

The Evolution of Natural Law from Thomas Aquinas to Modern Rationalist Thought

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ABSTRACT

KEYWORDS

Natural Law; Thomas Aquinas; Modern Rationalism; Philosophy of Law.

Natural Law represents one of the oldest schools of thought in legal philosophy, placing the foundation of law on moral and rational values inherent in human nature. Natural law emphasizes substantive justice that is universal and eternal. This study traces the development and transformation of Natural Law theory from the theological framework of Thomas Aquinas to the rationalist thought of the modern era, with the aim of understanding the relevance of Natural Law principles in contemporary legal contexts and the epistemological shift from faith to reason. Using a qualitative approach through library research and data analysis, this study compares Aquinas's concept of Natural Law—which views law as the participation of human reason in God's eternal law (lex aeterna)—with the views of rationalist thinkers such as Grotius, Locke, Rousseau, and Kant, who place reason as the source of legal legitimacy and natural rights independent of divine authority. The findings show that this shift marks the secularization of Natural Law, which then forms the foundation for human rights, social contract theory, the rule of law, and legal-rational legitimacy. This study concludes that the dialectic between theological and rationalist paradigms continues to influence modern legal philosophy, making universal morality, rationality, and human dignity core pillars of contemporary legal systems.

INTRODUCTION

The concept of natural law plays an important role in the history of philosophical and legal thought because it provides a universal moral foundation and serves as the basis for developing ideas about justice and human rights (Fedyai & Bulanov, 2024; Jasiński, 2019; Prihracki, 2021; Vacura, 2022). The development of this school of thought became the starting point for the search for truth through reason, as ancient Greek philosophers pursued, and it continues to influence modern legal thinking on more fundamental rights and justice (Kent Adytia Kusnanto, 2024; Khujadze, 2022; Nuritdinov, 2024; Saputra et al., 2024; Bratasiuk, 2020).

Since the time of the ancient Greek philosophers, the search for truth through reason and observation of nature has led to the idea of natural law as the rational order that governs the universe, called eternal law (Drach & Frantsuzov, 2023; Lee, 2023; Nika, 2022; Tikhonov & Khmelevskoi, 2024). Historically, the natural law school has played an important role in transforming ancient civil law by providing a moral basis for positive law and serving as the main instrument for criticizing existing laws. This concept offers a basic framework for assessing justice and upholding fundamental human rights, which are considered universal moral principles that transcend human-made positive laws. This idea has consistently provided the moral basis for developing a more equitable legal system that prioritizes the basic rights of every individual.

The development of natural law thought has undergone a fundamental shift throughout history, particularly from a theological view to rationalism. Historically, dominant theological and scholastic traditions have held that natural law is directly derived from God, universal, and eternal. However, the rise of rationalism marked a response and drive to break free from this traditional thinking, leading to a new understanding that the laws of nature can be discovered and understood through the human mind. This shift is relevant to examine because rationalism, which emphasizes reason and logic, forms the basis for more universal and logically provable concepts of natural law. This fundamental shift in the source of legal authority has major implications for how natural law is understood and analyzed. The rationalist school holds that the source of law is a universal and eternal human ratio, in contrast to the theological view that places it in the divine will.

An analysis of the debate between the two schools is important because rationalism later became the basis for much modern thought, including in the fields of law and politics. Understanding how rational thought in natural law forms the foundation for legal and ethical systems in the modern era underscores the urgency and importance of studying this topic more deeply in the context of contemporary legal developments.

Previous studies have predominantly examined natural law through a singular lens, either focusing on its theological roots in Aquinas's thought or tracing its rationalist development in modern philosophy. Works such as Sumaryono (2002) explore the relevance of Aquinas's natural law theory in ethics and law, while Anugrah and Radiana (2022) analyze rationalism as a foundation for scientific knowledge. However, there remains a gap in research that systematically compares the theological foundations of Aquinas with the secular rationalism of modern thinkers such as Grotius, Locke, Rousseau, and Kant, particularly in terms of their epistemological shifts and implications for contemporary legal understanding.

The aim of this research is to demonstrate that natural law can provide a foundation for affirming unchanging moral values by emphasizing universal moral standards that apply to all people. Natural law, as understood in Thomas Aquinas's thought, can ideally serve as the basis for a just society and remains relevant even as social conditions constantly evolve. This research aims to answer two main questions: first, how does Thomas Aquinas's concept of natural law differ from modern schools of rationalism? Second, who are the key figures that bridge the two streams?

The benefits of this research are expected to provide both theoretical and practical contributions. Theoretically, this study enriches the literature on legal philosophy by offering a comparative analysis that maps the transition from theological to rationalist natural law, highlighting the epistemological shift from faith to reason. Practically, it can serve as a reference for academics, legal practitioners, and policymakers in understanding the philosophical foundations of modern legal principles such as human rights, the rule of law, and legal legitimacy, which are rooted in the rationalist transformation of natural law thought.

METHOD

This research employed a qualitative approach with descriptive analysis, collecting data from literature sources. The literature sources used consisted of primary and secondary sources. Primary sources included books in the field of philosophy of science, while secondary sources comprised journal articles related to the research topics that provided a mapping of the

scientific framework. To reach a conclusion, the data results were analyzed through a systematic process of the scientific framework (Darmalaksana, 2020).

The data sources of this research were textual documents, various literature, journals, and scientific publications. Data collection was carried out using literature study methods, including books, journal articles, and academic documents accessed through libraries and digital databases. Reading was conducted critically to understand the historical context, core ideas, and philosophical principles contained in the texts. Important ideas—such as philosophical thought—were identified and classified by interpreting the texts as they were.

The validity of the data was maintained by comparing various literature sources addressing the same theme, integrating them, and compiling consistent interpretations based on a contextual framework.

RESULT AND DISCUSSION

Theory of Natural Law

Natural Law occupies a very important position because it is the foundation for legal thought throughout history, even until modern times. This school emphasizes that true law cannot be separated from universal principles of morality and justice, which can be captured through human reason. In other words, the law of nature affirms that the supreme source of law is not the will of the ruler, but the moral order and rationality inherent in human nature.

The theory of natural law is stated to have existed even without the need for human understanding or any political or legislative order. The laws of nature are based on the idea that humans inherently understand the difference between right and wrong.

No one is taught the laws of nature, we are born with it, we start by making good and correct decisions. Therefore, it is said that the Law of Nature can be discovered through the use of reason. All individuals and organizations have the right to be free from government and political systems, regardless of culture or religion.

The historical roots of natural law can be traced back to Ancient Greece, when philosophers such as Plato and Aristotle began to associate law with the moral order of the universe. Aristotle held that man is part of nature as well as law, This view was later reinforced by the Stoic philosophers and Cicero in *De Legibus*, who affirmed that true law is reason that is in harmony with nature, eternal, unchanging, and applicable to all people. Cicero even stated that laws that are contrary to true ratio and justice are not worthy of being called law. These ideas became the foundation for the development of natural law theories in later periods.

Theory of natural law according to the views of some philosophers:

- a) Aristotle: Views the laws of nature as laws that apply universally, do not change, and have a foundation in the order of the universe itself. He connects the laws of nature with the teleological order or purpose of nature.
- b) Plato: Believes that the universe is governed by a rational order, which is based on the Manifestation of Goodness, and directs man to act wisely.
- c) Cicero: Considers the law of nature to be the supreme principle that comes from human reason, is universal, and is the basis for justice. He emphasized that the law must be in harmony with natural principles.

- d) **Marcus Aurelius:** As a Stoic philosopher, he saw the laws of nature as the harmony of human actions with reason and the order of nature. This means living in harmony with nature through virtues such as wisdom and justice.
- e) **Thomas Aquinas:** Divides law into four types, namely eternal law (God), natural law (human reason), divine law (scriptural revelation), and human law (social order). He argued that human law must be in harmony with natural law and justice.
- f) **Hugo Grotius:** Known as a figure of rational natural law, whose thought appeared in the transitional period from the Middle Ages.
- g) **John Locke:** Looking at the laws of nature through the lens of empiricism, where laws come from human experience and human consciousness that is empty at birth and then filled with experience.

Natural Laws According to Thomas Aquinas

In the Middle Ages, the idea of natural law reached a systematic form through the thought of Saint Thomas Aquinas (1225–1274), a Roman Catholic theologian and a great philosopher in the Scholastic tradition. The philosopher, who was born in Roccasecca in 1225, Italy, was the son of Prince Aquinas. Although Aquinas came from the nobility of the kingdom of Sicily, his family wanted him to become a monk. At the age of 5 he was sent to the Benedictine monastery in Monte Casino to train as a monk.

Later, Aquinas studied at the University of Naples, where he first discovered Aristotle's writings. Against his family's wishes, he joined the Dominican Order at the age of 18 and took a vow of poverty. In 1245, Aquinas went to the University of Paris where there was a fierce debate over Aristotle's ideas. The young Aquinas studied under the guidance of Albert the Great, who sided with those who believed that Aristotle's worldview was in line with the Christian view. Aquinas came to the idea that one should only believe in what is self-evident (e.g., man uses reason) or that can be deduced from self-evident propositions (e.g., human reason can find truth).

Aquinas became a teacher of the Dominican religion at the University of Paris and in Italy. He continued to study the works of Aristotle and the Muslim commentaries on them. Aquinas wrote his own commentary on Aristotle, which included reasoned propositions based on certainties revealed by God. He also wrote a summary of Catholic doctrine that also tried to combine reason and faith.

Aquinas developed a legal theory that placed the laws of nature as part of God's laws. The metaphysical foundation of Thomas Aquinas's thought of natural law is the participation of the human mind in God's eternal law (*lex aeterna*), which serves as the universal blueprint for the universe. This concept emphasizes that man, through his intellect, recognizes and integrates himself into the divine plan. The eternal law is the rational order established by God as the creator, while the law of nature is a manifestation of the participation of the human mind in the order, providing the basic principles for acting according to the universal good, such as doing good and avoiding evil. However, Aquinas also recognized the limitations of human reason to understand all spiritual truths, so faith complements that understanding. This natural law is the basis for the formation of positive laws (man-made laws) which should ideally be in harmony with these divine principles.

Thomas Aquinas through *his Summa Theologiae* classified law into Lex Aeterna, Lex Naturalis, and Lex Humana, and affirmed that Lex Humana is only valid if it is sourced and in harmony with the Lex Naturalis, human law is valid only insofar as it is in harmony with the laws of nature. If human law is contrary to justice and morality, then the rule loses its validity, or loses its nature of justice. As the famous phrase goes: "lex iniusta non est lex" (an unjust law is not a law). Through this view, Aquinas managed to blend Aristotelian rationality with Christian theology, and affirmed that law has an ethical and transcendental dimension that cannot be ignored.

Man inherently knows that "do good and avoid evil," and this is a manifestation of the laws of nature. Aquinas was aware of the limitations of human reason and did not claim that reason could achieve everything. Reason alone cannot comprehend all spiritual truths. Therefore, he places reason as the basis of philosophy, while faith provides the truth of divine revelation that completes human understanding. Natural law is the foundation for positive law (laws made by man), which ideally must be in harmony with the laws of nature and ultimately accountable before God. He defined law as "a decree of common sense for the common good made by him who is responsible for society and promulgated". According to him, the laws of nature are divided into four categories and are composed of four main levels, from the highest to the lowest, as follows :

1) Eternal Law (*Lex Aeterna*)

The eternal law is an immutable law, the law of nature is a part of the eternal law that can be expressed by reason, as it states that man is a rational being and that he can decide what is good by reflecting his own impulses and nature.

2) Divine Law

The Divine Law is God's eternal law revealed to man primarily through scripture, providing profound moral guidance for humanity and the church has the authority to interpret it.

3) Natural Law (*Lex Naturalis*)

Natural law is a theory that states that there is a set of moral rules and laws that are universal, eternal, and inherently applicable to humans, whether derived from reason, human nature, or God.

4) Human Law (*Lex Humana*)

Human law is a law made by human beings to regulate society and social life in the state with the aim of human safety and welfare itself which is manifested in concrete regulations .

The core concept of Thomas Aquinas' theory is the relationship between means and ends. According to him, there is a relationship in the essence of everything between a certain action and its outcome. The tendency to develop in a certain way is inherent in everything. The fire burns, but it does not freeze. However, the human mind can understand the relationship between means and goals. He himself can choose a particular goal and devise a way to achieve it, and the law is the means to achieve that goal.

The purpose of natural law according to Thomas Aquinas is to lead man to live in accordance with reason and morality, with the main principle that "good must be done and pursued, and evil must be avoided". Natural law, understood as the participation of the human mind in God's eternal law (lex aeterna), aims to bring about the general welfare (bonum

commune) in society, which includes self-preservation, family formation, and the desire to know God. Positive law (man-made law) must be in harmony with this natural law in order to be considered just and have the force of law.

The Transition Period from Theology to Rationalism

The period of the Renaissance in Europe, a period of transition that gradually shifted, the human mind began to be valued as the main source of knowledge and truth. It was a transitional period in the course of natural law from theological to rationalist emphasis, spearheaded by thinkers who shifted the source of natural law from divine authority to human reason. This period was an important development in the philosophy of law, in which the laws of nature, which had previously been understood through religious dogma, were then beginning to be analyzed, towards a view that focused on the ability of the human mind to understand the laws of nature and truth through logic. The debate on Natural Law related to the issue of individual human rights and the limits of government, encouraged freer and more critical thinking, a revival of interest in science and classical wisdom, which provided the basis for the development of new scientific science.

There is a strong urge to break free from long-ingrained traditional thinking, including medieval philosophy that is often used to reinforce religious dogma. Natural science and natural law began to be analyzed using logical and rational methods, not just based on the interpretation of scripture or church teaching. Thinkers began to search for universal truths that could be understood through reason, such as the laws of nature that apply to all people, regardless of their religious background, which marked the beginning of a shift towards modern thought.

Entering the modern era, natural law thinking has undergone secularization. There are roles of several figures defining the laws of nature as rational principles, regardless of divine intervention. The views of these figures had the effect of shifting thinking from a Theocentric view (God as the center of all things) to an anthropocentric view (man as the center of thought), which prioritized human reason and reasoning to understand the world and then became the basis for the development of modern natural law, which influences legal and political theories to this day.

The Modern School of Rationalism in Natural Law

The foundation of the idea that natural law is derived from human reason, not divine revelation, is a rational argument based on a belief in man's inherent ability to understand moral and legal principles that are universal at all times, and basic principles such as "no harm to others" can be understood through human reflection and reason, without relying solely on revelation. This approach aims to overcome the limitations of sources of revelation that may not be uniformly accessible or interpreted by everyone, thereby making reason a more universal source accessible to all of humanity.

Figures such as Hugo Grotius (1583-1654) argued that the laws of nature could be universally and impartially accessible through reasoning (ratio), regardless of religious sources. Then there are Christian Thomasius, Immanuel Kant, and Samuel von Pufendorf. As the main supporters of this movement.

Hugo Grotius affirms in *De Jure Belli ac Pacis* that the laws of nature remain valid even without assuming the existence of God, because they are derived from human rationality. Grotius's view became the basis for the birth of modern international law, which does not depend on a single state authority. In the discourse of legal thought, Hugo Grotius is recognized as one of the influential figures in the development of world law, especially in the context of international law. Born and raised in a noble family and intensely in the legal field, Grotius had his own talents and a different perspective on the law. The influence of her parents' upbringing and the interdisciplinary education model she pursued while at Leiden University led her to become a different figure. The accumulation of knowledge, experience, and the socio-historical context around him led Grotius to an interesting discovery. Grotius argued that the primary source of law was reason, not God. In this condition, the terms of secularization of natural law are addressed to him. Grotius's thinking was influenced by his educational background in childhood and his experience of social conditions experienced during the war between the Netherlands and Spain and France.

Many figures later protested and strongly refuted Grotius's works. However, not a few figures were also influenced by him.² The internal and external complexities he experienced led Grotius to a dialectic of legal science that could be said to be logical and capable of solving various problems that arose at that time.

John Locke's thoughts on empiricism, natural rights, and the social contract have had a significant influence on the development of modern philosophy and political theory, making him an important figure in the history of thought. Although known in politics, his main contribution was in philosophy as a pioneer of empiricism, which was developed in his book *Essay Concerning Human Understanding*.

There is a view of Natural Conditions, namely natural rights (human rights) inherent in individuals from the womb. In nature, humans tend to be driven by personal desires and desires that can trigger conflict. However, Locke also argued that humans are free to act as long as they do not violate the laws of nature and are encouraged to interact and live in society. John Locke showed his great concern for the natural conditions of nature and man. Locke's thinking about nature and man is placed in the context of experience as the basis of the development of human life. Locke's thought is an antithesis of Descartes (1596-1650), who states that knowledge comes from reason or rationality. The idea of knowledge is entirely in the rationality or idea of man. For Descartes, Knowledge is divided into Instinctive Knowledge like God.

1. Among the figures who refuted Grotius was King Charles I of England who asked scientists in his country to refute the doctrine of *mare liberum*. In 1625, Seraphim de Freitas published the book *De Justro Imperio Lusitanorum Asiatico* as a rebuttal to Grotius. John Selden was the leading British legal scientist who was most persistent in opposing the idea of *mare liberum*. In 1636, in reaction to Grotius's ideas, Selden published *Mare Claussum* (The Closed Sea), Atip Latipulhayat, "Grotius", Padjadjaran Journal of Legal Science, 4, 1 (2007), p. 211.
2. The figure who is said to have been greatly influenced by Grotius' thought was Gustavus Adolphus, King of Sweden. Richard Tuck, "Introduction", in *The Rights of War and Peace Book I*, ed. Richard Tuck (Indianapolis: Liberty Fund, 2012), pp. 68–69. So did Pierre Bayle, Leibniz, Francis Hutcheson, Adam Smith, David Hume and

Thomas Reid (John Miller, "Hugo Grotius", Stanford Encyclopedia of Philosophy [Stanford University, 2014], p. 25).

Faint knowledge that is influenced by sensory movements, and different knowledge. Meanwhile, Locke argued that there is no other reality higher than the empirical world. All human knowledge can depend on his actual vision and his sensory experience with material objects.

Locke's view of man also departs from his rejection of the theory of innate nature, which admits the existence of innate ideas of the human being. While Locke argued that man cannot produce his knowledge of himself. When born, humans are like a new white paper (A sheet of white paper, avoid of all characters) and have not been filled in (Tabula rasa). In him there is no God-inherited idea, no idea of moral truth and goodness, not even innate tendencies or habits. Mind is still empty. But in that empty situation, man realizes that he cannot produce anything useful for his existence

John Locke through his work *Two Treatises of Government* developed the idea of human natural rights, namely the right to life, liberty, and property, which cannot be abolished by the state, so the power of the state must be limited to protect these rights. This view later became the foundation for the development of modern constitutionalism and the recognition of human rights (HAM). Thus, natural law not only plays a role in shaping the theory of justice, but also influences the global political and legal structures that uphold human dignity.

This view then became the basis for the idea of constitutionalism and the birth of the Universal Declaration of Human Rights in 1948 which emphasized human dignity as the basis of basic rights that should not be revoked. In modern constitutional practice, the natural law school is the basis for assessing the validity or not of a law through constitutional testing, because judges not only assess the text of the regulation but also assess whether the regulation is in line with the sense of justice and respect for human dignity as the highest principle in legal life.

Next is the thought of Jean-Jacques Rousseau (1712-1778) who proposed that modern civilization with all its rationalism actually distances man from his natural authenticity and emotions, which he considered to be the good nature of man from birth. He argues that progress does not necessarily mean that the moral progress of civilization often destroys humans and emphasizes the importance of returning to nature and educating children spontaneously and naturally, not by mere compulsion of reason. Reason has become too dominant and separates humans from emotions and more authentic natural conditions. He believes that humans are born good and it is society that destroys that goodness.

Education and modern society based on rationality actually suppress innate human qualities such as spontaneity and happiness. Rousseau advocated an education that follows the natural development of the child, not based on the norms and common sense of adults. Education should focus on the child's freedom, spontaneity, and curiosity.

To address the conflicts caused by individual freedom in the wild, Rousseau proposed a social contract in which each individual relinquished his or her rights to the community in order to maintain freedom through a shared law. It is a synthesis between natural freedom and social obligation. In his famous book *Social Contract*, Rousseau emphasized the concept of the common will as the foundation of sovereignty. The sovereignty of the state comes from the

people, not God. By obeying the laws of the country, the people are actually obeying themselves.

The idea of the social contract is an important cornerstone of political philosophy, with figures such as Hobbes, Locke, and Rousseau having put forward their ideas before. This concept is loosely interpreted as a social bond which is a rational effort of an ethical political society, with the aim of producing a just society.

Immanuel Kant, one of the major philosophers of the Enlightenment, also developed his own theory of the social contract, which differed from his predecessors. Kant, who grew up in a pietist family in Königsberg and studied and taught at the same university, is widely known for his important works in the fields of epistemology and moral philosophy such as *the Critique of Pure Reason* (1781), *the Critique of Practical Reason* (1788), and *the Critique of Judgement* (1790), as well as a work of political philosophy that examines the concept of freedom. The framework and systematics of Kant's idea of the social contract are also contained in these three works.

According to Kant, the ideal form of society is a plenary republic. The state exists on the basis of the willingness of individuals to establish it voluntarily. The social contract for Kant is understood as the voluntary act of the individual to surrender his external freedom and unite in the entity of the state, out of the state of nature. Kant's thought connects natural rights and social contracts with the laws of rational nature through the concept of free will. For him, natural rights are not passively granted, but are fundamental conditions of human rationality, which means that everyone has the right to exercise his free will. The social contract is a rational consequence of these rights; It is rational public consent, in which individuals give up some freedom to be regulated, but only if such arrangements are designed to respect the freedom and dignity of each individual as a rational being.

Comparison of Modern Rationalism with Aquinas's ideas

Historically, the basic concept of the state has undergone a profound evolution of thought. According to Thomas Aquinas, the state has a strong metaphysical foundation, rooted in the laws of nature as the participation of human reason in God's eternal law. This view places divine authority as the primary source of legitimacy. However, with the advent of Modern Rationalism, there was a radical shift. The state began to be based on a "social contract" that arose from rational agreement between individuals. In this perspective, the ratio of man, not God, is the source of the legitimacy of power.

Thomas Aquinas's ideas laid a theological foundation on the existence of God as the "Pure Existence" that is the source of all existence, while the emphasis on individual rights came from the concept of "natural law" derived from human reason. The laws of nature lead humans to do good and avoid evil, and demand individual responsibility to exercise virtue. This concept implies that individual rights are rooted in rational and moral human nature, which is also recognized by God as a creator.

Aquinas believed that humans have a sense that can be used to understand the order of the universe and distinguish between good and bad. Conscience helps people in concrete situations to choose the right action. There is a universal moral principle embedded in every human being, which requires humans to do good and avoid evil. Humans are inherently

responsible for acting in accordance with the principles of natural law and developing virtues (such as honesty) to achieve true happiness.

Table 1. Specific Comparison of Modern Rationalism with Aquinas's Ideas

Aspects	Aquinas's Ideas	Modern rationalism
Foundation of Knowledge	Reason And Faith Integrated: Aquinas used reason to support and strengthen his faith, building logical arguments that show how reason and religious beliefs can work together.	Reason as the only source Modern rationalism, as emphasized by philosophers such as Descartes, regards reason as the primary source of knowledge independent of revelation or sensory experience.
The Moral Order	Natural Law : Aquinas believed there was a moral order embedded in the universe that could be accessed through reason, which was ultimately rooted in divine law.	Morality based on reason: Morality no longer comes from God, but from individual intellect or social agreement. Individual rights are the basis for determining morality.
Focus on the individual	Individual in the divine order: The individual is seen as part of the divine order, where his rights and obligations are determined by his position in this broader cosmic order.	The individual as the subject of rights: Modern rationalism emphasizes the independence and autonomy of the individual. Individual rights are a central concept that demands freedom and recognition of oneself as a subject with inherent rights.
Connection to Theology	Theological foundations: Theology is the foundation for Aquinas's entire worldview, including an understanding of reason and natural laws.	Separation from theology: Modern rationalism fundamentally separates philosophy from theology. Reason is considered capable of functioning without the help of religious beliefs, even leading to a secular view in which religion is no longer the foundation for science and morality.

Source: Copied from Copleston (2021) for Aquinas' thought; Osborne (2001) and Schmandt (2002) for the characteristics of modern rationalism

Modern rationalism, meanwhile, separates the two by making pure reason the basis of knowledge and morality, ignoring the theological foundation, and implicitly promoting the individual as the subject of his rights. Modern rationalism places individual rights as the starting point, even to the point of separating reason from revelation, whereas Aquinas's view sees the individual and his rights as part of a larger cosmic order established by God, and reason serves to understand that order.

Implications for Modern Legal Understanding

The shift from Thomas Aquinas's irrational (God-based) natural law to rationalism has major implications for modern law, where the rational basis on modern law is no longer based only on religion or tradition, but also on reason and logic. The concept of natural rights and human rights has become fundamental in the laws and constitutions of various countries. The concept of sovereignty is in the hands of the people, who have the right to determine their laws and government through representation. Modern natural law is the basis for the development

of positive laws, namely written rules made and enforced by the state to create justice and social order.

Implications on modern law of the Aquinas-style to rationalism :

a) State Policy:

- Thomas Aquinas: Its legitimacy is based on God's eternal law (*lex aeterna*) translated through natural law (*lex naturalis*) and man-made laws that must conform to it. Countries are formed to achieve the ultimate goal of human beings in the world.
- Rationalism: The basis of the state shifts from a divine mandate to a social contract, where the state is born from a rational agreement between individuals to form a government to protect their rights and create order.

b) Human Rights:

- Thomas Aquinas: Human rights are related to the search for the ultimate purpose of his life, which is divinely ordained and can be understood through human reason within the framework of natural law.
- Rationalism: Individual rights are considered universal and inherent in every human being because of their nature as rational beings. These rights no longer depend on divine authority, but are inherently recognized and guaranteed through agreed positive laws.

c) Legal Legitimacy:

- Thomas Aquinas: The source of the legitimacy of law lies in its truth that comes from God and reason that reflects God's will. Obedience to the law is primarily driven by moral and religious aspects.
- Rationalism: Legal legitimacy comes from legal-rational authority, i.e. laws made and enforced by legitimate authorities according to rationally agreed procedures. The force of law no longer depends on absolute moral truth, but on the process of its creation that is legitimate and logically accountable.

CONCLUSION

The development of natural law evolved from Thomas Aquinas's theological synthesis, where it represented human reason's participation in God's *lex aeterna* blending faith and reason, to the secular rationalism of modern thinkers. Hugo Grotius pioneered this shift by positing natural law's validity "even if God did not exist," prioritizing autonomous reason; John Locke advanced inherent pre-political rights to life, liberty, and property, foundational to social contract theory; Jean-Jacques Rousseau introduced the *volonté générale* for legitimacy via popular sovereignty; and Immanuel Kant culminated it through pure practical reason and the categorical imperative, emphasizing human autonomy and treating individuals as ends. This secularization profoundly influenced modern legal systems, prioritizing human rights, rule of law, and constitutionalism rooted in reason over divine order. For future research, scholars could explore how this rationalist legacy intersects with contemporary challenges like AI ethics or global human rights in multicultural contexts, bridging historical philosophy with emerging technological paradigms.

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