



# Natural Law and Justice

*Lloyd Weinreb*

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"Human beings are a part of nature and apart from it." The argument of *Natural Law and Justice* is that the philosophy of natural law and contemporary theories about the nature of justice are both efforts to make sense of the fundamental paradox of human experience: individual freedom and responsibility in a causally determined universe.

Professor Weinreb restores the original understanding of natural law as a philosophy about the place of humankind in nature. He traces the natural law tradition from its origins in Greek speculation through its classic Christian statement by Thomas Aquinas. He goes on to show how the social contract theorists adapted the idea of natural law to provide for political obligation in civil society and how the idea was transformed in Kant's account of human freedom. He brings the historical narrative down to the present with a discussion of the contemporary debate between natural law and legal positivism, including particularly the natural law theories of Finnis, Richards, and Dworkin.

Professor Weinreb then adopts the approach of modern political philosophy to develop the idea of justice as a union of the distinct ideas of desert and entitlement. He shows liberty and equality to be the political analogues of desert and entitlement and both pairs to be the normative equivalents of freedom and cause. In this part of the book, Weinreb considers the theories of justice of Rawls and Nozick as well as the communitarian theory of MacIntyre and Sandel.

The conclusion brings the debates about natural law and justice together, as parallel efforts to understand the human condition. This original contribution to legal philosophy will be especially appreciated by scholars, teachers, and students in the fields of political philosophy, legal philosophy, and the law generally.

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