

Feasibility of Inferring Ethical Judgments from Jurisprudential Rulings: A Teleological Comparative Approach

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Abstract

Ethics is responsible for evaluating actions and traits that have a lasting increasing or decreasing impact on human perfection. In comparing two sciences and examining the relations that may arise between ethics and jurisprudence, three main axes are usually considered: subject, method, and purpose. Based on foundational principles such as the definition and aim of ethics, it appears that ethical knowledge shares thematic, methodological, and indeed teleological proximity with jurisprudence. By examining numerous issues and propositions within jurisprudence, it becomes evident that the purpose or purposes of jurisprudence necessarily yield a degree of perfection for the obligated individual. Consequently, given the subject and purpose of ethics, and the correlation between jurisprudential aims and the attainment of a level of human perfection, jurisprudential rulings result in corresponding ethical judgments. Such correlation is conditional and applies in the absence of obstacles, such as deriving jurisprudential rulings from practical principles that do not aim at achieving a level of perfection. By identifying obstacles that prevent the attainment of perfection through jurisprudential rulings, these rulings entail the inference of corresponding ethical judgments, provided no impediment exists.

Keywords

Moral judgment, jurisprudence judgment, Thematic similarity, Purposeful similarity, Purposeful companionship.

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