

## **Who Do European Laws Think Human Beings Are: Origins, Changes, and Prospects for Law's View of the Human**

The implicit philosophy underlying both the civil law and common law traditions in Europe is one which has been significantly influenced by Christianity's understanding of human dignity and responsibility. Determinism denies human responsibility; naturalism tends to reduce human dignity. This talk explores how these currents in science are influencing laws and how Christians in science can respond.

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### **I. Common Grace, Sin, Science and Law**

- You don't have to be a Christian to be a good scientist/ lawyer
- Science/ law is an activity God blesses through common grace
- It was in Western Europe that advances were made in science and law
- Science/ law can be twisted and used for evil purposes
- Science/ law proceeds on the basis of fundamental commitments which are often not worn on the sleeve

### **II. Defining Naturalism**

Naturalism is the philosophical idea that 'everything that exists is a part of nature and that there is no reality beyond or outside of nature'

#### *A. Strong Naturalism*

Strict' or 'strong' naturalism is the claim that 'all that exists and nature itself is whatever will be disclosed by the ideal natural sciences, especially physics

Strong naturalists must either deny or explain away the reality of purposeful explanation, libertarian free will, the subjective experiences of pleasure and pain, consciousness and even the existence of persons or else gesture vaguely towards an explanatory project for which the methods of the natural sciences are ill-adapted.

## B. *Weak Naturalism*

‘Broad’ or ‘weak’ naturalists accept the first person evidence for consciousness and subjective experiences but nonetheless maintain that there is nothing ‘in the world that cannot (ultimately) be accounted for in terms of the sciences, *including* psychology, history, and so on.

## C. *Where Strong and Weak Naturalists are United*

Both strong and weak naturalism are committed to the following propositions:

- the material world is causally closed,
- evolution is a blind watchmaker,
- the world has no purpose and no ultimate destiny beyond the collapse into entropy and annihilation.

## D. *Strong and Weak Naturalists are divided by a Precipice*

Weak naturalists use the idea of ‘emergence’ to resist precipice reductionism.

# III. *The Consequences of Weak Naturalism*

## A. The Rise of Autonomy

George Grant: “To modern political theory, man’s essence is his freedom.”

C.S. Lewis: ‘When all that says, “It is good” has been debunked, what says “I want” remains.’

I want

- Abortion on demand
- To be able to create embryos for the purposes of experimentation, to save the life of another child, and to be able to destroy the embryos when I no longer want them
- Same-sex marriage
- The right to have children even though I am past child-bearing age
- Euthanasia
- To be able to have sex with animals
- To conceal the truth about the identity of my biological parents or the sex I was born into

## B. Weak Naturalism treats givenness a limit which we are free to challenge

Jesus frees us from our sin, weak naturalism promises us freedom from our finitude.

Weak naturalism casts us in the role of the pagan hero

## C. The destruction of the family as a natural kind

#### IV. *The Consequences of Strong Naturalism*

A. Minimising the distance between humans beings and other animal species  
Animals are treated like human beings and human beings are treated like animals. The implications the naturalists and others will draw from the scientific discoveries which are going to be made in the twenty-first century will mean that '[t]he pivotal significance of the Christian belief that we are made in the image of God is about to be tested as never before'.

#### B. Strong Naturalism and the Death of Freedom

Strong naturalism appears to render freedom impossible for two reasons:

- Strong naturalism is deterministic
- Strong naturalism's denial of the reality of the mind means that there is no 'I' which can assert itself against the world.

##### 1. Free will

Free will is a concept Christianity cannot dispense with.

##### 2. Guilt and Innocence

Trials depend on a belief in moral responsibility and accountability.

##### 3. Determinism and Free will

Strong naturalism may yet develop a compatibilist interpretation of moral responsibility analogous to the account given in the Reformed tradition but the signs are not promising.

#### C. The disappearance of the Self

Francis Crick, *The Astonishing Hypothesis*: "'You,' your joys and your sorrows, your memories and your ambitions, your sense of personal identity and free will, are in fact no more than the behaviour of a vast assembly of nerve cells and their associated molecules. As Lewis Carroll's Alice might have phrased: 'You're nothing but a pack of neurons.'"

In order to arrive at the conclusion that moral responsibility is an illusion, you need to combine a number of premises each of which flows from naturalism.

- (P1) Human choices are determined by the effect of the laws of physics and chemistry (and those sciences which explain emergent processes) on the neurons in the brain;
- (P2) Evolution has no purpose beyond the replication and mutation of genetic sequences;

(MT1) Because (P1) is true, there is no self as such;  
(MT2) Because (P2) is true, there is no objective good and evil;

(C) Because (MT1) and (MT2) are true, the idea of individual moral responsibility is false.

D. The redundancy of rational argument

Rational argument is, on the strong naturalist view, merely a technique for altering the neural information and pathways so that a set of ideas which do not correspond with physical reality can be corrected. There is no reason for strong naturalists to confine themselves to the rigours of rational argument if a more efficient technique can be devised.

V. What can scientists do?

A. Unmask the normative commitments of naturalism

- Don't accept that the debate is one between science and religion.
- Don't accept the naturalists' claim that the normative conclusions are inherent in the scientific observations. They are committing the naturalistic fallacy.

B. Do science well

Spot the biases which have skewed the sampling, the observation or the interpretation of the phenomena and data.

C. Work co-belligerently with others who are concerned

- Work with others who have identified the flaws in naturalism.
- Make your arguments as scientists and in doing so, draw on the insights that, by God's common grace, unbelieving scientists and philosophers have had.

D. Keep your lives pure

Don't give the naturalists the opportunity to ignore the message because of the messenger.

***Suggested Readings:***

Goetz and Taliaferro, *Naturalism*, (Grand Rapids, MI: Eerdmans, 2008)

C.S. Lewis, *The Abolition of Man*

Nagel, *Mind and Cosmos: Why the Neo-Darwinian Conception of Nature is Almost Certainly False*