



"Society says" relativism

Greg Koukl

Some would say 'Legal abortion is now the law of the land--get over it.' But is there a higher law? The Founding Fathers thought so.

I have something here I've been meaning to talk about for awhile. Apparently somebody called me a few weeks back and talked to Melinda. She didn't want to go on the air. We were talking about morality and the abortion issue and it was someone who listens frequently and made this particular observation: 'Greg is so intelligent, I am surprised that he is missing an obvious point here in the abortion debate.' What was that obvious point? That the courts have decided and that freedom of choice is the law of the land. That's the obvious point.

Now this is an interesting way for someone to argue. I guess this person was also involved in the legal community, as well, so I'm a bit surprised because it seems to suggest a point of view, morally, of the supremacy of law. In other words, the law itself is the final court of appeal on morality. In other words, there is no other higher appeal one could make. It seems to me that it's pretty evident that the courts do not decide what is right and good and true. Courts decide what is legal. That's it. Courts don't even decide what is just, frankly. Very little pertaining to the issue of justice goes on in the courts, it seems. The law is what goes on in the courts. So the courts decide what is right and what is wrong. And the kind of comment that was offered here (and I've heard the same thing on other talk shows) sounds like, 'Come on, this is the law, you guys. Get used to the idea.' As if this ends the discussion. Oh, it's the law. I didn't realize that. I'm sorry for speaking

up. If I'd known it was the law then I wouldn't have objected because everyone knows the law is the final word on morality.

This is really a reflection of a particular viewpoint on moral values, ethical thinking. It's called normative ethical relativism. Big, fancy words. I'll give you my short form, my thumbnail version. 'Society Says' relativism. In other words, it is a view about morality that holds that you ought to do what society tells you to do. Every society has their own viewpoint. Ours has its particular viewpoint and you are morally obliged to do what your society says. It's also called conventionalism. 'Society Says' relativism. This conviction, it seems, is at the heart of those who say, come on, accept it. It's the law. End of issue. Because it suggests that once society has spoken, in this case speaking through the law, that that's the final word. There's nothing else to say about it. That's the highest word on morality. In other words, there is no law above society. Moral rules are relative to society and once society has spoken, end of issue. The discussion is over. 'Society Says' relativism (again, my way of describing it) means that each person ought to act in keeping with his own society's code.

You might already be thinking of some of the problems with that way of thinking. First of all, it makes it impossible to criticize another society's practices. One could well use that same objection to other's objections to apartheid in South Africa. We could say, well, that is their society. After all, you're against apartheid, I understand that because we don't believe in that in this country, but that's a different country. They have a different value systems and the law is the law. When are people going to get used to the fact that South Africa has this law? (Which it doesn't anymore, but I am using it as an illustration.)

Well, that's a silly way to argue, it seems to me, because there are times when there are things that other governments do that are patently immoral. Or even our own government. Or even the population at large. Society at large does things that are patently immoral and ought to be criticized. So it doesn't seem to help to say well, that's the way it is. That's the law of the land.

In fact, this is precisely the way the Nazis argued at Nuremberg. It was called legal positivism. That

was the idea. They said, who are you to judge us? We have our society. We have our code. We have our laws, after all. Executing Jews was the law of the land. When are you going to get that through your head? Well, it doesn't work there, and the reason it doesn't work is because there are some things that are improper and immoral regardless of what the conventions of society happen to be. The world court didn't accept that at Nuremberg, nor should it have. In fact, if you hold to that kind of view, you are morally obliged, and would have been in this particular situation, to help Nazis murder Jews because that's what society said. Then you have an unusual circumstance in which people like Corrie ten Boom, who hid Dutch Jews from the Nazis, would have been immoral by definition. Why immoral? Because she was violating the law. Doesn't she understand that the law is the law?

That's kind of weird, isn't it? That we have a view of morality in society that makes something like moral reformers a contradiction in terms. What is a moral reformer? He's somebody on the inside of society who looks at society at large and all the people, and the standard behavior, and says, "That's wrong. You should change your standard behavior and conform to a higher ideal." That's kind of nonsense in 'Society Says' relativism. In fact, a moral reformer like a Martin Luther King, Jr. would be immoral by definition because he's violating the rules of society and he's violating the law of the land. Well, something is wrong with that moral viewpoint, as you can obviously see, but that is the moral viewpoint that is at the heart of a comment like 'Greg is so intelligent. I'm surprised he is missing an obvious point that abortion is legal.' As if that were the end of the story.

The pro-lifer's position is the same position as the Founding Father's in this regard. Quoting now from the Declaration of Independence: 'We hold these truths to be self-evident. That all men were created equal. That each is endowed by his Creator with certain unalienable rights. That being life, liberty and the pursuit of happiness.' The appeal of the Founders was that there is a Law above the law that even governments are beholden to. And it's not enough to say, Well, this is the law, as if that's it. They said that even governments must answer to the higher Law--a Law that guarantees a certain respect for life

because men and women are made in the image of God. This is precisely the position of those who are pro-life.

What is legal is not what is at issue here. That's not the question. We know what is legal and we think what is legal is wrong. Why? Because there is a higher Law that contradicts what is legal presently in this country. That higher Law says that all human beings--even little bitty, small human beings--are made in the image of God and therefore they have certain rights which ought not be violated. And when you violate those, even though you are keeping the law of the land, you are violating the Law of God.