ISSN 2181-9505
Doi Journal 10.26739/181-9505

Philosophy and Life

FALSAFA VA HAYOT • ФИЛОСОФИЯ И ЖИЗНЬ

2026 №3 (34)



ISSN 2181-9505
Doi Journal 10.26739/2181-9505

Mirzo Ulug'bek nomidagi O‘zbekiston Milliy Universiteti

O‘zbekiston Respublikasi Vazirlar Mahkamasi huzuridagi
Imom Buxoriy xalqaro ilmiy-tadqiqot markazi
O‘zbekiston falsafa jamiyati

Национальный университет Узбекистана имени Мирзо Улугбека

Международный научно-исследовательский центр Имам Бухари
при Кабинете Министров Республики Узбекистан
Философское общество Узбекистана

The National University of Uzbekistan named after Mirzo Ulugbek

Imam Bukhari International Research Center under the Cabinet of Ministers
of the Republic of Uzbekistan
Philosophical Society of Uzbekistan

FALSAFA VA HAYOT
XALQARO JURNAL

ФИЛОСОФИЯ И ЖИЗНЬ
МЕЖДУНАРОДНЫЙ ЖУРНАЛ

PHILOSOPHY AND LIFE
INTERNATIONAL JOURNAL

2026 №3 (34)

Jurnal bir yilda 4 marta nashr qilinadi.
Журнал выходит 4 раза в год.
The journal is published 4 times in a year.

Toshkent

“Falsafa va hayot” xalqaro jurnal, “Философия и жизнь” международный журнал, “Philosophy and Life” international journal

Tahrir kengashi

Abdildina Raushan – Qozog‘iston Respublikasi Milliy fanlar akademiyasi akademigi, falsafa fanlari doktori, professor (Qozog‘iston)

Botukanova Gulmira – Qirg‘iziston Respublikasi Prezidenti huzuridagi Milliy fanlar akademiyasining vitse-prezidenti falsafa fanlari doktori, professor, (Qirg‘iziston)

Mamedzade Ilham – Azarbayjon Milliy fanlar akademiyasi Falsafa va sotsiologiya instituti direktori, falsafa fanlari doktori, professor (Azarbayjon)

Skarantino Luka Mariya – Bari universiteti professori, falsafa fanlari doctori, Jahon falsafa jamiyatlari federatsiyasi boshqaruvi a’zosi (Italiya)

Smirnov Andrey – Rossiya Federatsiyasi FA akademigi, Rossiya falsafa jamiyati prezidenti, falsafa fanlari doktori, professor (Rossiya Federatsiyasi)

Seytaxmedova Natal’ya – Qozog‘iston milliy fanlar akademiyasi akademigi, falsafa fanlari doktori, professor (Qozog‘iston)

Tsuy Veyxan – Xitoy ijtimoiy fanlar Akademiyasi vitse-prezidenti, DSc, professor, (Xitoy Xalq Respublikasi)

Chumakov, Aleksandr – M.Lomonosov nomidagi Moskva davlat universiteti professori, falsafa fanlari doktori, (Rossiya Federatsiyasi)

Muassislar:

Mirzo Ulug‘bek nomidagi O‘zbekiston Milliy universiteti

O‘zbekiston Respublikasi Vazirlar Mahkamasi huzuridagi Imom Buxoriy xalqaro ilmiy - tadqiqot markazi

O‘zbekiston falsafa jamiyati

Expert lawyers MCHJ Elc.uz

Ro‘yxatga olinganligi haqidagi 1175 sonli guvohnoma O‘zbekiston matbuot va axborot agentligi tomonidan 20.02.2018 yilda berilgan.

Bosh muharrir:

Shermuxamedova Niginaxon – f.f.d., professor (O‘zbekiston)

Bosh muharrir o‘rinbosari:

Aslanova Rabiyat – f. f. d, professor (Azarbayjon)

Mas’ul muharrir:

Muhamedova Zamira – f.f.d., professor (O‘zbekiston)

Tahrir hay’ati:

Allahyarova Tahira – f.f.d., professor (Azarbayjon)

Andirjanova Gulnar – siyosiy fanlari doktori, professor (Qozog‘iston)

Abasov Ali – f.f.d., professor (Azarbayjon)

Axamer Gilbert – f.f.d., professor (Avstriya)

Buzarinejad Yahyo – f.f.d, professor (Eron)

Bilalov Mustafo – f.f.d., professor (Dog’iston, Rossiya Federatsiyasi)

Gabitov Tursin – f.f.d., professor (Qozog‘iston)

Gezalov Ariz – f.f.n., professor (Rossiya Federatsiyasi)

Kerimov Eyyub – f.f.d., professor (Azarbayjon)

Kurmangalieva Galiya – f.f.d., professor (Qozog‘iston)

Kurbonova Lola – falsafa fanlari doctori DSc, dotsent (O’zbekiston)

Lazarevich Anatoliy – f.f.n., dotsent (Belorus)

Olatunji Feliks – PhD, dotsent (Nigeriya)

Paxruddinov Shukriddin – siyosiy fanlari doktori professor (O‘zbekiston)

Pardayev Sultonmurod – falsafa doktori (PhD), (O‘zbekiston)

Sergeev Mixail – f.f.d., professor (AQSh)

Sagikizi Ayajan – f.f.d., professor (Qozog‘iston)

Tulenova Gulmira – f.f.d., professor (O‘zbekiston)

Tashdelen Vefa – f.f.d., professor (Turkiya)

Tyukmaeva Aida – falsafa doktori PhD (O‘zbekiston)

Hakimov Nazar – f.f.d., professor (O‘zbekiston)

Xudoydodzoda Farrux – f.f.d., professor (Tojikiston)

Xudoyberganov Rovshan – f.f.d., (DSc) professor (O‘zbekiston)

Mahmadizoda Nozim – f.f.d., professor (Tojikiston)

Naushabayeva Asem – falsafa doktori (PhD), professor (Turkiya)

Urmanbetova Jildiz – f.f.d., professor (Qirg‘iziston)

Baychun Chjan – f.f.d., professor (Xitoy)

Sharipova Erkayim – f.f.d., professor (Qirg‘iziston)

Ilmiy kotib:

Xidirov Mustafo – falsafa fanlari doktori (DSc), dotsent (O‘zbekiston)

Musahhihlar:

Qodirov Javlon – (O‘zbekiston)

Po‘latov Anvar – (O‘zbekiston)

CONTENTS

PHILOSOPHY OF POLITICS AND SOCIETY

Allaberdiyeva Lale Agageldiyevna	CHARACTERISTICS AND VERIFICATION OF SOURCES ON THE POLITICAL HISTORY OF THE MAMUNID STATE IN KHWARAZM	9-23
Fakunle, O. A., Raifu, I. O., Adedire, A. A.	HISTORICIZING ASO-OKE PRODUCTION IN ISEYIN TOWN, SOUTH-WEST NIGERIA	24-42
Mirzarakhimov Bakhtiyor Khoshimovich	AXIOLOGICAL TRANSFORMATION OF SOCIAL CONSCIOUSNESS UNDER THE INFLUENCE OF TOURISM: A SOCIO-PHILOSOPHICAL ANALYSIS	43-54
Nazira Omurkulovna Kasymova	THE ROLE OF PEOPLE'S DIPLOMACY IN THE DEVELOPMENT OF CIVIL SOCIETY AND SOCIAL INTEGRATION	55-65

PHILOSOPHY OF EDUCATION AND SCIENCE

Annagulyyeva Maral Muhammedovna	HALK MASLAHATY AS AN ETHNOPEDAGOGICAL FACTOR IN SPIRITUAL AND MORAL EDUCATION AND INDIVIDUAL SOCIALIZATION	66-83
Kamilov Davron Zafarovich	THE PHENOMENON OF EMERGENCE AND ITS REFLECTION IN SYNCRETIC THINKING	84-95
Saifnazarov Ismail	SYNERGETIC METHODOLOGY FOR STUDYING ARTIFICIAL INTELLIGENCE IN THE CONTEXT OF DIGITAL CIVILIZATION: A PHILOSOPHICAL ANALYSIS	96-116
Khaydrova Akida Khurramovna	KNOWLEDGE SELECTION AND EPISTEMIC RATIONALITY	117-124

HISTORY OF PHILOSOPHY AND PHILOSOPHY OF HISTORY

Solomon Kolawole AWE, Oluwaseun Opeyemi Jemilehin	KANTIAN RESPECT FOR HUMAN DIGNITY AS A PRINCIPLE OF GOVERNANCE IN CONTEMPORARY AFRICA	125-145
Michael Olatunji ONI	SARTREAN HUMANISM AS AN IMPERATIVE FOR THE TRANSFORMATION OF CULTURAL IDEALS IN AFRICA	146-157

WORLD CULTURE AND RELIGIOUS TRADITIONS

Jimoh, Olumuyiwa Wahab	THE NEED FOR MORALITY IN NATURAL LAW THEORY	158-179

UDK: 340.12:17
10.5281/zenodo.23658465

Jimoh, Olumuyiwa Wahab
Doctorate degree candidate
Department of Philosophy,
University of Lagos, Former Member, Lagos State House of Assembly,
+234 8111111005
olaolumuyi@yahoo.com
(Nigeria).

THE NEED FOR MORALITY IN NATURAL LAW THEORY

Abstract. Natural law theory grounds law in human rational nature and moral principles, providing a basis for evaluating the justice of laws and their contribution to social order. Integrating law and morality within this framework supports responsible conduct, protects human dignity, and promotes a humane and just society. However, the enactment and enforcement of laws that disregard moral standards can legitimise injustice and undermine the common good. Accordingly, this article aims to clarify the role of morality in natural law theory through exposition and critical analysis and to explain how the relationship between law and moral reasoning can contribute to a just social and legal order.

Keywords: Morality, Natural Law, Law, Theory, Ethics, Legal Order.

INTRODUCTION

Natural law has one of the oldest and most distinguished intellectual traditions, with its origins traceable to ancient Greek philosophy. The Stoic philosophers argued that every human being possesses a spark of the divine and that reason enables individuals to understand the moral order governing the universe [Bix, 2015]. Cicero provided one of the earliest systematic statements of natural law when he asserted that, "True law is right reason in agreement with nature; it is of universal application, unchanging and everlasting; it summons to duty by its commands, and averts from wrongdoing by its prohibitions" [Cicero, trans. 1998, p. 68]. Law is therefore necessary for organizing human society. When individuals recognize the existence of natural law, they are better able to appreciate the importance of living harmoniously within society. Natural law is closely connected with human existence because it provides moral standards that guide human conduct and promote peace, justice, and social order. The search for a universal principle governing human conduct arose largely from the desire to

eliminate arbitrariness in social and political life. Without laws, society would descend into disorder, allowing individuals to act without restraint, thereby encouraging violence, theft, and other forms of crime [Finnis, 2011]. Laws protect the rights of citizens by guaranteeing justice, political participation, and freedom of expression. They establish standards of acceptable conduct and prescribe sanctions for violations. In the absence of laws, rights and responsibilities would lose their meaning, and impunity would become widespread. Consequently, many individuals would suffer harm without any effective mechanism for accountability. The ultimate purpose of law is therefore to establish a society founded upon justice, fairness, equality, and peaceful coexistence [Murphy, 2005]. The relationship between law and morality has long attracted the attention of legal philosophers. Moral standards contribute significantly to maintaining social order because they encourage individuals to respect the rights and interests of others. Many jurists argue that law cannot remain effective if it completely ignores morality. Laws that conflict fundamentally with accepted moral values may lose public legitimacy and become difficult to enforce, thereby generating social conflict and instability [Bix, 2015]. Three principal ideas emerge from Cicero's conception of natural law. First, natural law is universal and immutable, binding all human beings regardless of time or place [Cicero, trans. 1998]. Second, natural law is superior to positive law because its authority derives from nature, reason, or God rather than from human institutions [Finnis, 2011]. Third, natural law is discoverable through human reason, making it possible for individuals to distinguish justice from injustice through rational reflection. The primary purpose of natural law is therefore to promote justice and advance the common good of society [Murphy, 2005]. Since justice is inseparable from morality, many legal philosophers maintain that there should be no contradiction between law and moral principles. Laws that fundamentally violate moral standards should be reformed or repealed. According to natural law theory, a law that is gravely unjust cannot properly be regarded as law because it fails to satisfy the moral standards that give law its legitimacy [Finnis, 2011]. Thus, law and morality are deeply interconnected. The concept of natural law rests on the belief that moral principles are grounded in human nature and provide the foundation for legal rules that promote order, justice, and human flourishing. Natural law is regarded as universal and immutable because every human being is considered to be bound by it regardless of time or place. It is viewed as a higher law that is superior to positive law because it derives its authority from nature, reason, or God rather than from human institutions [Finnis, 2011]. However, the significance of natural law depends upon whether its principles can be discovered through human reason. The primary purpose of natural law is to ensure justice within society and to promote the common good [Murphy, 2005]. Since justice is inseparable from morality, there should be no contradiction between law and moral values. Consequently, any law that fundamentally violates accepted moral standards should be rejected. Cicero emphasized this position when he argued that "we have no other rule by

which we may be capable of distinguishing between good or bad law than that of nature" [Cicero, trans. 1998, p. 112].

MATERIALS AND METHODS

The Natural Law Theory maintains that certain laws are inherent in nature and apply universally to all human beings regardless of place or time. According to this theory, these universal laws provide the foundation upon which human beings formulate positive laws and establish legal authority [Finnis, 2011]. Natural law theorists argue that every individual possesses certain inherent and inalienable rights simply by virtue of being human. The theory is founded on the belief that law is rooted in the rational nature of human beings. Reason serves as the basis for identifying moral principles that guide proper human conduct. Consequently, the rightness or wrongness of human actions is evaluated according to fundamental principles of human nature that are discoverable through reason. These principles are universal, immutable, and superior to positive law because they originate from nature rather than from human institutions [Murphy, 2005]. In this respect, natural law serves as a basic requirement for orderly human existence and social harmony. Thomas Aquinas therefore defined law as "an ordinance of reason for the common good, made by him who has care of the community, and promulgated" [Aquinas, trans. 2002, p. 909]. In contrast to natural law theory, the Positivist Theory of Law, commonly referred to as Legal Positivism, developed during the eighteenth and nineteenth centuries through the writings of Jeremy Bentham and John Austin [Bentham, 1970; Austin, 1995]. Their ideas later influenced prominent legal philosophers such as H. L. A. Hart, Joseph Raz, and Hans Kelsen [Hart, 2012; Kelsen, 1967; Raz, 1979]. Although these jurists differed in several respects, they shared the common objective of explaining law as it exists rather than as it ought to exist. Despite criticisms, legal positivism remains one of the most influential schools of jurisprudence. Legal positivists maintain that the validity of law depends upon its creation by recognized legal authority rather than upon its moral content. Consequently, they argue that law and morality are conceptually distinct. While laws may sometimes reflect prevailing moral values, their legal validity does not depend upon conformity with ethical principles [Hart, 2012]. Instead, law derives its authority from legitimate political institutions and is generally enforceable through sanctions imposed by the sovereign or other recognized legal authorities [Austin, 1995]. Depending on the relationship they establish between law and morality, legal positivists are often classified as inclusive (soft) positivists and exclusive (hard) positivists. Inclusive positivists, represented by H. L. A. Hart, acknowledge that moral principles may become part of a legal system if they are incorporated through recognized legal procedures. Hart maintained that "it is in no sense a necessary truth that laws reproduce or satisfy certain demands of morality, though in fact they have often done so" [Hart, 2012, p. 185]. Exclusive positivists, including Joseph Raz, maintain that legal validity must always be determined solely by social sources without reference to moral reasoning [Raz, 1979].

From this perspective, legal positivism does not necessarily deny the existence of morality. Rather, it argues that morality and legality are separate concepts. Moral principles may influence legislation, but they acquire legal authority only through official enactment or recognition. Thus, legal positivism distinguishes between law as it is and law as it ought to be, concentrating its analysis on existing legal systems rather than on ideal standards of justice [Hart, 2012]. Positive law (ius positum) refers to laws deliberately created by human institutions for the governance of society. It includes constitutions, statutes, regulations, judicial decisions, and other legally binding rules established by competent authorities. Unlike natural law, which derives from reason or nature, positive law derives its authority from official promulgation and applies within particular jurisdictions at specific times [Kelsen, 1967]. Legal positivism also addresses the philosophical question of whether moral obligations ("ought" statements) can be derived from factual statements ("is" statements). Following the arguments of David Hume and Immanuel Kant, many positivists reject the claim that legal obligations arise naturally from moral facts. Instead, they argue that law is identified through social facts concerning its creation rather than through its ethical content [Hart, 2012; Raz, 1979]. Accordingly, law is understood as something deliberately established or "posited" by legitimate political authority. This continuing debate has significantly shaped modern legal philosophy and continues to influence constitutional interpretation, human rights law, and judicial reasoning.

DISCUSSION AND RESULTS

The concept of natural law has acquired different meanings throughout its historical development. Nevertheless, one of its defining characteristics is that it represents a moral law grounded in nature and applicable universally across all societies and historical periods. Natural law is closely connected to morality because it recognizes certain objective standards of right and wrong that bind all people irrespective of nationality, culture, or political system. For example, the principle that innocent human life should not be intentionally destroyed is regarded as a universal moral obligation. These fundamental principles arise from human nature itself because human beings naturally recognize and value the goods that these principles seek to protect [Finnis, 2011]. During the ancient period, many philosophers believed that human existence was governed by higher universal forces. The Stoic philosophers argued that the rational order governing the universe was identical to the law of reason operating within human beings. According to the Stoics, morally right action is action that conforms to nature and to the universal rational order. This philosophical tradition profoundly influenced early Christian thinkers such as Augustine of Hippo and Thomas Aquinas [Bix, 2015]. In Summa Theologica, Aquinas argued that "the participation of the eternal law in the rational creature is called the natural law" [Aquinas, trans. 2002, p. 909]. Natural law was therefore understood as humanity's participation in God's eternal law through the exercise of reason. Divine reason was regarded as the ultimate

source of the moral order governing the universe. The Stoic understanding of natural law greatly influenced Roman jurisprudence, particularly through the writings of Cicero. The Romans adopted Stoic legal philosophy and developed the concept of jus gentium, or the law of nations, which later contributed significantly to the development of international law [Cicero, trans. 1998]. Natural law exercised a transformative influence on Roman law by encouraging the development of more universal legal principles beyond the narrow boundaries of Roman citizenship [Dias, 1976]. Roman law was generally classified into three categories: jus civile, which applied exclusively to Roman citizens; jus gentium, which governed relations involving foreigners; and jus naturale, the universal law derived from nature and discoverable through reason. The latter was regarded as immutable and superior to all human legislation. The medieval period, extending roughly from the twelfth century to the middle of the fourteenth century, witnessed the dominance of Christian theology and ecclesiastical authority in legal and political thought. During this era, natural law was employed to support Christian doctrine and to establish a legal and political order grounded in morality and divine authority [Berman, 1983]. Christian scholars, particularly Saint Ambrose, Saint Augustine, and Pope Gregory the Great, maintained that divine law possessed supreme authority over all forms of human legislation. According to their view, all laws were either divine or human, with divine law originating from God while human law arose from social customs and political institutions. The divine origin of natural law made it binding upon all human authorities [Berman, 1983].

Saint Augustine further argued that natural law reflected divine wisdom revealed through Scripture and reason. Medieval Christian theology was largely built upon two interconnected principles: first, that all unity originated from God and was reflected in one faith, one Church, and one universal moral order; and second, that both divine and human laws formed part of God's orderly governance of creation [Bix, 2015]. Until the emergence of Renaissance humanism, natural law, divine law, and human law were generally regarded as interconnected because all ultimately derived their authority from God. One of the principal features of medieval natural law theory was the belief that although kings and political rulers possessed authority over positive law, they themselves remained subject to natural law. This marked a significant departure from earlier Roman legal thought by emphasizing that even sovereign rulers could not legitimately violate the universal principles of justice established by nature and divine reason [Finnis, 2011]. Consequently, natural law served as the ultimate standard against which all human laws and governmental actions were to be evaluated.

Cicero defines natural law as "right reason in agreement with nature" [Cicero, trans. 1998, p. 68]. According to Cicero, the validity of law depends on whether it conforms to the dictates of nature because nature has endowed humanity with a moral law that can be discovered through reason. He maintained that civil law must be shaped in accordance with natural law, which originates from divine reason. For Cicero, justice is not merely a matter of personal opinion but an objective reality grounded in nature. He argued that natural law extends throughout

the whole human community, remaining eternal and unchanging while directing individuals toward their duties and restraining them from wrongdoing through its commands and prohibitions [Cicero, trans. 1998]. Consequently, if human law fails to conform to divine or natural law, it cannot truly be regarded as law. Since justice is derived from human nature and humanity's relationship with the natural order, any law that contradicts these principles is neither just nor legitimate. Thus, Cicero viewed natural law not merely as a guide for personal morality but also as the philosophical foundation for the organization and governance of society [Bix, 2015]. Natural law is a philosophical theory which maintains that certain rights are inherent in every human being by virtue of human nature. These rights originate from nature, traditionally understood as God's creation, and are universally discoverable through human reason [Finnis, 2011]. Cicero developed one of the earliest systematic discussions of political philosophy by arguing that divine law governs the universe and provides the proper foundation upon which all governments should be established. In developing this position, he drew heavily upon the ideas of Aristotle and the Stoic philosophers, who regarded natural law as the universal standard of justice [Bix, 2015]. Cicero declared that "true law is right reason in agreement with nature; it is of universal application, unchanging and everlasting" [Cicero, trans. 1998, p. 68]. This law commands individuals to perform their moral duties while prohibiting injustice. Its authority extends to all people in every place and at every time. Good and prudent individuals willingly obey its commands, whereas those who reject reason disregard its authority. Since natural law is eternal, Cicero maintained that it cannot be amended, repealed, or abolished by human legislation.

Cicero further argued that law represents the highest expression of reason and derives its authority directly from nature. He believed that divine reason permeates the universe and is reflected in the orderly structure of creation. Human beings occupy the highest position among living creatures because they possess the unique faculty of reason, which enables them to distinguish between justice and injustice [Cicero, trans. 1998]. According to Cicero, reason directs individuals toward what ought to be done and warns against actions that ought to be avoided. Since all rational beings participate in this universal reason, there exists one eternal and immutable law binding upon all humanity. This universal law is governed by one divine ruler who serves simultaneously as creator, judge, and guardian of justice [Murphy, 2005]. Cicero further warned that anyone who deliberately disobeys natural law abandons his true nature as a rational being and ultimately suffers severe moral consequences, even if human punishment is avoided [Cicero, trans. 1998]. In The Republic, he argued that legislation alone is insufficient for establishing a just state. Genuine justice requires liberty, but liberty cannot exist unless it is enjoyed equally by all citizens. Therefore, political freedom depends upon the participation of the people in government because liberty loses its meaning whenever political power is concentrated in the hands of only a few [Cicero, trans. 1998]. To achieve political stability and justice, Cicero proposed a mixed constitution that combined the strengths of monarchy, aristocracy, and

democracy. According to him, an ideal government should provide a balanced role for rulers, distinguished citizens, and the general population. Drawing from his experience as a Roman statesman, Cicero regarded the Roman Republic as the practical model of this constitutional arrangement. The Republic combined the authority of the consuls, who represented monarchy; the Senate, which embodied aristocracy; and the popular assemblies, which reflected democratic participation [Cicero, trans. 1998]. He believed that restoring the Republic to its earlier constitutional balance required strengthening the authority of the consuls and the Senate while limiting excessive influence by the popular assemblies. Through this balanced political system, Cicero sought to preserve justice, liberty, and the common good.

Cicero maintained that "we have no other rule by which we may be capable of distinguishing between a good or bad law than that of nature" [Cicero, trans. 1998, p. 125]. He further argued that it is not only right and wrong that are distinguished by nature, but also everything honorable and shameful. According to Cicero, human beings possess an innate understanding of the fundamental principles of morality because common sense has implanted these principles within the human mind. Through reason, people naturally associate honorable conduct with virtue and disgraceful conduct with vice [Cicero, trans. 1998]. Consequently, Cicero rejected the view that moral distinctions exist merely because of human opinion. Instead, he argued that they are grounded in nature itself. To illustrate this point, he observed that the excellence of a tree or a horse exists by nature rather than by opinion; likewise, moral virtues and vices are objectively determined by nature rather than by social convention [Cicero, trans. 1998]. Cicero believed that divine law has established every aspect of creation with a definite purpose. Humanity's highest purpose, according to him, is the pursuit of justice. Emphasizing this conviction, he declared that "surely nothing is more vital than the clear realization that we are born for justice" [Cicero, trans. 1998, p. 129]. Justice, for Cicero, was not simply an instrument for maintaining peace and social harmony but a moral virtue possessing intrinsic worth. He therefore argued that everything genuinely good necessarily contains an element of justice because "nothing can be honorable if justice is absent" [Cicero, trans. 1998, p. 130]. Justice, therefore, perfects every virtue and represents the highest expression of moral excellence. Cicero presented these ideas most comprehensively in his two political dialogues, The Republic and The Laws. Through these works, he sought to restore the Roman Republic to what he believed was its original constitutional purity while encouraging honorable citizens to participate actively in public affairs [Cicero, trans. 1998]. In The Laws, Cicero described law as "the highest reason" implanted in nature, directing human beings toward what ought to be done and forbidding what ought to be avoided [Cicero, trans. 1998, p. 101]. Because reason is common to all human beings, natural law is universal, eternal, and unchangeable, binding every person regardless of place or time. Cicero therefore insisted that no human legislature possesses the moral authority to enact laws that contradict natural law. He further maintained that no political community can exist

without law and that justice requires equality before the law without arbitrary privileges or exceptions [Murphy, 2005]. In The Laws, Cicero also argued that neither the decrees of the Senate nor the judgments of magistrates are sufficient to establish genuine rights if they conflict with natural law. Otherwise, even morally corrupt actions such as theft, adultery, or forgery could acquire legal status merely because they had been officially enacted [Cicero, trans. 1998]. For this reason, Cicero concluded that "there is but one essential justice which cements society, and one law which establishes this justice; this law is right reason, which is the true rule of all commandments and prohibitions" [Cicero, trans. 1998, p. 124]. Anyone who deliberately disregards this law, whether written or unwritten, acts unjustly because natural law constitutes the ultimate standard of legal validity.

Another important feature of Cicero's natural law theory is the equality of all human beings before the law of nature. This equality arises from the fact that every person shares the same rational nature. Following the Stoic philosophers, Cicero maintained that all human beings possess a spark of the divine and therefore participate equally in universal reason [Bix, 2015]. He argued that "we are born for justice, and that right is based not upon man's opinion but upon nature" [Cicero, trans. 1998, p. 127]. Since all human beings share the same rational capacities, they possess equal moral dignity despite differences in social status or political position. Cicero therefore concluded that human fellowship rests upon this common rational nature, making all people fundamentally equal before natural law. Cicero further argued that the state belongs to the people and that governmental authority originates from the collective will of the citizens. He described the state (res publica) as the common concern of the people united by agreement concerning law, justice, and the pursuit of mutual advantage [Cicero, trans. 1998]. Government therefore derives its legitimacy from the consent of the governed rather than from arbitrary power. Political leaders exercise authority only because the people have entrusted them with public responsibility. Consequently, Cicero observed that "as the laws govern the magistrate, so the magistrate governs the people, and it can truly be said that the magistrate is a speaking law, and the law a silent magistrate" [Cicero, trans. 1998, p. 146]. This statement illustrates his belief that rulers remain subject to law and derive their authority from it rather than standing above it. Roman constitutional thought was profoundly influenced by Cicero's conception of popular sovereignty. Roman jurists later expressed this principle by stating that "the will of the Emperor has the force of law because the people have transferred to him all their authority through the lex regia" [Berman, 1983, p. 112]. Nevertheless, Cicero consistently maintained that governmental authority ultimately belongs to the people and that rulers remain accountable to the principles of justice embodied in natural law. This conviction is reflected in one of his most celebrated statements: "We are servants of the law in order that we may be free" [Cicero, trans. 1998, p. 152]. Through this principle, Cicero demonstrated that genuine freedom is achieved not by rejecting law but by living under just laws grounded in reason, nature, and the common good.

Thomas Aquinas developed one of the most influential and systematic accounts of Natural Law Theory by explaining its philosophical foundations and practical implications. His formulation of natural law remains the principal theory of law and morality within the Roman Catholic Church and continues to influence contemporary jurisprudence, political philosophy, and legal practice throughout the world [Finnis, 2011]. One of the defining characteristics of natural law is its universal applicability. It is commonly understood as divine law, eternal law, and the law of nature because its principles apply equally to all human beings regardless of culture, place, or historical period. Natural law is fundamentally a product of human reason, and throughout history it has been interpreted in various ways while maintaining morality as its central concern. According to natural law theorists, morality functions as the higher standard by which the validity of human laws should be evaluated [Murphy, 2005]. Whereas ancient philosophers often regarded natural law as having a supernatural or religious origin, modern scholars have emphasized its significance in shaping political institutions, constitutional government, and legal philosophy. Natural law therefore relies upon reason and good conscience to distinguish right from wrong and to guide human conduct toward the common good [Bix, 2015]. Cohen observed that natural law is not a body of enacted legislation or judicial decisions enforced by courts. Rather, it represents a philosophical approach through which judges and jurists evaluate law according to ideals such as justice, morality, reason, authority, and good conduct [Cohen, 1954]. Although many classical thinkers traced the origin of natural law to divine authority, modern sociological jurists and legal realists have also appealed to natural law principles to support theories that emphasize law as an instrument for balancing competing social interests within society [Dias, 1976]. Thomas Aquinas, an Italian Dominican priest and philosopher, integrated Aristotelian philosophy with Christian theology and made one of the most significant contributions to legal and political philosophy through his classification of law. Aquinas maintained that all human law ultimately derives its authority from God. He defined law as "an ordinance of reason for the common good, made by him who has care of the community, and promulgated" [Aquinas, trans. 2002, p. 909]. This definition remains one of the most widely cited formulations of law in legal philosophy because it emphasizes reason, public welfare, legitimate authority, and proper promulgation as the essential characteristics of law. Aquinas classified law into four categories: eternal law, divine law, natural law, and human law [Aquinas, trans. 2002]. Eternal law refers to God's rational governance of the entire universe. According to Aquinas, the whole of creation is ordered by divine reason, and because God's rational plan exists beyond time, it is described as eternal law. Divine law, by contrast, consists of the commands revealed by God through Sacred Scripture to guide humanity toward its ultimate supernatural destiny. Aquinas argued that human beings are created for eternal happiness and therefore require divine revelation to attain this final end.

Natural law occupies a central place within Aquinas's philosophy because it represents humanity's participation in the eternal law. Eternal law is the rational

plan through which God governs all creation. Non-rational creatures participate in eternal law by acting according to their fixed natural instincts, whereas rational beings participate by understanding moral principles through reason and freely choosing to act upon them [Finnis, 2011]. This unique capacity for rational choice distinguishes human beings from other creatures and explains why Aquinas regarded law as a rational guide for human action. Since God governs the entire universe and has care for all creation, the principles of reason that direct human conduct properly qualify as law [Aquinas, trans. 2002]. According to Aquinas, participation in natural law occurs through humanity's natural inclinations and the first principles of practical reason. Human beings discover natural law through the proper exercise of reason as they reflect upon human nature and the purposes for which they were created. Aquinas explained that law exists within individuals in two ways: first, as the rule by which they are governed, and second, as the rational standard by which they regulate their own actions. Since every creature is governed by divine providence through eternal law, all created beings participate in that law according to their respective natures. Rational creatures, however, participate more perfectly because they possess reason and free will, enabling them to recognize moral obligations and consciously pursue the good [Aquinas, trans. 2002]. Aquinas therefore described natural law as "the participation of the eternal law in the rational creature" [Aquinas, trans. 2002, p. 909]. This participation gives human beings a natural inclination toward actions that promote their proper fulfillment and directs them away from actions that are contrary to their true nature. Consequently, natural law provides the moral foundation upon which all legitimate human legislation should be built. Human law, according to Aquinas, consists of specific legal rules derived from the general principles of natural law. Human legislators formulate these laws by applying universal moral principles to the practical circumstances of society. The most fundamental precept of natural law is that good is to be done and pursued, and evil is to be avoided *(*bonum faciendum et malum vitandum*)* [Aquinas, trans. 2002]. Every valid human law should therefore reflect this basic moral principle. Human law derives its legitimacy not merely from political authority but from its conformity with reason and the objective moral order established through natural law. Consequently, any human law that contradicts natural law loses its moral authority and fails to achieve the true purpose of law, which is the promotion of justice and the common good.

Immanuel Kant (1724–1804) developed one of the most influential ethical theories in the history of philosophy. His ethical system, commonly known as Kantian ethics, is fundamentally deontological because it emphasizes moral duty, rational autonomy, and universal moral principles rather than the consequences of actions [Kant, 1998]. At the center of Kant's moral philosophy is the concept of the categorical imperative**,** which he systematically explained in Groundwork of the Metaphysics of Morals. The categorical imperative is a universal moral law that directs individuals to act only according to principles that they can consistently will to become universal laws. In other words, before performing any action, a person should ask whether the principle guiding that action could reasonably be

accepted as a rule governing everyone's conduct without contradiction [Kant, 1998]. In his ethical writings, Kant constructed the foundation of morality upon the concept of duty. He argued that the only thing that can be regarded as unconditionally good is a good will [Kant, 1998]. Other virtues, such as courage, intelligence, or loyalty, may be used either for good or for evil depending on the intentions of the individual. Loyalty, for example, cannot be considered inherently good if it is directed toward an unjust or immoral cause. A good will, however, possesses moral value under all circumstances because it is motivated solely by respect for moral duty. Even when good intentions fail to achieve their desired outcomes, the moral worth of the action remains intact because morality depends upon the will rather than the consequences [Sullivan, 1994]. Kant further distinguished a good will from a will that merely acts in accordance with duty. A genuinely moral action is one performed from duty, not merely one that happens to conform to duty. A person who performs a moral action despite personal inconvenience or contrary inclinations demonstrates genuine moral worth because the action is motivated by respect for the moral law rather than by self-interest or personal benefit [Kant, 1998]. Consequently, Kant maintained that only actions performed out of duty deserve the highest moral esteem. Actions that merely conform to duty remain legally or socially acceptable, but they do not possess the same ethical significance as actions motivated by genuine respect for moral obligation. Although duty often requires individuals to overcome personal desires, Kant did not believe that moral action is externally imposed. Rather, duty arises from the rational will of autonomous individuals who freely recognize the authority of moral law [Wood, 2008]. Human beings obey moral principles because they acknowledge their rational necessity rather than because they fear punishment or expect rewards. In this way, Kant sought to replace external systems of moral authority with an ethics grounded in rational self-legislation. Moral autonomy therefore becomes one of the defining characteristics of human dignity. Kant's ethical philosophy rejects consequentialism, the view that the morality of an action depends primarily upon its consequences. Instead, he argued that the moral value of an action depends entirely upon the intention or motive that inspires it. According to Kant, actions performed from goodwill and respect for moral duty possesses genuine moral worth regardless of whether they ultimately produce successful outcomes [Kant, 1998]. This duty-based understanding of ethics emphasizes that moral obligation, rather than practical success, is the true measure of ethical conduct. Another fundamental aspect of Kant's philosophy is his doctrine of the autonomy of the rational will. He argued that every rational person possesses the capacity to formulate moral principles independently through the proper exercise of reason. Individuals therefore become moral legislators for themselves rather than passive recipients of externally imposed commands [Wood, 2008]. This principle of autonomy forms one of the cornerstones of Kantian ethics and profoundly influenced later developments in moral and political philosophy.

Kant also formulated what is commonly known as the Formula of Humanity, one of the principal formulations of the categorical imperative. According to this

principle, every human being must always be treated as an end in himself or herself and never merely as a means to achieve another person's objectives [Kant, 1998]. Human dignity derives from rationality, and because every rational being possesses intrinsic worth, no individual should be exploited, manipulated, or treated simply as an instrument for another person's benefit. Respect for persons therefore becomes a universal moral obligation grounded in human rationality. Kant's ethical theory has exercised a profound influence on contemporary philosophy, jurisprudence, political theory, and human rights discourse. His emphasis on universal moral principles, rational autonomy, human dignity, and duty continues to shape modern discussions concerning justice, rights, and ethical responsibility [Sullivan, 1994]. According to Kant, determining whether an intended action is morally right or wrong requires applying the principle of universalization, which forms the first formulation of the categorical imperative. Individuals must examine the maxim underlying their proposed action and ask whether they could rationally will that maxim to become a universal law governing everyone's conduct. If the maxim can be consistently universalized without contradiction, then the action is morally permissible. However, if universalizing the maxim would produce contradiction or undermine the very purpose of the action, then the action is morally impermissible [Kant, 1998]. The principle of universalization therefore serves as Kant's fundamental criterion for distinguishing morally right actions from morally wrong ones.

What are some strengths and weaknesses of natural law theory? Jeremy Bentham distinguished between two categories of legal scholars: the expositor, who explains and describes the law as it exists, and the censor, who evaluates how the law ought to be. Bentham argued that the task of jurisprudence is primarily descriptive rather than moral [Bentham, 1970]. John Austin expanded this approach by defining law as "a command set by a superior to an inferior and enforced by sanctions" [Austin, 1995]. This became known as the Command Theory of Law. Austin's command theory, however, has been criticized for failing to explain laws that are not commands or that do not involve sanctions. H. L. A. Hart rejected Austin's theory and instead argued that law is best understood as a system of social rules. Hart distinguished between primary rules, which regulate conduct, and secondary rules, which govern the creation, interpretation, amendment, and enforcement of primary rules. Secondary rules include the rule of recognition, rule of change, and rule of adjudication, all of which contribute to the stability and effectiveness of legal systems [Hart, 2012]. Joseph Raz further developed legal positivism by arguing that legal authority must be identifiable through social sources alone without resorting to moral evaluation [Raz, 1979]. Hans Kelsen similarly argued that every legal system ultimately derives its authority from a hypothetical Grundnorm or basic norm, which provides the foundation upon which all other legal norms depend. In Kelsen's Pure Theory of Law, legal validity depends upon the hierarchical structure of legal norms rather than upon moral considerations [Kelsen, 1967]. Overall, the debate between natural law and legal positivism remains one of the central issues in jurisprudence.

While natural law emphasizes the moral foundations of legal validity, legal positivism maintains that law should be identified according to its source and institutional creation rather than its moral content. Natural law theory has made significant contributions to the development of legal and political thought. It has influenced the evolution of concepts such as equity, human rights, constitutional government, democracy, and the rule of law throughout the world [Finnis, 2011]. Unlike legal systems that depend solely on legislation or religious revelation, natural law is grounded in human reason, making its principles accessible to all rational persons regardless of culture or religion [Aquinas, 1988]. Because it is based on universal principles of justice and morality, natural law is often regarded as universal, objective, and deontological. It provides a clear moral framework for evaluating human conduct and establishing standards of justice applicable across societies [George, 1999]. Historically, the ideals of natural law inspired major political movements, including the American Revolution and the French Revolution, where appeals were made to the inherent rights and dignity of every human being [Finnis, 2011]. Since natural law relies primarily on rational reflection rather than changing emotions or uncertain consequences, it continues to serve as an important foundation for discussions of justice, human rights, and constitutional governance. Despite these strengths, natural law theory has also attracted considerable criticism. One major criticism is that its reliance on "right reason" is difficult to verify through empirical methods. Critics argue that individuals often disagree about what reason requires because moral judgments are influenced by culture, history, religion, and personal experience [Hart, 2012]. Consequently, what one person considers morally right may be regarded differently by another. Furthermore, natural law places little emphasis on the circumstances surrounding an action or its practical consequences, an aspect that consequentialist ethical theories consider essential for moral evaluation [Hart, 2012].

Another criticism concerns the relationship between natural law and religion. Although contemporary natural law theorists argue that reason alone can discover moral principles, many classical formulations, particularly those of Thomas Aquinas, connect natural law closely with God's eternal law [Aquinas, 1988]. Critics therefore argue that individuals who reject religious belief may not accept a moral system that appears to derive its authority from divine command. Others also question whether there truly exists a universal human nature capable of providing objective moral standards applicable to every society and every historical period [George, 1999]. These criticisms raise important philosophical questions concerning the relationship between law and morality. If the reasoning capacity and social nature of human beings are essential for discovering moral truth, can legal or moral obligations exist independently of these human capacities? This question has generated continuing debate among natural law theorists and legal positivists. Natural law maintains that law and morality are closely related because both seek justice, order, and the common good. Although they are distinct concepts, each contributes to regulating human behaviour and promoting peaceful

social coexistence [Finnis, 2011]. The relationship between law and morality has remained one of the central concerns of jurisprudence. While morality encourages individuals to cultivate virtuous character through conscience, persuasion, and social responsibility, law regulates external conduct through formally enacted rules enforced by public authority [Hart, 2012]. Questions therefore arise concerning whether the law of a society should reflect its prevailing moral values, whether unjust laws deserve obedience, and whether legal rules should always correspond with moral principles. These issues continue to influence debates concerning civil disobedience, constitutional rights, and judicial interpretation. Many scholars argue that law and morality perform complementary rather than identical functions. Morality shapes the inner character and ethical convictions of individuals through education, cultural values, religious beliefs, and public opinion. Law, by contrast, establishes enforceable standards that protect public order through legislation, judicial decisions, and legal sanctions [George, 1999]. Together, law and morality contribute to justice, security, and social stability by encouraging responsible conduct while discouraging harmful behaviour. An important distinction nevertheless exists between law and morality. Law primarily concerns what is legally valid within a particular legal system, whereas morality concerns what ought to be according to ethical principles. Law determines legality and illegality through publicly recognized institutions, while morality evaluates actions according to standards of right and wrong [Hart, 2012]. This distinction reflects the classical philosophical debate concerning whether normative moral obligations can be derived directly from descriptive facts about human nature. Although facts and values serve different purposes, both contribute to understanding human society and guiding responsible conduct.

Natural law theorists further argue that both law and morality ultimately serve the common good**,** which represents the welfare shared by all members of society. Human beings cannot flourish in complete isolation because social life depends upon cooperation, mutual respect, and shared responsibilities [Finnis, 2011]. Consequently, the common good includes not only material resources such as roads, schools, hospitals, and public infrastructure but also cultural, legal, and institutional arrangements that enable individuals to live peacefully and develop their potential. Public institutions therefore exist not merely to protect individual interests but also to promote conditions that benefit society as a whole. The concept of the common good recognizes that communities consist of individuals with diverse interests and competing values. Stable societies therefore require legal and moral principles capable of balancing these interests while promoting justice, equality, and peaceful coexistence. Every member of society has a stake in preserving the common good because it provides the foundation for collective security, mutual cooperation, and social development [George, 1999] Achieving these objectives requires rejecting unjust discrimination, arbitrary treatment, and violations of human dignity. Ultimately, natural law maintains that both law and morality should function together in advancing justice and preserving social order. Law cannot effectively operate in an environment characterized by lawlessness,

impunity, or widespread disobedience, just as morality alone cannot adequately regulate every aspect of public life. Together they provide complementary mechanisms for protecting human dignity, maintaining public order, promoting justice, and securing the common good for present and future generations.

Why ought there be sanctity and significance of the moral factor in natural law theory? The pursuit of the common good or collective well-being is one of the central objectives of moral, social, and political life. Human beings are naturally social and political because they recognize the benefits of cooperating with others in order to achieve goals that cannot be accomplished individually [Aristotle, 1999]. The common good therefore represents the collective welfare that emerges when individuals combine their abilities, interests, and resources to promote social development, justice, and peaceful coexistence. Within this context, values commonly associated with the African philosophy of Ubuntu, such as fairness, compassion, justice, dialogue, mutual respect, reciprocity, and human dignity, provide an important moral foundation for sustaining harmonious communities [Metz, 2011]. Reciprocity occupies a central position in the realization of a just society because it encourages individuals to recognize mutual obligations toward one another. Bellamy and Hollis (2011) describe reciprocity as one of the fundamental elements of social life because it strengthens cooperation, neighbourliness, and mutual responsibility. Social order depends upon individuals understanding their respective roles, obligations, and expectations within the community. Consequently, meaningful social interaction becomes possible only when the actions of individuals are connected through relationships of trust, cooperation, and shared responsibility. Natural law theory begins with a particular understanding of human nature. Human beings are rational creatures endowed with the capacity to exercise freedom, responsibility, and moral judgment [Finnis, 2011]. These capacities form the basis of human dignity and ethical responsibility. Nevertheless, human rationality develops within society because individuals exist within families, cultures, and political communities. Human beings therefore flourish through social interaction, cooperation, and participation in the pursuit of common purposes. Peaceful coexistence, sustainable development, and the harmonization of competing interests become possible through laws, moral principles, customs, and institutions that regulate both individual conduct and collective life. Human beings are purposive beings whose survival depends upon distinguishing actions that promote life from those that undermine it. Through reason, individuals identify desirable actions that preserve life, justice, and social stability while rejecting behaviours that threaten human flourishing. Moral and legal systems therefore reward conduct that contributes to the common good and discourage conduct that harms individuals or society [Finnis, 2011]. In this respect, natural law combines both deontological concerns with moral duties and teleological concerns with the promotion of human well-being. Individuals, communities, and nations are encouraged to act responsibly because moral conduct is both inherently right and socially beneficial. Ethical universalism and utilitarianism likewise recognize that moral principles promote human welfare by

encouraging actions that produce beneficial consequences for society [Mill, 2001]. Ideas themselves possess transformative power because they influence both thought and behaviour. As Samuel observed, "men's actions are governed by their ideas; right ideas lead to good actions and good actions bring welfare, while wrong ideas lead to bad actions and suffering" [As Samuel 1947 p. 12] Sound moral ideas therefore become essential for personal development and social progress. Some contemporary scholars have questioned whether morality possesses sufficient practical force because moral rules lack the coercive power of legal sanctions [ten Have & Gordijn, 2014]. Since moral principles are generally enforced through conscience rather than formal punishment, critics argue that ethics may be less effective than law in regulating behaviour. However, this conclusion has been challenged by several scholars who maintain that morality remains indispensable precisely because it shapes the character and motivations of individuals before legal intervention becomes necessary [Ujomu, 2020]. Morality functions through persuasion, education, socialization, and internal conviction rather than external coercion, making it a powerful instrument for long-term human development. Unlike legal rules, moral obligations encourage voluntary commitment rather than compulsory obedience. Moral education seeks to cultivate virtuous character through learning, habit formation, and continuous practice. Consequently, morality develops internal dispositions such as honesty, compassion, integrity, fairness, responsibility, cooperation, critical reflection, and respect for others [MacIntyre, 2007]. These virtues strengthen both individual character and the moral foundations of society. The persuasive character of morality represents one of its greatest strengths. Rather than relying primarily on fear of punishment, morality encourages individuals to internalize ethical values that guide behaviour even in the absence of external enforcement. This gradual process of moral formation enables individuals to move beyond mere compliance toward genuine ethical responsibility based upon reason and conviction [Aristotle, 1999]. In this sense, morality encourages what Kant described as acting from duty rather than merely acting in accordance with duty [Kant, 1998]. Ethics and politics exist because human beings inevitably interact within families, communities, institutions, nations, and the international system. These relationships require mechanisms for resolving conflicts, harmonizing competing interests, and promoting peaceful cooperation. Some realist scholars have argued that international politics is governed primarily by power and national interest rather than moral principles [Morgenthau, 2006]. Such a position suggests that morality has little practical relevance in political affairs. However, many philosophers reject this conclusion. Samuel (1947) argued that no society can sustain prosperity, influence, or leadership without sound moral standards. Likewise, Paton (1948) maintained that politics cannot be separated from morality because political leaders remain morally accountable for their decisions. To deny the relevance of morality in public life is to undermine mutual trust, reciprocity, justice, and the minimum ethical standards necessary for peaceful social existence. Consequently, ethics continues to provide the moral foundation upon which law, governance, justice,

and political legitimacy ultimately depend. What are some effects of denying morality in a socio-legal order? We are interested in how power can be negotiated or made to serve the interest of higher and positive values or goals. In this sense, we are interested in the idea of power as domination, as the ability to control or command [Morgenthau, 2006]. There is a profound connection between power and justice. As Morgenthau (2006) puts it, "the object of somebody's power opposes that status in the name of justice, and the holder of power justifies it, also in the name of justice. The real issue arises between power and its victim or between power and power, each claiming justice for its cause" (p. 85). This turbulent aspect of power, construed domestically and internationally, remains one of the greatest challenges facing humanity today. The pursuit of a model of law and justice defined as "justice is nothing else than the advantage of the stronger" [Plato, trans. 1992, p. 19], commonly known as Thrasymachean justice, supports the view that rulers often govern primarily in their own interests. History also demonstrates that "the source of all instability in the community lies in the fact that rulers tend to think first of their own families or property interests" [Aristotle, trans. 1984, p. 1845]. This position reflects ethical egoism, which may extend from the individual to groups and even to the State. The organic nature of the State makes it capable of expressing both the noblest and the worst aspects of human nature. Consequently, the State is regarded as a legal person or, in the words of Hobbes (1996), an Artificial Person. The State possesses the capacity for self-definition, adaptation, and institutional renewal following periods of severe political or social breakdown.

Accordingly, the search for political and socio-legal community seeks to identify ways by which individuals and states can rise above narrow self-interest. At this point, law alone is insufficient. Morality remains indispensable for the establishment and preservation of a stable, peaceful, and progressive society. Kant (1996) contends that justice is the relation among persons under conditions in which everyone is able to enjoy what is rightfully theirs. Justice therefore consists of "the aggregate of those conditions under which the will of one person can be united with the will of another according to a universal law" [Kant, 1996, p. 24]. Thus, an action is just only when it is compatible with the equal freedom of others. Kant's central ethical insights is that a person realizes his or her true self by acting according to the moral law (Kant, 1997). Moral obligation applies to every rational being capable of recognizing duty. Consequently, only actions performed from duty possess genuine moral worth. Korsgaard (1996) similarly argues that the essential character of law is universality. Accordingly, anyone acting from duty must ensure that the principle governing his or her conduct can be universally applied. Thus, Kant's doctrine of justice is grounded in the categorical imperative, which requires individuals to act only according to maxims that can consistently become universal laws [Kant, 1997]. Ebbinghaus (1969) explains that the categorical imperative defines the form of duty itself and identifies what all duties share in common, thereby providing the formal foundation for moral obligation. Wiredu (1996) argues that moral rules derive their significance not merely from their universal applicability but, more importantly, from their relationship to

human interests and social well-being. Rules are meaningful because they exist to achieve worthwhile purposes within particular social contexts. Consequently, the effectiveness of moral principles depends on their capacity to promote peaceful coexistence. Wiredu (1996) further maintains that any society lacking a minimum level of morality is destined to collapse. Social morality, especially justice, regulates interpersonal relationships and preserves social harmony by discouraging injustice, deception, exploitation, and disorder. Similarly, Kupperman (1999) maintains that the core of morality consists of injunctions against harming others. This understanding naturally raises the enduring philosophical debate concerning egoism. Ethical egoism holds that moral conduct should ultimately serve one's own interests and that individuals should act morally only when doing so advances their personal welfare [Rachels & Rachels, 2019]. When egoism becomes the guiding principle of a group or nation, it often manifests itself through intolerance, domination, exclusion, discrimination, and ethnic conflict. Such tendencies remain among the most visible characteristics of ethnic and group-based egoism in many contemporary societies.

CONCLUSION

Natural law is universal and common to humanity, and it should be the basis for enacting civil law in all human legal system. It transcends differences in culture, religion, and various formulations of moral law. Natural law is often understood as the fundamental source of normative from which positively formulated moral norms must be derived if morally justifiable. As a counterpoint to positive law, natural law is the criterion of justification for political and biblical law which must be obeyed at all times. Cicero and his idea of natural law, points that nature has endowed man with the law he must obeyed. The notion of natural law was a basis for the formation of state and the use of reason for the control of human society ideas. Human reason is particularly important and should guide and direct all that we do with an understanding that natural law is the universal law from which all things take their guides, a law that needs no interpreter but knowable by human reason and it is from this law that societies must developed positive law for shaping human conducts. There remained a primordial partnership in reason between man and God which makes humanity special and distinguishes man from other living beings such that those who possess these are to be called the members of the commonwealth of humanity. Honorable Olumuyiwa Wahab Jimoh is a Doctorate degree candidate at the Department of Philosophy, University of Lagos, Nigeria. He was a member of Parliament. He served three consecutive terms in the Lagos State House of Assembly as an elected member of parliament and was a deputy House Majority Leader. He attended many programs and conferences as a parliamentarian including, Leadership Institute's International Leadership Training School, Arlington, Virginia, U.S.A., Workshop on Strategies for Leading Change and Development Organized by Messrs. Juris Consults, Florida, U.S.A, Strategic Decision Making for Management Course at The London School Of Economics and Political Science, United Kingdom, Transformation

Leadership & Organizational Change Programme, University Of Cambridge (Judge Business School), Atarusha International Conference Centre (Aicc), Arusha, Tanzania, Study Tour Of Turkish Parliamentary/Turkish Ministry Of Transportatio, Legislative Procedure and Good Governance and Good Governance through Legislative Performance organized by Fm&T Consult in Collaboration With the Lagos State House Of Assembly. His knowledge of the Legislative/ administrative as well as field environments of the Ministry of Waterfront Infrastructure Development enhanced his oversight duties as the Chairman, House Committee on Waterfront Infrastructure. He obtained the Masters of Science International Law and Diplomacy and a Bachelor of Arts degree in Philosophy from the University of Ibadan. He was the Secretary for Committee for Defense of Human Right Oyo State Chapter and also a volunteer educator for linking Youth of Nigeria through Exchange (LYNX). He was a dedicated cadre in the National Association of Nigeria Students (NANS), and worked closely within several platforms of the civil societies to galvanize the consolidation of Democracy and development in Nigeria. He was the coordinator of Apapa Youth Movement, member of the Coordinating committee of Badia Youth Vanguard, a member of the Patriotic Youth Movement of Nigeria & Lagos State Coordinator of Citizenship Forum for Constitutional Reform. He has written feature articles and opinions in prominent media outlets such as Tribune, Guardian, ThisDay, The Nation, PM news, Daily Independent, etc.

BIBLIOGRAPHY

1.Aquinas, T. (1988). On law, morality, and politics (W. P. Baumgarth & R. J. Regan, Eds.). Hackett Publishing.

2.Aquinas, T. (2002). Summa theologica (Fathers of the English Dominican Province, Trans.). Christian Classics. (Original work published 1265-1274)

3.Aristotle. (1999). Nicomachean ethics (T. Irwin, Trans., 2nd ed). Hackett Publishing.

4.Austin, J. (1995). The province of jurisprudence determined (W. E. Rumble, Ed.). Cambridge University Press. (Original work published 1832)

5.Bellamy, R., & Hollis, M. (2011). Pluralism and the foundations of political theory. Cambridge University Press.

6.Bentham, J. (1970). Of laws in general (H. L. A. Hart, Ed.). Athlone Press.

7.Bix, B. H. (2015). Jurisprudence: Theory and context (7th ed.). Sweet & Maxwell.

8.Cicero. (1998). The republic and the laws (N. Rudd, Trans.). Oxford University Press. (Original work published c. 51 BCE)

9.Cohen, M. R. (1954). Reason and law: Studies in jurisprudence. Free Press.

10.Dias, R. W. M. (1976). Jurisprudence (5th ed.). Butterworths.

11.Ebbinghaus, J. (1969). Kant's doctrine of law and state. University of Wisconsin Press.

12.Finnis, J. (2011). Natural law and natural rights (2nd ed.). Oxford University Press.
13.George, R. P. (1999). In defense of natural law. Oxford University Press.
14.Hart, H. L. A. (2012). The concept of law (3rd ed., P. Bulloch & J. Raz, Eds.). Oxford University Press.
15.Hobbes, T. (1996). Leviathan (R. Tuck, Ed.). Cambridge University Press. (Original work published 1651)
16.Kant, I. (1998). Groundwork of the metaphysics of morals (M. Gregor, Trans. & Ed.). Cambridge University Press. (Original work published 1785)
17.Kelsen, H. (1967). Pure theory of law (M. Knight, Trans.). University of California Press.
18.Korsgaard, C. M. (1996). Creating the kingdom of ends. Cambridge University Press.
19.Kupperman, J. J. (1999). Ethics and qualities of life. Oxford University Press.
20.MacIntyre, A. (2007). After virtue (3rd ed.). University of Notre Dame Press.
21.Metz, T. (2011). Ubuntu as a moral theory and human rights in South Africa. African Human Rights Law Journal, 11(2), 532–559.
22.Mill, J. S. (2001). Utilitarianism. Batoche Books. (Original work published 1863)
23.Morgenthau, H. J. (2006). Politics among nations: The struggle for power and peace (7th ed.). McGraw-Hill.
24.Murphy, M. C. (2005). Natural law in jurisprudence and politics. Cambridge University Press.
25.Paton, H. J. (1948). The categorical imperative: A study in Kant's moral philosophy. Hutchinson.
26.Plato. (1992). Republic (G. M. A. Grube, Trans.; C. D. C. Reeve, Rev.). Hackett Publishing.
27.Rachels, J., & Rachels, S. (2019). The elements of moral philosophy (9th ed.). McGraw-Hill Education.
28.Raz, J. (1979). The authority of law: Essays on law and morality. Oxford University Press.
29.Samuel, H. (1947). Belief and action: An everyday philosophy. Cresset Press.
30.Sullivan, R. J. (1994). An introduction to Kant's ethics. Cambridge University Press.
31.Ten Have, H., & Gordijn, B. (2014). Handbook of global bioethics. Springer.
32.Ujomu, P. O. (2020). Ethics, governance and development in Africa. Malthouse Press.
33.Wiredu, K. (1996). Cultural universals and particulars: An African perspective. Indiana University Press.
34. Wood, A. W. (2008). Kantian ethics. Cambridge University Press.

Jimoh, Olumuyiwa Wahab
докторант,
кафедра философии,
Университет Лагоса, бывший член Палаты собрания штата Лагос
Тел.: +234 8111111005
E-mail: olaolumuyi@yahoo.com
(Нигерия).

НЕОБХОДИМОСТЬ НРАВСТВЕННОСТИ В ТЕОРИИ ЕСТЕСТВЕННОГО ПРАВА

Аннотация. Теория естественного права связывает право с разумной природой человека и нравственными принципами, создавая основу для оценки справедливости законов и их значения в обеспечении общественного порядка. Единство права и нравственности в рамках этой теории способствует ответственному поведению, защите человеческого достоинства и развитию гуманного и справедливого общества. Однако принятие и применение законов, игнорирующих нравственные критерии, может узаконивать несправедливость и подрывать общее благо. В связи с этим цель статьи заключается в раскрытии роли нравственности в теории естественного права посредством изложения и критического анализа ее положений и в обосновании значения взаимосвязи права и нравственного мышления для формирования справедливого общественного и правового порядка.

Ключевые слова: мораль, естественное право, право, теория, нравственность, правовой порядок.

Jimoh, Olumuyiwa Wahab
doktorant,
falsafa kafedrasi,
Lagos universiteti,
Lagos shtati Assambleyasi sobiq a’zosi,
Tel.: +234 8111111005
E-mail: olaolumuyi@yahoo.com
(Nigeriya).

TABIIY HUQUQ NAZARIYASIDA AXLOQNING ZARURATI

Annotatsiya. Tabiiy huquq nazariyasi huquqni insonning aqliy tabiati va axloqiy tamoyillar bilan bog‘lab, qonunlarning adolatliligini hamda ijtimoiy tartibni ta’minlashdagi ahamiyatini baholash uchun asos yaratadi. Ushbu nazariya doirasida huquq va axloqning uyg‘unligi mas’uliyatli xulq-atvorni qo‘llab-quvvatlaydi, inson qadr-qimmatini himoya qiladi hamda insonparvar va adolatli jamiyat rivojiga xizmat qiladi. Biroq axloqiy mezonlarni hisobga olmaydigan qonunlarning qabul qilinishi va qo‘llanilishi adolatsizlikni qonuniylashtirishi hamda umumiy manfaatga putur yetkazishi mumkin. Shu munosabat bilan

maqolaning maqsadi izohlash va tanqidiy tahlil orqali tabiiy huquq nazariyasida axloqning o‘rnini ochib berish hamda huquq va axloqiy tafakkur o‘rtasidagi bog‘liqlikning adolatli ijtimoiy-huquqiy tartibni shakllantirishdagi ahamiyatini asoslashdan iborat.

Kalit so‘zlar: axloq, tabiiy huquq, huquq, nazariya, axloqiylik, huquqiy tartib.

