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THE NORMATIVE FORCE OF NATURE

IVR INSTAMBUL
JUNE 28 – JULY 3, 2026



NATURAL LAW TRADITION: THE NORMATIVE FORCE OF NATURE

On behalf of the [*Iuris Naturalis Societas*](#), the organizer of this workshop, we warmly welcome you all.

This workshop is, above all, an opportunity to get to know one another and to establish lasting professional relationships. Networking is the most important aspect of this conference.

The limited time allotted to each paper is not sufficient to explore every argument in depth. However, it does allow us to introduce ourselves and some of our research interests.

We kindly ask all participants to adhere strictly to the time allocated for their presentations, which also includes time for discussion. Ideally, *each presentation should not exceed fifteen minutes, leaving approximately ten minutes for questions and debate*. The discussion period is often as valuable as the paper itself.

We encourage you, as far as possible, to attend the presentations of your fellow participants in this workshop. Doing so will enrich the discussions and help foster a genuine intellectual community.

The organizers have intentionally provided generous periods of free time, which are every bit as important as the academic sessions themselves. We strongly encourage you to take part in the cultural and social activities arranged by the conference.

We cordially invite you to attend the official closing dinner on Friday evening. This will provide an excellent opportunity for participants of the workshop to convene in the same place. The dinner will take place on 3 July 2026, from 8:00 p.m. to 11:00 p.m., at Halat by Divan.

We wish you a productive, enjoyable, and memorable workshop.

D. Poole & A. Türkbağ

June 24, 2026

WORKSHOP SCHEDULE

Monday, June 29th		
14:00-14:15	Diego Poole & Ahmet Türkbağ	Presentation of the workshop
14:20-14:50	Fulvio di Blasi	Virtue, Happiness, and the Natural Law
14:55-15:25	Petar Popovic	The Legal Status of Human Dignity as the Object of Justice in the Thomistic Legal Theory
15:30-15:55	Nurhayat Bekir	Automation Bias and the Transformation of Judicial Reasoning: Towards a Deus ex Machina?
15:55-16:20	Leticia Poole	Natural law and the family as the basic economic unit of society
16:30-16:55	Juan Bautista Etcheverry	The Role of Comparisons in Hard Judicial Decisions
17:00-17:25	Carlos Marcelo Orive González	Private Law and the Embodied Person: Tort, Contract, and the Normative Force of Human Vulnerability
17:30-17:55	Jary Leticia Méndez Maddaleno	Recovering Natural Law in the Circularity of Legitimacy in Constitutional Democracy
Tuesday, June 30th		
14:00-14:25	Ana Strineka Bande	Some contradictions regarding the argument that the concept of dignity is inherent to rights
14:30-14:55	Margherita Daverio	Can natural law still serve as a basis for law today? Re-evaluating its normative force starting from the social dimension
15:00-15:25	Piotr Mazurkiewicz	Natural Law, Fallibility, and the Culture of Compromise
15:30-16:00	Andrea Favaro	The normative force of autonomy in classical natural law. The model of the canon legal order
16:30-16:55	Ahmet Ulvi Türkbağ	The Emperor of Contradictions: The Nika Riots, Corpus Juris Civilis, and Natural Law
17:00-17:25	Ángela Aparisi	Presentation of the journal *Persona y Derecho* // The Principle of Human Dignity and Spanish Constitutional Jurisprudence
17:30-17:55	Raúl Madrid	Digital resurrection and the erosion of the life–death boundary
18:00-18:25	Ayşe Nur Yazıcılar	The Material Foundations of Algorithmic Reason: AI, Supply Chains, and the Reevaluation of Natural Law

Thursday, July, 2nd		
14:00-14:25	Marta Albert	Fertile Ground for Confusion: The Natural and the Social in the Legal Concept of Infertility
14:30-15:00	Abdullah ERYİĞİT	The Institution of Natural Law: Moral Foundations of Legal Normativity

15:00-15:25	Alfonso Vicente Lorca	Natural Limits and Reproductive Desire: A Natural Law Reflection on the Maximum Age for Assisted Biological Motherhood
15:30-16:00	Juan Antonio Corredor	Murder Has No Statute of Limitations: Moral Philosophy, the Rights of Victims of Terrorism, and the Limits of State Forgiveness in Spanish Criminal Law
16:30-16:55	Miguel Ángel López Lozano	Rationalist Natural Law and the State Control of Law
17:00-17:25	Juan Carlos Riofrio	History of Natural Law Codes. From Pufendorf and Wolff to a Contemporary Code
17:30-17:55	Carlos Isler Soto	The Rule of Law in Aquinas
18:00-18:25	Matteo Lauri	On the Normativity of Nature: From Natural Inclinations to Natural Law
Friday, July, 3th		
14:00-14:25	Aurelio de Prada	The Eternal Return of the Evil of Law and Jurists. Towards a dualistic, manichean theory of law.
14:30-14:55	Burçin Aydoğdu	Theodora's Influence on the Corpus Iuris Civilis: Re-evaluating Natural Law through Gender and Human Dignity
15:00-15:25	Diego Poole	The Scope of EU Values and Competence Boundaries: A Legal Analysis of Gender Ideology and Minors

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1. Abdullah ERYİĞİT

Faculty of Law İstanbul Medipol University (TURKEY)

Title: *The Institution of Natural Law: Moral Foundations of Legal Normativity*

Abstract:

In this paper, I propose a new framework for understanding the relationship between law and morality, which I call the “institution of natural law.” My central claim is that morality alone cannot govern complex societies because it is often indeterminate, difficult to apply in concrete situations, and lacks effective enforcement mechanisms. For this reason, morality requires institutionalization through law. Drawing on Aquinas and contemporary legal philosophy, I argue that the primary function of law is to make moral principles determinate, public, and enforceable. While individual laws may be unjust, a legal system as a whole must remain oriented toward moral ends; otherwise, it ceases to be genuinely legal authority and becomes merely organized coercion.

To defend this thesis, I engage with the theories of Joseph Raz, Scott Shapiro, Mark Greenberg, and Whitley Kaufman. I contend that several influential positivist theories implicitly acknowledge that the legitimacy and authority of law depend on its moral function. By shifting the focus from individual legal norms to the legal system as a whole, I show that the conceptual tools developed by contemporary positivists ultimately support a natural law understanding of legal normativity. The result is a position that preserves the positivist insight that individual norms may be content-independent, while demonstrating that such independence ultimately rests on the moral legitimacy of the legal system that creates and applies them. Thus, law should be understood as the institutional realization of morality rather than as a normative domain separate from it.

2. Ahmet Ulvi Türkbağ

Medipol University (Istanbul, Turkey)

Title: *The Emperor of Contradictions: The Nika Riots, Corpus Juris Civilis, and Natural Law*

Abstract:

Who was Justinian? A ruthless orchestrator of massacre, a saintly ruler, or the great lawgiver? His life and monumental works conceal this paradox. This paper seeks a balanced answer to that question and aims to partially unveil the secret behind his legacy.

First, the Nika Riots—one of the bloodiest uprisings in history—will be examined in detail. Their outcomes, including the rebuilding of the Hagia Sophia and the impetus for the Corpus Juris Civilis, reveal how violence and reform became intertwined in shaping both Byzantine society and the foundations of modern European and Turkish law.

Second, the intellectual climate of Byzantium after the riots will be analyzed. Having consolidated his power, Justinian—together with his influential wife, Theodora—pursued three grand ambitions: the construction of a magnificent temple, the completion of a comprehensive codification, and the recovery of lost Roman territories. Central to these aims was his legal reform, which became the cornerstone of his reign.

Third, the Corpus Juris Civilis emerges as a work both ancient and innovative. Later additions expanded its scope, while the drafting committee itself remains a subject of debate, with its leadership often criticized.

Ultimately, Justinian, Theodora, and their officials left behind a

monumental legal achievement. The central puzzle this paper explores is how such contested rulers and their circle succeeded in producing a codification of enduring authority—one that resonates with the essence of natural law and continues to shape legal traditions across centuries.

3. Alfonso Vicente Lorca

Universidad Rey Juan Carlos (Madrid, SPAIN)

Title: Natural Limits and Reproductive Desire: A Natural Law Reflection on the Maximum Age for Assisted Biological Motherhood

Abstract:

The progressive development of assisted reproductive technologies has allowed for the dissociation of the traditional biological limits of motherhood from the technical possibilities of gestation. In this context, the question of the existence, and potential legitimacy, of a maximum age for accessing fertility treatments for the purpose of biological motherhood raises a philosophical and legal problem of particular relevance to contemporary natural law thought.

This paper analyzes whether the use of assisted reproductive technologies at advanced ages can be considered compatible with the notion of human nature and with the proper ends of procreation, or whether, on the contrary, it constitutes a technical instrumentalization of the body and of parenthood that exceeds the limits of the natural order. From a classical natural law perspective (with special attention to the Aristotelian-Thomistic tradition), concepts such as teleology, the common good, human dignity, the vulnerability of minors, and intergenerational justice will be examined.

This work will also address the tension between reproductive autonomy and ethical-legal limits, evaluating whether the legitimate desire for motherhood can, in itself, constitute sufficient grounds to justify biomedical interventions beyond a woman's naturally fertile period. Attention will be paid to the bioethical debate and to existing comparative regulations in different European legal systems, especially in relation to medical criteria, obstetric risks, and the best interests of the unborn child.

The hypothesis defended is that natural law offers conceptual tools to justify the existence of normative limits based not exclusively on technical or utilitarian criteria, but on a comprehensive understanding of human nature and the purposes inherent in the generation and raising of children. Thus, establishing a maximum age for access to fertility treatments would not necessarily constitute an arbitrary restriction of rights, but rather a prudential measure aimed at protecting fundamental human goods.

4. Ana Strineka

Universidad de Navarra (Pamplona, SPAIN)

Title: *Some contradictions in the approach to inherence in relation to human dignity and human rights foundations*

Abstract:

In the debate over whether or not it is necessary to delve deeper into the foundations of rights, one position advocates for their protection through the effective realization of the conditions that make them possible, while another asserts that it is necessary to look to a value or source that lies outside those conditions, mostly in the protection of some aspect of human nature.

The aim of this paper is to explore the extent to which these approaches continue to rely on a metaphysical foundation—the dignity of the human person—that serves as the anchor for the enforceability of their proposals. Additionally, it examines the extent to which the idea of dignity—and particularly its inherent nature—can nevertheless manifest itself through an approach that advocates for the actualization or effective realization of the conditions of possibility of rights for their sustenance.

In this sense, three objectives are set forth: first, to specify the extent to which this approach derives the force of rights from the rights themselves, generating a circular normative approach; second, to examine the way in which the idea of dignity can be made present through the force of rights; and third, to trace the extent to which this approach may stem from attempts to propose a kind of explanatory metaphysics, following Alexy's classification of types of metaphysics, making explicit what is already implicit in human praxis.

In this regard, however, the aim is to highlight the difficulties that arise when moving from the descriptive to the prescriptive level—namely, establishing a consistent framework for regulatory standards.

5. Andrea Favaro

University of Verona (Verona, ITALY)

Title: *The normative force of autonomy in classical natural law. The model of the canon legal order*

Abstract:

Premises: (I) The Canon Legal Order has a millennial history that has traversed moments of crisis, endeavouring to maintain a univocal identity; (II) From a comparative perspective, with respect to Western legal orders of a state-based matrix, it is possible to identify moments when canon law supported theoretical elaborations and practical solutions later adopted by state legal orders (cf. *Decretum Gratiani*), and other different moments when the canon order instead deemed it useful to emulate practices arising from state orders (cf. the “codification” period to gain CIC 1917). (III) Currently, the resilience of the rule of law finds itself in a juridical crisis, characterised by an excessive and rapid alternation between “nature / reality” and “sovereignty / virtuality”.

Status Quaestionis: (I) If these crises have distinct causes, the thesis intended to be proposed is that the paradigm of autonomy from the perspective of Natural Law of a realist-classical framework may constitute the core of a challenge to overcome the current crisis (of authority and sovereignty) of contemporary legal orders. (II) Indeed, recovering the essence of the Canon Legal Order, we find two characteristics that are unique within the contemporary legal landscape: (A) adherence to the legal order occurs exclusively on the basis of the choice of the individual subject, who then becomes a “believer” [or “faithful”], without any imposition by authority; (B) the same legal order is valid and effective on a global scale (regardless of anthropology, history or culture), because it is founded upon principles of classical natural law.

Theoretical Proposal: (I) First, the paper intends to provide an explanation of the foundation of these two particular and “original” characteristics; (II) Secondly, by focusing attention on the paradigm of autonomy, the paper seeks to explain how this paradigm, understood in classical-realist terms, allows for the conception of respect for a natural order that is at times parallel to that manifested by state legal orders; (III) Thirdly, the fruitfulness of a new phase of “emulation” by state legal orders of the Canon Legal Order will be hypothesised, in order to offer tools for resolving the crisis of the sovereignty paradigm, through the rediscovery of the force of natural law.

6. Ángela Aparisi

Universidad de Navarra (Pamplona, SPAIN)

Title: *The Principle of Human Dignity and Spanish Constitutional Jurisprudence*

Abstract:

The aim of this paper is to explore the meaning of the principle of human dignity and its recognition in the case law of the Spanish Constitutional Court. In particular, it seeks to demonstrate how, despite being, according to the Spanish Constitutional Court, the “fundamental legal value” and the “gateway to the other values or principles” enshrined in the Constitution itself, its interpretation in case law has, in fact, turned it into an empty formula or a mere rhetorical device. In response to this, the paper seeks to propose certain premises that would allow for a rigorous and coherent reconstruction of the principle of human dignity.

7. Aurelio de Prada

Universidad Rey Juan Carlos (Madrid, SPAIN)

Title: *The eternal return of the evil of law and jurists: towards a dualistic, manichaen theory of law.*

In times of “faculties of legal sciences” and “legal clinics,” it may seem strange to hear about the eternal return of the evil of law and jurists, and even more so to see it argued—as we will do here—that we are facing a new return of such evil.

To illustrate this, we will draw on a case originating from a *reformatio in peius* that passed through the Spanish National Court (Audiencia Nacional), the Spanish Constitutional Court, and the European Court of Human Rights. In this case, essential aspects of the right to effective judicial protection were allegedly violated and, therefore, the minimum content of any right that claims to be such; the minimum content of Natural Law, as Hart would put it. These aspects include the rationality of judicial decisions, including their reasoning, and the inclusion in the judgment of the evidence that had been admitted and examined.

This case could be generalized by reference to others at both national and international levels, as well as to the phenomenon known as *lawfare* and to judges’ own recognition of the need for a judicial ethics that goes beyond professional deontology. Moreover, all of this would affect the rest of the legal actors, given the central role of judges within a legal system.

Thus, we propose several possible solutions: the implementation of AI to review judicial decisions, the establishment of a requirement that judges must previously have been parties to legal proceedings, and, above all, a new model of legal education. In this model, Natural Law would in one way or another be reclaimed, and the Theory and Philosophy of Law would play a fundamental role, with the professor acting as a devil’s advocate. Such an approach, moreover, would be particularly useful in times of post-truth and fake news.

8. Ayşe Nur Yazıcılar

University of Istanbul (TURKEY)

Title: *The Material Foundations of Algorithmic Reason: AI, Supply Chains, and the Reevaluation of Natural Law*

Abstract:

This paper offers a critical intervention in contemporary debates on the relationship between technological rationality and legal normativity by situating artificial intelligence within the material conditions of its production. While AI-driven adjudication is often presented as a vehicle for restoring the universality and objectivity traditionally associated with Natural Law, this contribution argues that such claims remain incomplete unless they account for the global supply chains that sustain these systems. By bridging classical Natural Law theory with a materialist perspective, the paper demonstrates that the legitimacy of algorithmic decision-making depends not only on abstract reasoning but also on the ethical integrity of its underlying production processes.

For AI-based justice to attain legitimate normative power, Natural Law must be embedded within global supply chain networks through a pragmatic approach. In this context, I propose a perspective that grounds law upon a materialist foundation, treating nature and culture/technology as an integrated whole. Within this framework, the legitimacy of technological adjudication is directly contingent upon the moral integrity of the production process. Objective and universal justice can only emerge from a fair supply chain. To establish this justice, I propose "corporate due diligence" as a new form of Natural Law—a transnational instrument that anchors Natural Law to material reality.

The contribution of this paper lies in redefining the normative power of Natural Law by applying the ideal of "universal reason"—promised by AI adjudication—to the material reality of the global supply chain that enables the system's physical existence. In this paper, classical natural law theory is reinterpreted through a new materialist perspective, adopting a critical-normative analysis method.

9. Burçin Aydoğdu

Tekirdağ Namık Kemal University (TURKEY)

Title: *Theodora's Influence on the Corpus Iuris Civilis: Re-evaluating Natural Law through Gender and Human Dignity*

Abstract:

Corpus Iuris Civilis stands as the cornerstone for continental jurisprudence, but its transformative character is often attributed solely to Emperor Justinian I. This paper argues that Empress Theodora played a pivotal role in reshaping Roman law by integrating ancient principles of *aequitas* (equity) and *humanitas* (humanity) and by aligning them with a Christian-informed interpretation of Natural Law.

As a result of the fact that archaic social structure was, since the Neolithic Revolution, based on Patriarchal paternalism, traditional Roman law, even by the 6. century, frequently prioritized patriarchal structures and class-based distinctions. However, through Theodora's direct influence, the *Novellae Constitutiones* introduced radical shifts that recognized the inherent dignity of marginalized groups. This study examines specific legislative reforms, such as the abolition of marriage bans between social classes (allowing for her own marriage to Justinian), the criminalization of rape with property transfers to victims and the expansion of divorce and property rights for women.

From a Natural Law perspective, these reforms represent a transition from *ius strictum* to a legal system that acknowledges universal moral truths and the protection of the vulnerable as a higher legal necessity. Theodora's contributions do not merely update administrative codes. They also challenge the classical Roman legal tradition to accommodate a more inclusive definition of justice. By analyzing these shifts, this paper demonstrates how Theodora's agency was instrumental in evolving the concept of *ius naturale* from an abstract philosophical idea into a functional tool for social reform. Her legacy, therefore, provides a historical precedent for modern debates on the intersection of legal philosophy, gender equality as well as the evolution of human rights.

10. Carlos Marcelo Orive González

Universidad del Istmo (Guatemala)

Title: Private Law and the Embodied Person: Tort, Contract, and the Normative Force of Human Vulnerability

Abstract:

Contemporary legal theory often describes the legal subject in highly abstract terms: as a bearer of rights, an autonomous will, a rational chooser, or an agent capable of entering legal relations. Although these descriptions are not necessarily false, they can obscure a more fundamental truth: the subject of private law is not a disembodied will, but a human person who is bodily, vulnerable, dependent, rational, and social.

This paper argues that private law is unintelligible without this concrete anthropology. Drawing on John Finnis's natural law theory, it contends that private law gives juridical form to basic features of human flourishing. Finnis's account of the person as a rational animal and as a psychosomatic unity—*corpore et anima unus*—allows us to understand why bodily life, health, sociability, trust, and responsibility are not merely subjective preferences, but objective aspects of human good.

The argument is developed through two illustrative cases, rather than through an exhaustive doctrinal analysis: *Bird v. Holbrook* in tort law and *Williams v. Walker-Thomas Furniture Co.* in contract law. *Bird v. Holbrook* reveals the normative force of bodily vulnerability: even legally relevant property interests cannot justify treating another person's body as material for one's own purposes. Intentional bodily harm has a special juridical gravity because to injure the body is to wrong the person herself.

Williams v. Walker-Thomas Furniture Co. reveals the normative force of social and practical vulnerability. The case shows that contractual consent cannot be reduced to the formal expression of an abstract will. Consent must be understood as the act of a situated person, capable of practical reason, but also exposed to dependence, inequality, pressure, and exploitation.

The paper concludes that private law contains a "hidden natural law." Beneath its technical doctrines lies an anthropology of embodied vulnerability: tort and contract presuppose bodily integrity, dependence, sociability, responsibility, repair, and justice.

11. Carlos Isler Soto

Universidad de San Sebastián (CHILE)

Title: *The Rule of Law in Aquinas*

Abstract:

Lon Fuller famously argued that there is an internal morality of law, which he called the “Rule of Law”, and which consisted in a series of desiderata that concerned legal rules, for instance, that rules ought to be general, prospective, clear, not contradictory among themselves, among others. In the second edition of his classic book (1969), he acknowledged, responding to a comment by Ovid Lewis (1962), that almost all of these requirements had been previously defended by Aquinas.

Of course, that may sound a little strange to a contemporary reader, since in Aquinas there is neither the notion of separation of powers, nor that of the necessity of explicit constitutional limits on the legislative power (see Finnis, 1998, 265). Of course he condemned, in harsh terms, the abuse of power by tyrants, but there is no theory in his work about possible institutional solutions to this possible threat.

In my presentation, I intend to expose which elements of our contemporary notion of Rule of Law we find in Aquinas, and which not, and I will also try to explain the reason for this absence, which is based not only on his political experience, so different from ours, but also in the nature of his political theory, which is strictly Aristotelian in that it does not endorse a unique regime form, not even the supposedly best one, as the only one legitimate. I will analyze especially Aquinas’s doctrines present in the *Summa Theologiae*, his *Commentary on Aristotle’s Politics*, and his *De Regno*.

12. Diego Poole

Universidad Rey Juan Carlos (Madrid, SPAIN)

Title: *The Scope of EU Values and Competence Boundaries: A Legal Analysis of Gender Ideology and Minors*

Abstract:

This paper examines whether the promotion of gender ideology concerning minors falls within the competences conferred upon the European Union by the Treaties and whether recent actions by EU institutions are consistent with the principles of conferral, subsidiarity, and respect for national constitutional identity. While Article 2 of the Treaty on European Union establishes a set of common values, including human dignity, freedom, equality, and human rights, the legal scope of these values remains contested when they are invoked to justify intervention in areas traditionally reserved to the Member States, such as family law, education, healthcare, and the protection of children.

The study analyses the distinction between binding legal obligations and political interpretations of EU values, paying particular attention to debates surrounding gender identity, sex education, medical interventions involving minors, and anti-discrimination policies.

13. Fulvio Di Blasi

Notre Dame University (USA)

Title: *Virtue, Happiness, and the Natural Law*

Abstract:

The debate over the last fifty years or so on natural law has been largely dominated by the so-called new natural law theory proposed by authors such as John Finnis, Germain Grisez, and Robert George. This debate has ranged from moral to legal and political theory, addressing issues such as intrinsically evil acts, neutral liberalism, contractualism, and human rights. The new natural law theory has engaged in a dialectical confrontation with what it itself called the conventional theory of natural law, a theory that is not clearly identified except by the accusation of naturalistic fallacy, that is, of unduly basing its normative force on nature. Whatever this conventional theory is, in the pages of the new natural law theorists, it reveals the true objective of a confrontation between the classical Aristotelian model of practical reason and the central pillar of modern legal positivism, Hume's law, by accepting the validity of both. This debate has overshadowed another tradition of natural law thought that has been powerfully developing since at least the early twentieth century. This tradition, indifferent to Hume's law and the interests of the new natural law theory, is equally oriented toward removing the normative force of nature from human action. It focuses on overcoming a so-called legalistic ethic in favor of a rediscovery of virtue and happiness. What characterizes this different natural law theory, and why does it end up teaming up with the new natural law theory in rejecting nature as the foundation of morality and justice?

14. Jary Leticia Méndez

Universidad del Istmo (Guatemala)

Title: *Recovering Natural Law in the Circularity of Legitimacy in Constitutional Democracy*

Abstract:

This paper examines the problem of legitimacy in contemporary constitutional democracies and argues that legality alone cannot provide a sufficient foundation for political authority and positive law. The central thesis is that democratic constitutionalism, by identifying legitimacy with procedural legality, generates a circular conception of authority incapable of addressing the existential and substantive dimensions of political order. In moments of political crisis, constitutional legality repeatedly reveals its dependence on extra-judicial foundations and its inability fully to justify itself.

Although legality organizes and limits political power, legitimacy expresses the moral, historical, and philosophical identity of a political community. Contemporary constitutional democracies tend to reduce legitimacy to procedural compliance with constitutional norms, parliamentary majorities, and judicial review. Such formalism risks transforming law into a merely functional instrument disconnecting from substantive justice and the common good. This tension may be understood through the distinction between *potestas* and *auctoritas*.

The paper further argues that the circularity of constitutional democracy is constitutive of modern constitutionalism itself. This problem initially remained largely invisible because constitutional legality was grounded in a rationalist natural law tradition that provided an external source of legitimacy. However, with the decline of rationalist natural law, constitutional democracy came increasingly to rely, in Weberian terms, upon rational-legal legitimacy identified with democratic legality itself, where legitimacy can no longer be distinguished from legality.

From the perspective of the Classical Thomistic Natural Law Tradition, natural law provides objective limits to political power grounded in human dignity, justice, and the common good, thereby overcoming the axiological neutrality of contemporary constitutional positivism and offering a stronger ethical foundation for constitutional democracy within modern plural societies.

15. Juan Antonio Corredor

Universidad Rey Juan Carlos (Madrid, SPAIN)

Title: *Murder Has No Statute of Limitations: Moral Philosophy, the Rights of Victims of Terrorism, and the Limits of State Forgiveness in Spanish Criminal Law*

Abstract:

This paper examines the moral and legal limits of the State's power to grant amnesties and pardons in cases of terrorism, focusing on the rights and dignity of victims from a natural law perspective. It argues that certain demands of justice arise from the intrinsic dignity of the human person and therefore cannot be extinguished by legislative or executive decisions. The central question is whether the State may forgive crimes in a way that affects the rights of victims, particularly when those victims have neither received truth, recognition, nor reparation. The study contends that positive law alone is insufficient to resolve this issue and that a deeper philosophical inquiry into the foundations of justice is required.

16. Juan Bautista Etcheverry

Universidad Austral (Buenos Aires, ARGENTINA)

Title: *The Role of Comparisons in Hard Judicial Decisions*

Abstract:

Several objections against the explanation and justification of the rationality with which judges decide hard cases have emerged in recent days. Some of these objections have been addressed by the distinctions and explanations proposed by Ruth Chang's "comparativism" theory of practical reason. This theory distinguishes between "incommensurability" and "incomparability" and seeks to explain the justifying force of the reasons to decide something only in terms of a comparison between alternatives with respect to a covering value.

This paper aims to clarify the scope of "comparativism" proposal, its limits, and whether Chang's account of cases in which two options are "on a par" can be useful to explain the phenomenon of judicial discretion. While we find fruitful the distinction between "incommensurability" and "incomparability" of options in a practical decision, we will show why "comparativism" proposal offers a limited explanation and justification of practical decisions by focusing exclusively on the comparison of options.

Although comparisons must count in a rational practical decision, such comparison alone is insufficient to fully explain and justify its rationality. Therefore, we will propose enriching Chang's account of how choices are made when two options are "on a par" by, on the one hand, presenting the role that dispositions or tendencies can play in these decisions, and on the other, recognizing a certain kind of primacy for the will in deciding—while avoiding the temptation to explain the act of deciding by marginalizing either reason or will in order to simplify their complex structure.

17. Juan Carlos Riofrio

Catholic University of America (Washington, USA)

Title: *History of Natural Law Codes. From Pufendorf and Wolff to a Contemporary Code*

Abstract:

Early modern natural law sought systematic expression in quasi-codified form. Samuel von Pufendorf and Christian Wolff developed comprehensive frameworks that aimed to articulate the rational structure of legal and moral duties. Their projects combined deductive method, anthropological premises, and an aspiration toward universality, yet stopped short of a fully operative “code” comparable to positive law.

This paper revisits the codificatory ambitions of Pufendorf and Wolff, analyzing their methodological choices, internal architecture, and normative claims. It then contrasts these models with a contemporary attempt to formulate a “Natural Law Code,” understood as a structured set of principles and rules designed for practical consultation by jurists, legislators, and institutions. The proposed code integrates insights from civil law, common law, and canon law traditions, while addressing modern challenges such as pluralism, secularization, and global applicability.

The central thesis is that a contemporary Natural Law Code can overcome the historical tension between abstraction and operability by adopting a legislative style of drafting, a modular structure, and a focus on concrete cases (e.g., cooperation with wrongdoing, *epikeia*, double effect). In doing so, it renews the classical aspiration to render natural law accessible, systematic, and practically useful. The paper concludes by evaluating the prospects and limits of writing a synthesis of natural law today.

18. Leticia Poole

Universidad Europea (Valencia, SPAIN)

Title: *Natural law and the family as the basic economic unit of society*

Abstract:

The debate over the last fifty years or so on natural law has been largely dominated by the so-called new natural law theory proposed by authors such as John Finnis, Germain Grisez, and Robert George. This debate has ranged from moral to legal and political theory, addressing issues such as intrinsically evil acts, neutral liberalism, contractualism, and human rights. The new natural law theory has engaged in a dialectical confrontation with what it itself called the conventional theory of natural law, a theory that is not clearly identified except by the accusation of naturalistic fallacy, that is, of unduly basing its normative force on nature. Whatever this conventional theory is, in the pages of the new natural law theorists, it reveals the true objective of a confrontation between the classical Aristotelian model of practical reason and the central pillar of modern legal positivism, Hume's law, by accepting the validity of both. This debate has overshadowed another tradition of natural law thought that has been powerfully developing since at least the early twentieth century. This tradition, indifferent to Hume's law and the interests of the new natural law theory, is equally oriented toward removing the normative force of nature from human action. It focuses on overcoming a so-called legalistic ethic in favor of a rediscovery of virtue and happiness. What characterizes this different natural law theory, and why does it end up teaming up with the new natural law theory in rejecting nature as the foundation of morality and justice?

19. Margherita Daverio

Libera Università Maria Ss.ma Assunta (Palermo, ITALY)

Title: *Can natural law still serve as a basis for law today? Re-evaluating its normative force starting from the social dimension*

Abstract:

Can natural law still serve as a basis for law today? In this paper, we argue that it is worth reconsidering the social dimension of natural law in order to reaffirm its normative force within the contemporary social and legal context. This could also be a response to the epistemological vacuum that has arisen around the concept of nature in the contemporary cultural landscape: human nature is no longer considered a point of reference for law, politics, and society. This, at the philosophical and legal levels, risks distancing law from its essential principles of equality, justice, and social coexistence (for example, when the concept of nature is considered empty, the most vulnerable individuals are in danger of bearing the consequences; law risks being reduced to an instrument of power, and even actions against the rule of law may be deemed admissible).

Specifically, in order to consider the social dimension of natural law, this paper focuses on the Thomistic conception of natural law (in particular, on I-IIae, q. 94, a. 2), carrying out a brief relational analysis of natural law and illustrating it through the lens of human relationships, or rather, of human coexistence as a principle of normativity.

In our view, such an interpretation can help to highlight the normative force of natural law, with specific reference to the dimensions of balance and equality in social relations and to a conception of law grounded in the human identity of the person as an individual-in-relation.

Natural law reveals a relational structure in the inclinations toward the pursuit and realization of human goods; it promotes goods that are directly linked to relationships and generates new relationships at the personal, family, and social levels. Life, as a good indicated by the first natural inclination, is the condition for entering into relationships with others; generativity (the second inclination) is the communication of human life (biologically and biographically); in the third inclination, namely the orientation to live in society, relationships are shared as a fundamental common good of the whole. As a general characteristic, natural law impels us toward a concrete life of relationships, in terms of personal identity (life and potential for development) and social identity (new relationships and networks of relationships), and to build a society that respects justice, equality, and balance in social relationships, with a fundamental orientation toward the promotion of being together.

This brief exploration of the social dimension of natural law suggests that focusing research efforts on natural goods and rights in their relational dimension may help address today's need to advance the role of law as a form of relational steering for society. Indeed, the normativity of human nature discussed in I-IIae, q. 94, a. 2 sheds light on our understanding of law in a twofold manner: in its relationship with society, law is inescapably linked to the essential premises of justice, equality, and coexistence, which are rooted in the network of human relationships within society; in its identity, the concept of law as constitutively referring to others points to a two-dimensional conception of law, where the natural dimension is unwritten law, corresponding to the goods of natural law and to the purpose of law as oriented toward coexistence, while the positive dimension is that established by the legislator, which, however, should not disregard the relational dimension of law, understood as adequacy to others, if it is to remain faithful to its fundamental premises.

In conclusion, we may once again rediscover natural law not as a set of norms alternative to positive law, but as the telos intrinsic to law itself, which orders law toward the common good and the flourishing of relationships within society.

20. Marta Albert

Universidad Rey Juan Carlos (Madrid, SPAIN)

Title: *Fertile Ground for Confusion: The Natural and the Social in the Legal Concept of Infertility*

Abstract:

The concept of "social infertility" — recently employed by the Constitutional Court of Slovakia and increasingly invoked in bioethical and legal discourse to extend access to assisted human reproduction (AHR) techniques to individuals who are biologically fertile but engage in non-procreative sexual relationships or choose to avoid heterosexual intercourse altogether — poses a fundamental challenge to the normative force of natural categories in law. This paper argues that the legal recognition of social infertility represents not merely a semantic expansion, but a philosophically consequential erasure of the distinction between natural incapacity and voluntary choice.

The paper develops two interconnected lines of critique. The first is anthropological: drawing on the Aristotelian-Thomistic account of the human body as a teleologically ordered whole, and on the biojuridical thought of Francesco D'Agostino — particularly his warnings against the reduction of the body to a mere object of desire — the paper contends that fertility and infertility are organic categories with precise natural referents. A body capable of reproduction that does not reproduce because its possessor does not engage in, or does not have access to, the type of sexual act naturally ordered to procreation is not malfunctioning; it is simply not being used in the way nature has already provided. To classify this condition as a form of infertility is not to describe a bodily deficit, but to redescribe a relational or volitional condition as a medical one — and thereby to transform social choice into juridically cognizable need.

The second line of critique is ethical and centers on the rights of the future child. Following Robert P. George's insistence on the irreducibility of the child's interests to the reproductive desires of adults, the paper argues that AHR techniques — when deployed not to remedy an organic incapacity but to fulfill an elective desire for parenthood — impose on the unconceived child a set of risks and deprivations (genetic, gestational, relational) that have not been consented to, and that serve no therapeutic interest of the child. In this configuration, the juridical recognition of "social infertility" as a ground for AHR access effectively subordinates the rights and wellbeing of the future person to the desires of prospective adults, inverting the proper order of legal protection.

The paper concludes that the normative force of natural categories in law is not an arbitrary imposition but a necessary condition for coherent legal anthropology: without a concept of the body's natural functioning as a juridical reference point, the law loses the ability to distinguish need from desire, remedy from enhancement, and protection from complicity.

21. Matteo Lauri

Universidad di Tor Vergata (Roma, ITALY)

Title: *On the Normativity of Nature: From Natural Inclinations to Natural Law*

Abstract:

Modern philosophy may be understood as the attempt to emancipate man from nature. Indeed, while it increasingly focused on the subject, it gradually withdrew from any reflection on his essence, culminating in the existentialist belief in the self-determinacy of the human being, viewed as an empty form to be arbitrarily filled. This progressive obscuration of human nature has shaped not only ethics, with the formulation of Hume's law and the naturalistic fallacy, as well as the hegemony of deontology and consequentialism, but also jurisprudence, with the dominance of positivism. Even the New Natural Law Theory has largely avoided direct reference to human essence, reluctant to challenge the aforementioned assumptions.

Consequently, the notion of human nature appears today as an ideological relic. Yet, it does exist and expresses itself through natural inclinations: ontological predispositions universally present, though individually modulated, that question the idea of an is-ought gap, grounding natural law precepts. This contribution intends precisely to demonstrate this thesis. It aims to sketch human nature through the doctrine of natural inclinations, clarifying their objectivity in a more robust way than the New Natural Law Theory's mere appeal to the self-evidence of the ends or goods they pursue, and their capacity to undermine both Hume's law and the naturalistic fallacy, as well as their close connection to natural law principles.

This intervention does not claim to be exhaustive. Rather, it seeks to lay the foundations for the future development of a new theoretical framework: one capable of providing a metaphysics of human nature, avoiding both natural relativism and cultural imperialism, reconciling virtue and natural law, offering sound action-guidance, and elucidating legal normativity more satisfactorily than existing approaches.

22. Miguel Ángel López Lozano

Universidad del Atlántico Medio (Gran Canaria, SPAIN)

Title: *Rationalist Natural Law and the State Control of Law*

Abstract:

The question posed is whether law is discovered in the nature of things or whether it is simply a human invention. Although it may seem a purely philosophical question, the answer our civilization has given it changed drastically a few centuries ago, with consequences that completely define the legal system in which we live today. This transformation was not a simple process; it was a chain of intellectual shifts with surprising results. We will explore three key revelations about how our understanding of law changed, and how this led to the current landscape. Once law ceased to be something found and came to be conceived as an "abstract rational system constructed by the mind," its capture by a centralized entity became almost inevitable. This new conception of law as a mental product facilitated its complete absorption by the state.

23. Nurhayat Bekir

Ibn Haldun University (Instambul, TURKEY)

Title: *Automation Bias and the Transformation of Judicial Reasoning: Towards a Deus ex Machina?*

Abstract:

The increasing use of artificial intelligence (AI) tools is transforming judicial reasoning. In particular, risk assessment instruments designed to predict recidivism have become central to debates concerning the role of AI in adjudication. Their influence extends beyond technical considerations to psychological and socio-cognitive dimensions, as human cognition is shaped by inherent limitations and systematic biases. In this context, judges' tendency to rely uncritically on algorithmic predictions can be explained through the concept of automation bias, which reflects a propensity to treat automated outputs as authoritative, thereby weakening independent evaluative judgment and pre-structuring decision-making processes.

More fundamentally, this development reflects a shift in how judges determine what is just. Judicial decisions are increasingly shaped by algorithmic outputs rather than by reasoned deliberation and conscience. While concerns about mechanistic decision-making are not new, AI-based systems intensify this tendency in a more systematic and far-reaching manner.

From a natural law perspective, this study argues that the increasing reliance on algorithmic systems requires their re-grounding within a framework of moral reasoning. Although artificial intelligence offers unprecedented capacities for data processing, its scale and reach amplify the potential impact of its outputs, thereby increasing the risks associated with their uncritical use. Lacking an intrinsic orientation toward the good (telos), AI cannot generate genuine normativity, since normativity ultimately presupposes a rational capacity to apprehend and act in accordance with the good. Consequently, algorithmic outputs risk displacing judgments grounded in practical reason with patterns derived from data correlations. This calls for the reorientation of AI-assisted decision-making toward an ethical and teleological framework aligned with the demands of justice. The study further examines automation bias as a mechanism of this displacement and briefly considers possible safeguards within this normative framework.

24. Petar Popović

PUSC - Pontificia Università della Santa Croce

Title: The Legal Status of Human Dignity as the Object of Justice in the Thomistic Legal Theory

Abstract:

In a famous 2022 lecture, the late Alasdair MacIntyre argued that the concept of human dignity can be dispensed with, since it is predominantly used as a rather ambivalent concept, which can be employed for contrasting arguments regarding human goods and values. Instead, as MacIntyre argued, what is expressed by this concept can be successfully achieved by adequately pursuing the virtue of justice. His position is virtually identical to Michel Villey's critique of the tendency to award a legal status to human dignity. Both MacIntyre and Villey invoke a tradition that can be seen to culminate in Thomas Aquinas, and I will explore the rival meanings of dignity within that tradition. I will then explore whether, from the viewpoint of that legal-theoretical tradition, it is possible to envision human dignity not as an alternative to justice, but as an

object of the virtue of justice, and thus, as a fully legal good. I will also inquire into the question of whether and how dignity can be seen to form part of the very structure of the virtue of justice and of law, at a conceptual level of analysis.

25. Piotr Mazurkiewicz

Cardinal Stefan Wyszyński University in Warsaw (POLAND)

Title: *Magis ratio quam vis. The force of reason versus the force of nature*

Abstract:

Authors such as Gustav Radbruch and Heinrich A. Rommen point out that legal positivism, which prevailed at the beginning of the 20th century among judges, senior civil servants, and among teachers of jurisprudence, left the legal community completely defenceless when the totalitarian revolution began in Germany. There was no external point of reference in relation to the legal system that would allow for a critical judgment on the legality of the new regime, which was legal in formal terms, or on the internal injustice of the formally legal acts of the new authorities.

However, totalitarian propaganda did not abandon the use of the concepts of nature and natural law. Ideology, referring to the categories of race and ethnicity, biologized the concept of nature. "Nature" no longer referred to the rational nature of man endowed with reason and free will, nor to the universal order of beings and obligations that it imposes on reason. As Rommen notes, "nature is transformed into an altogether materialistic concept. It is viewed as the blood, the hereditary biological mass of animal nature, deprived of its personalist and spiritual values." (The Natural Law. A Study in Legal and Social History and Philosophy 1998: 135) From now on, what is natural is what serves the interests of the stronger and "more valuable" in biological terms. What we are dealing with here is the imposition of an Old Germanic belief matrix on the Christian terminological network. Thus, there is a misuse of both terms related to natural law theory and concepts from Christian theology.

The lack of a transcendental and universal moral criterion and legal order binding on all nations, races, classes, and individuals leads to the fact that every decree of authority, if it does not provoke violent rebellion and mass disobedience, is treated as binding law. The ruler, whether an individual, a collective authority, or a parliament, is perceived as *lex animata*. Hence the question: can we rightly consider as law everything that physical force or psychological pressure of propaganda can enforce on individuals who, if not actively obedient, are at least passively submissive?

This understanding of authority, based on positivism and biological naturalism, because of which every formally correct decision is binding "in conscience" on citizens regardless of its moral value, is one of the most significant threats to contemporary liberal democracy. The lack of the very concept of a limit in thinking about power means that a person, from being a subject and a goal, often becomes an object or even a "tool" for a goal. Suffice it to mention here the experiments in genetic engineering or the ideology of human enhancement.

It should be noted that well-intentioned attempts to biologize natural law, i.e., the search for scientific arguments to justify specific natural law theses, pose more of a threat to the authority of natural law theory than a real help (Joseph Ratzinger). This is because science is changing. On the other hand, Thomas Aquinas built his theory of natural law on a single assumption about human nature, namely that man is a rational being. This theory is therefore not particularly sensitive to contemporary disputes about human nature, if it is recognized that man is a rational being and that rationality itself allows us to arrive at a truth that is not merely a social construct.

It seems, therefore, that what should be particularly emphasized today by supporters of natural law is not so much the concept of nature itself as that of reason as belonging to human nature, sensitive to moral truth and capable of recognizing it through intellectual effort. In other words, not so much the force of nature as the force of human reason.

26. Raúl Madrid

Pontificia Universidad Católica de Chile (Santiago, CHILE)

Title: *Digital resurrection and the erosion of the life–death boundary*

Abstract:

The post-mortem persistence of a person’s digital trace creates a legal landscape that strains traditional frameworks: identity does not end at death, but remains exposed to new forms of appropriation, manipulation, and harm that were largely unknown before contemporary information technologies. This paper examines the use of that trace—active or abandoned accounts, cloud-stored files, browsing histories, photographs, biometric data, metadata, and algorithmic profiles—as a phenomenon that extends the subject’s vulnerability beyond biological life and, more broadly, beyond embodied existence.

I argue that digital environments expand the field of identity in two ways: (a) as a circulating set of signs that can be recontextualized (voice, image, linguistic style, behavioral patterns), and (b) as a technical infrastructure that enables reproduction and automation (voice cloning, deepfakes, online impersonation, fraud targeting heirs, and the harvesting of data to train models). The core problem is not merely economic loss or a privacy violation. It is better understood in ontological-legal terms: as the boundary between offline life and digital life erodes, so too does the boundary between life and death—an erosion that directly affects the identity and dignity of both the deceased and the bereaved.