

Saint augustine of hippo

Philosophy



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Aurelius Augustinus (referred to as “ St. Augustine of Hippo) was born in Tagaste (now Souk- Ahras), North Africa on November 13, 354. His family was not rich growing up but Augustine still received a Christian education. Wild as a child he had a long-term relationship with a freedwoman who bore him a son. When he was 19 he was introduced to philosophy at Carthage where he became a brilliant student who mastered Latin and knew Greek. He worked as a professor at Carthage for a while but sometimes the students didn't pay the professors after attending all the classes, so he got annoyed and traveled to Rome to seek a fortune.

When he was in his thirties he converted to Christianity and entered a monastery. He spent the rest of his life working on his philosophical writings. In 395 he was ordained Bishop of Hippo. He died of a fever on August 28, 430 during the third month of the siege of Hippo by the barbarians. Philosophy on Law: St. Augustine believed and wrote extensively about natural law. He defines natural law as “ an instilled law written on the human heart or conscience”. Augustine believed natural law was one of the ways God governs humans. His notions of natural law lead him to a discussion about just and unjust laws.

He believed just laws were derived from natural law. Additionally he believed, those laws not following natural law, were unjust and “ is no law at all” Strengths and Weaknesses: There are a few weaknesses when it comes to Augustine's belief on natural law. Natural law is grounded in religion and in today's world people want a different legal system between the church and state. This makes them tend to avoid the reference to “ natural law”.

Another weakness is Augustine's believed that some laws were written on peoples hearts. This leads to the question, why is there bad people?

Not to say all of natural law is a weakness because it does have some strengths. One strength, to natural law is despite all the different religions and geography's most societies have a common set of principals that lands credibility to the theory of natural law. Another strength is the argument of natural law allows for separation between church and state in laws of punishments. St. Augustine would definitely support civil disobedience. He believed if a law was unjust than it was no law at all. He thought that there were laws written on your heart and if a law wasn't written on your heart than it was an unjust law.

Therefore he didn't consider it a law. Below is a short video of Martin Luther King saying his famous speech " Letter from a Birmingham jail". St. Augustine is known for his creation of natural law. Augustine discovered that God creates at least some moral aspects. St. Augustine, along with St. Paul, and St. Thomas Aquinas founded the notion of an instilled law written on the human heart or conscience. It was created through the synthesis of notions such as natural justice and the biblical belief in a greater being and lawgiver that we think of as being natural law.

Augustine's most famous quote is also has the greatest impact on natural law. His quote was " an unjust law is no law at all". He means that justice is the sole purpose of law and if the law isn't fair, than it is not serving justice. Augustine on Free Choice of the Will: " Now every punishment is a punishment for sin, if it is just, and is called a penalty; but if the punishment is unjust, since none doubts it is a punishment, it is imposed on man by an <https://assignbuster.com/saint-augustine-of-hippo/>

unjust ruler. This piece of writing by Augustine talks about just and unjust laws and the reason for punishments.

It reinforces his position that an unjust law is no law at all. The Problem of Free Choice: Book One. Will not any intelligent man regard that law as unchangeable and eternal, which is termed the law of reason? We must always obey it; it is the law through which wicked men deserve an unhappy, and good men a happy life, and through which the law we have said should be called temporal is rightly decreed and rightly changed. Can it even be unjust that the wicked should be unhappy and the good happy, or that a well-disciplined people should be self-governing, while an ill-disciplined people should be deprived of this privilege.

I see that this law is eternal and unchangeable. I think you also see that men derive all that is just and lawful in temporal law from eternal law. For if a nation is justly not self-governing at one time, and justly not self-governing at another time, the justice of this temporal change is derived from that eternal principle by which it is always right for a disciplined people to be self-governing, but not a people that is undisciplined. This part of Augustine's writing backs up his theory of natural law. He is attempting to reconcile the relationship between natural law and man's free will.

He believes that natural law is a part of every human being and free will is the ability of man to choose between what is the right thing and what is wrong. All of Augustine's writing and books were originally written in Latin and have been translated into several different languages over the years. Most of his writing was religious in nature and his views on laws were derived from his desire to understand God's relationship with society. Two Questions: 1) How

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is the concept of natural law relevant in today's society and courts?) What do you think some of the natural laws are? Examples of natural law: human rights, etc. Natural law is the theory or belief that certain rights exist independently of any government's granting of those rights. Generally, whenever a group rebels against their government and asserts rights that the government hasn't granted them, they are making a claim of natural law. Many children, for example, appeal to a sense of fairness in disputes, and most people around the world agree that murder is a severe infraction of natural law.

For example, the declaration of independence was an assertion of natural law - the right to be free, the right not to be taxed without representation, etc. , if you believe you are entitled to these rights just by virtue of the fact that you are alive/human, you believe in natural law. It can also work the other way; certain actions are criminal just by virtue of the acts themselves, such as murder (*malum per se*). Positive law, on the other hand, is the theory or belief that all law comes from the government/lawmakers (*Malum prohibitum*).

Basically, you have no rights that are not granted to you from the government, and no action is inherently right or wrong under the law unless there is legislature or court-created law that says so. Basically, murder isn't illegal because it's "evil" or bad, it's illegal because there's a written law in the books that says so. Natural law and natural rights follow from the nature of man and the world. We have the right to defend ourselves and our property, because of the kind of animals that we are.

True law derives from this right, not from the arbitrary power of the omnipotent state. Natural law has objective, external existence. It follows from the ESS (evolutionary stable strategy) for the use of force that is natural for humans and similar animals. The ability to make moral judgments, the capacity to know good and evil, has immediate evolutionary benefits: just as the capacity to perceive three dimensionally tells me when I am standing on the edge of a cliff, so the capacity to know good and evil tells me if my companions are liable to cut my throat.

It evolved in the same way, for the same straightforward and uncomplicated reasons, as our ability to throw rocks accurately.