

Response by Craig A. Ford Jr., Boston College

Black Natural Law by Vincent Lloyd. Oxford: Oxford University Press, 2016

Conversation at the Boisi Center, September 14, 2016

It's an honor to be asked to give a response to a book that brings together two things that I care about deeply: race, and by way of race, an interest in many intersections including sexuality, gender, and class; and the natural law tradition, which, as a framework for engaging the human ethical project, seems to me to be the most fruitful avenue for continuing to ask questions about the good and the right. This honor redoubles to the extent that one examines who else is on this panel. Next to a dean of a law school and an associate professor, I owe quite a debt of gratitude to the organizing gods who deigned to catch me from among the fish of graduate students eagerly awaiting, as Ariel in the was, to be "part of that world."

Because I'd like to keep a good amount of our time together available for discussion, I'd like to put forward thoughts under two categories: the first comprises my appreciations for the work that Dr. Lloyd has done; and the second comprises what I'd like to call curiosities—those terms, ideas, and frames in the book that I was following around as a reader, but had a difficult time pinning down.

The first major appreciation is for the framework of Black Natural Law as Lloyd puts it forward. To my mind, his account comprises what I think is the best of the natural law tradition: a certain epistemic openness, a capacious anthropology, and, most of all, the

depends on intellectual bravery to step out of old frameworks and into new ones as

theologian like Dr. King to someone like Du Bois about whom Lloyd writes the following, “Du Bois writes ‘Goal’ not ‘God,’ but it is ideas that matter, not the words, and these ideas could just as well be expressed in Christian idiom” (78). Does this not sound like a pragmatist theological orientation?

tradition lies on the side of the disenfranchised and marginalized, and if we agree that queer persons are marginalized, how can we put forward the conclusion that the black natural law tradition is silent? Is it not truer to say that, in fact, that some exponents have failed to live up to the tradition—something that we can see more clearly with the benefit of time? It's hard also for me to pass by without making the observation that all the people Lloyd critiques for emotivism—Baldwin, Lorde, and hooks—all are black queer persons—and foundational writers within queer theory more broadly. Would a consideration of these thinkers with that aspect of their identity in mind have made a difference?

My final curiosity poses the following question: **How do we contextualize Black Natural Law in the context of Christian moral theories in our contemporary moment?** Lloyd identifies the building blocks of a natural theory as a belief that there is such a thing as human nature, and that, moreover, this nature generates norms that are discernible. The hinge that holds these two beliefs together Lloyd locates in the Christian notion of the *imago dei*. It's possible, however, to subject human nature to a moral analysis via the *imago dei* and generate a perhaps distressing account of natural law. Karl Barth in the third volume of his *Church Dogmatics* does exactly this, for example, by arguing that—whatever is signaled through “natural law”—it all points to the conclusion that the human creature floats incapacitated in moral disaster without divine intervention—and this is a move that is reproduced by other non-Catholic theological ethicists, even as they might do so for different reasons.

It is, however, possible to think about how the natural law tradition has been deployed in the Catholic tradition, arguably the natural law's greatest exponent. In the book, Lloyd criticizes the approaches of conservative Catholic natural lawyers (something that this author would gladly echo), but there is room to contextualize black natural law within the revisionist (liberal) natural law tradition, which recovers from a reading of Thomas Aquinas an anthropology that does not consider the human as solely rational. For example, in Diana Fritz Cates's *Passions and the Moral Life*, she constructs an anthropology that shows how integral the passions (what we'd call emotions) are constitutive of human nature.

Thank you for your book, and thank you for listening.