innate in that it remains eternally embedded in nature, especially human nature. Although some would deny its universality because there are those who do not immediately grant it, its universality means that natural law, like any other law of nature, retains its innateness in nature, including the nature of every human being, making it applicable across all cultures, norms, and history. Its immutability means that under every circumstance the primary principle of natural law cannot be altered or eradicated. One might better understand by using the example of sound waves. Using this example of sound waves promotes understanding that unless one turns the dial of the radio to an “on” position to hear the announcements or music, it may appear non-existent. In this instance, neither belief nor disbelief, misunderstanding, nor disagreement affects the sound waves and availability to listen if we choose to do so, and so it is with natural law.

**Natural Law and Communicative Praxis**

This study works to improve development of communicative praxis through reviewing natural law and some of its communicative implications. This project explores the potential such basic context has for some of the traditional philosophical arguments about ethics. Contextualizing these arguments may improve understanding of communication ethics as a discipline and praxis. The discussion that follows reviews several contemporary illustrations and
applications that develop potential considerations for present questions relating to communication ethics.

Natural law ethics are based on “supra-positive” (Koterski, 2002, p. 11) principles of equality and justice rather than man-made positive laws such the Constitution of the United States, the Declaration of Independence, or ethical codes of conduct designed by/for institutions. Positive laws, unlike eternal law, apply only to temporality; however, every positive law must be based on higher law. Positive law is a technical term used to identify laws laid down by human authority (Koterski, 2002). Supera-positive laws supersede any established laws of jurisprudence. Civil disobedience, such as that practiced by Mahatma Gandhi or Martin Luther King, Jr., provide excellent examples of the precedence set by natural law in that an unjust law is not considered to have governing authority. Although this study consistently refers to natural law as such, the term may also be known under different titles such as a higher law, human rights, natural rights, or the dignity due all mankind, to name a few.

Contemporary society, secular as well as religious, has invoked many uses of natural law philosophy over the course of time. For numerous reasons, more frequently than not, a synonym for natural law becomes a preference over the technical term.

Augustine (1960), Aquinas (1948), and Newman (1979; 1994) claim that natural law innately provides all humans with a moral compass that enables each person to distinguish good from evil. Although education and instructions may enhance understanding about natural law, it remains essentially unnecessary. Revelation may also enrich one’s philosophical frame of reference yet remains unnecessary for engaging natural law. Natural law potentially becomes knowable through observation of nature and does not require explicit conscious awareness for participation. Aristotle (1984), a pagan himself, claimed that humans are rational, social, and
political animals. He based his claim on the human rational ability to think, know, speak, deliberate, choose, will, and love, etc.

Aristotle (1984) used an acorn and Scripture uses the analogy of a mustard seed to illustrate the genesis, teleology, and capacity to achieve the full maturity of humanity. Natural law, especially engaged by the Stoics, remains a frame of reference for the moral praxis of pagans like Aristotle and Cicero, as well as Christians like Augustine, Aquinas and Newman. This moral frame remains an historical reality affecting historicity.

The genealogy of natural law and highlights of key points revealed by Augustine, Aquinas, and Newman help to unmask its metaphysical and practical philosophy evident in our contemporary historical paradigm through events such as the Nuremberg Trials (Rommen, 1959), the civil disobedience exhibited by Martin Luther King, Jr.’s in his defense of the oppressed, (King, Jr. 1964, pp.76, 82) and Thomas Merton’s autobiographical account of his personal life (Merton, 1998).

**Engaging Natural Law in the Nuremberg Trials**

The Nuremberg Trials illustrate the communicative value of implementing natural law for ethical decision-making. These trials also illustrate the Aristotelian understanding of *phronesis* in the enactment of theory and action as praxis of natural law.

The Nuremberg Trials were a major historical event that engaged a need to achieve global consensus that could utilize inoffensive ethical decision-making. Natural law, under a synonymous title, was invoked to resolve the ethical dilemmas in modern jurisprudence. The trials were established to discern potential criminal activity and judgment of what was identified as war crimes committed by Nazi Germany during World War II.
The contributing complexities of the dilemma confronting the presiding judges included the reality that although the atrocities were committed in Germany, by Germans, who functioned under German law (laws formulated as a means to condone and justify the perpetuated evil), the victims and jurists were American, British, French and Russian. This meant that the established tribunal could not adhere to the jurisprudence established in any of the jurisdictions involved in the various countries due to a lack of legal and judicial uniformity. Seeking a solution to this dilemma of modern jurisprudence led the appointed members of the court to invoke natural law and hear the cases brought before the established tribunal as “crimes against humanity” (Rommen, 1959, pp.1-25). Additional issues included the recognition of the Federal Republic of Germany that a higher law was also essential for hearing cases involving the restoration of property destroyed in the criminal activities of the war. To learn more about ways in which natural law was enacted in these trials one can review the entire account of the trials in Heinrich Rommen’s *Natural Law Forum* (pp. 1-25) or other historical sources.

**Martin Luther King, Jr. and Natural Law**

In American history, Martin Luther King, Jr. serves as an excellent example, who emulated what it means to engage natural law knowingly as communicative praxis. He invoked natural Law as a philosophy of communicative action and civil disobedience to promote the American dream. He used the plight of African-Americans to illustrate the evil of oppression caused by prejudice. Many considered him a great Christian and although this is correct his philosophy of equality, dignity, and respect for humankind was based on his understanding of natural law.
In his “Letter from the Birmingham Jail”, King explicitly revealed his philosophy of natural law in making his case against radical prejudices. There are many examples available to affirm King’s belief and praxis of natural law but in his “Letter from the Birmingham Jail,” he explicitly discusses writings of Aquinas and uses them to support his argument against racial prejudices that were occurring under the existing laws of the day. Explaining his stance King (1964) says, “A just law is a man-made code that squares with the natural law or the law of God……An unjust law is a code that is out of harmony with the moral law” (pp. 76, 82). In his “Letter from the Birmingham Jail, King quoted Saint Thomas who said, ‘an unjust law is a human law that is not rooted in eternal law and natural law’ (pp. 76, 82; ST I-II, q.91 a. 2). With basic knowledge of natural law one can read the life of Martin Luther King, Jr. to obtain more evidence that makes his philosophy more understandable. Natural law philosophy supports his claims that all men are created equal and deserve treatment in accord with a dignity and respect due any human person. Oppression creates serious communicative issues that require ethical resolutions.

**Thomas Merton Exemplifies Natural Law**

In his autobiographical narrative of his life’s journey, Merton (1948) exhibits conscious and unconscious awareness of aspects of natural law. This account of his faithless and faithful journey as it appears in *The Seven Storey Mountain* affirms human engagement with natural law. Considered a modern Augustine, Merton (1948) tells of his lacking faith formation and insignificant minimal exposure to any formal religion or religious institutions. He recalls his frequent thoughts of becoming a priest. These thoughts were affirmed through his conversion experiences that led to his becoming a Roman Catholic and eventual ordination as a Trappist
monk at approximately thirty-three years of age. As he reflected on his life, Merton discovered that his faith journey had begun long before he reached that level of awareness. Like Augustine, he came to realize that God had been present with him in his unconsciousness awareness. Throughout his formal writings Merton continually referenced Aquinas and his scholarship on natural law. For Merton, Aquinas became an endearing feature of his discourse. His life’s work in ecumenism and Catholic Social Justice illustrated his engagement with natural law. In the original autobiographical account of his life that was never published one finds his quotation that states:

> When a man is conceived, when a human nature comes into being, as an individual, concrete, subsisting, thing, a life, a person, then God’s image is minted into the world. A free, self-moving entity, a spirit informing flesh, a complex of energies ready to be set into fruitful motion begins to flame with potential light and understanding and virtue, begins to flame with love without which no spirit can exist. It is ready to realize no one knows what grandeurs. The vital center of this new creation is a free spiritual principle called a soul. The soul is the life of this being and the life of the soul is the love that unites it to this principle of life ------ God. The body that here has been made will not live forever. When the soul, the life, leaves it, it will be dead (Merton, 1998, p. xiv).

Two years prior to his death, in the preface to the Japanese edition of *The Seven Storey Mountain* Merton wrote:

> Perhaps if I were to attempt this book today, it would be written differently. Who Knows? But it was written when I was still quite young, and that is the way it remains. The story no longer belongs to me….Therefore, most honorable reader, it is not as an author that I would speak to you. Not as a storyteller, not as a philosopher, not as a
friend! I seek to speak to you in some way, as your own self. I myself do not know, but if you listen, things will be said that are perhaps not written in this book. And this will be due, not to me, but the One who lives and speaks in both (p. xiv).

Sandwiched between these two excerpts one finds a contemporary man who became a living example of ways in which natural law functions as a moral compass and foundation for resolutions to all sorts of ethical issues that require an appropriate response through communicative praxis. These insights move the study to a conclusion.

**Challenges to Achieving Communicative Praxis**

Communication is a human phenomenon as Schrag (1986) states. Human communication remains serious. All communication engages ethics. Ethics, based on moral goodness remains a necessary human communicative behavior. Knowledge of natural law provides an essential context for understanding many of the philosophical arguments found within the tradition. A natural law perspective develops a compelling ground for communication ethics. Humans are story-telling animals who have significant natural dispositions and tendencies that pre-dispose them for good. Although every person is unique each also shares in a similar human nature. Knowledge of natural law shows that although unique, we are dependent rational animals as MacIntyre (1986) claims.

Human nature shares in being spiritual, corporal, psychological, emotional, and reasoning animals. As animals, humans are endowed with a reasoning ability as part of the created eternal order. Two major requirements for human communicative flourishing are reason and understanding. MacIntyre (1998) and Schrag (1986) propose and affirm that tradition serves as a valuable resource for such knowledge.
The study of natural law tradition reveals that eternal law is the primary principle of natural law (Fagothey, 1959; *Summa Theologica*, 1948). Natural Law is the primary principle of reason. Reason, the primary principle of choice, functions to distinguish between good and evil. The cardinal virtues of justice, prudence, courage, temperance, together with the intellectual virtues of understanding, science, and wisdom are innate principles of human nature that predispose us for such ethical decision making. These virtues contribute to the development and praxis of right reason. Communicative praxis, especially ethics, requires scholars to engage a constructive hermeneutic and again reevaluate the communicative implications of the Western Intellectual Tradition as it rethinks what it means to be ethical.

For example, the primary principle of natural law is God and the goodness of God while the primary principle of ethics remains the circumstance, issue or moral dilemma. The particular issue in need of resolution requires communicative moral solutions. The virtues are the excellences required to develop right reason. Right reason, the cardinal and intellectual virtues, including justice and truth are a basis for all human communication as communicative praxis. These virtues constitute the predisposition toward goodness as necessary for human flourishing.

Scholars are being challenged to achieve communicative praxis through understanding ethical praxis. For example, MacIntyre (2007) challenges communication scholars to open the enclave of philosophical discourse in a way that can help the ordinary person to improve their understanding of the value and importance of ethical praxis. Schrag (1986) suggests that rhetoric may need to be the new reasoning. Several challenges for scholars at this juncture include a reflective review of the potential benefits that may be acquired by providing comprehensive narrative accounts of morality. Two additional challenges require us to unpack what Schrag (1986) means by his statements about reason and find ways to communicate the significance of
moral goodness to the ordinary person. Appropriate responses to challenges posed by MacIntyre (1998; 2004; 2007) and Schrag (1986) remain crucial and require engaging a constructive hermeneutic to review their original work and consult their scholarship that follows. For example, Schrag (1986), recognizing a need to explain further his claim that rhetoric may become the new reason, wrote two additional texts entitled *The Resources of Rationality* and *The Self after Postmodernity*, to address this issue. MacIntyre has provided significantly more insights regarding communication ethics in his texts entitled *God, Philosophy, Universities, and Dependent Rational Animals: Why Human Beings Need the Virtues*; as well as *The Task of Philosophy* and *Intractable Disputes about Natural Law*.

There is a need to distinguish human nature from the human condition. The human condition remains reliant on the understanding and flourishing of human nature. This study indicates that there is a real and urgent need to better understand human nature and how it functions as a basis of ethical decision-making.

Scholars might also consider the benefit of beginning with self-reflection and provide clarity for a vision of moral communicative competence based on an integration of theory and practice for all communication. Moral character building and ethical dialogue might begin with each scholar becoming a teaching model for undergraduate students, encouraging moral excellence as a standard.

This study confirms that MacIntyre (1998) and Schrag (2006) are correct in their claims that consulting tradition functions as a standard and becomes a source of reliability for knowledge. The study also reveals that truth and integrity remain essential in all human communication as well. Natural law, together with the cardinal and intellectual virtues is related in a way similar to the way we defined natural law, philosophy, and ethics in that they remain
enduring, distinct, and interconnected. Similar to the way that MacIntyre (1998) presented the history of ethics and this study discusses the lineage of natural law, these disciplines each require a narrative account of their development as a means of achieving improved comprehension through explanations that enhance communicative understanding. Such understanding results in meaningful communication that participates in achieving communicative praxis. Such a theory coupled with informed actions may translate into gently walking communication ethics into the marketplace.
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