

God and Morality

at Harvard

Tan Seow Hon '97 writes about her experiences of running a workshop on Law and Morality at Harvard University. Find out how she far ed, raising conservative concepts in the face of 'liberal orthodoxy' at Harvard

My students sipped sodas and munched brownies (generously sponsored weekly by Harvard), while I screened a clip from Terminator 2 in which the boy told Arnie's character it was just wrong to kill, to illustrate a view of morality known as moral realism. I asked the crowd of 30 bright graduate students whether they believed in right and wrong, and if so, whether these were referable to God or some conception of human nature.

Some answered, throwing in the postmodernist "he or she" when referring to God; others said they would exercise their "Fifth" (referring to the privilege against self-incrimination in the Fifth Amendment of the American Constitution); one or two others suggested my question was inappropriate. I explained that the question was relevant because the subject was natural law theory, which asserted that legal systems are based ultimately on higher principles, discoverable by us, derivable from God and/or human nature.

No, this isn't divinity school. It was the first session of a workshop I designed and ran as a Byse Fellow of the Harvard Law School, titled: "Law and Morality: A Critical Examination of Natural Law Theory and its Relevance in a Pluralist World".

Given that Harvard is known for its orthodox liberalism and political correctness hostile to absolutist visions of philosophy, morality and law, fierier debates are expected in a workshop that addresses the least favorably discussed of legal theories in the classrooms here. These days, to declare oneself a natural law theorist in a postmodern environment is to be seen either as a religious fanatic or a joke. This is somewhat ironic, as Harvard began historically as a school to train religious ministers. Its crest still reads "veritas", meaning "truth", a word with unmistakably absolutist connotations.

Passionate debates and remarks such as "natural law is fit for the museums" notwithstanding, participants suggested they enjoyed discussing what was to them a novel subject. I was heartened by their willingness to make time for a workshop dealing with issues of morality. Also refreshing was their view of discourse as a process of sharpening ideas, instead of sharing personal thoughts only if they were writ in stone.

At the final session, one participant looked ecstatic – she explained that she finally understood my true purpose for conducting this workshop. I asked her to elaborate.

She said my workshop was never meant to be a plain defense of natural law theory. She was right. I was more interested in turning critiques of natural law on their heads, by using the same measure with which they judged natural law to judge them. Liberalism, for example, purports to be neutral amongst different conceptions of the good, but it often forges, in a non-neutral manner, dialogue on absolute values, which liberalism treats as unreasonable and irreconcilable, and therefore to be shunned. Ironically, liberalism's equally absolute value of autonomy is in competition with absolute values cherished by other theories, and needs justification. While my happy participant had hitherto preferred liberalism, she now feels it is impoverished, as Man cannot begin to speak of a shared humanity or life unless he is apprised of his substantive vision of humanity, and doesn't fear discoursing on ultimate questions of life, which dialogue doesn't necessarily carry with it imposition on others. She saw the light when I said we all had presuppositions about our world and how we related to it anyway, conscious or not, and that my exhortation that we examine our worldviews and be upfront is worthy.

A Singaporean friend told me my workshop was useless. She couldn't imagine why anyone would come. I guess she means it is useless to the practitioner.

Do I agree? If through philosophy I lead another person to ask life's deepest questions, I feel I've done something meaningful. The answer is for him to find. I might have rescued him from a life lived fully but which he feels has no meaning, to borrow Hugh Grant's words in the movie, About a Boy.

But supposing because I'm a law academic I must impact law, is legal philosophy useful for the practice of law? I think so. The making of a building fit for living involves the architect, the engineer, the construction worker, the manufacturer of raw materials, the interior designer, etc. Suppose they forget the purpose of their project because it's been long ongoing. Someone must remind them, lest they build a dungeon instead of a home. I think legal philosophy serves a similar purpose. It reveals structural flaws and inadequacies that are deviations from the true purpose of the enterprise of justice. Without this knowledge, the enterprise must fail to be what it purports to be.

