

Aristotle & the tyranny of nature

As early as the Greek tragedians we find the idea of what is generally called 'natural law'. This is the idea that there are moral laws which, just simply, are eternally and universally true, and which supersede the positive laws or ethical customs of particular societies. The natural law is 'written upon men's hearts'. Our highest moral duty is to obey the natural law. Important classical thinkers reckoned in this tradition are Aristotle, Cicero, Gratian, Aquinas, Suárez, Grotius, Pufendorf and Locke. This idea underlies the notion of 'inalienable rights' in the American *Declaration of Independence*, and it is the foundation of most current Roman Catholic moral thinking.

Whatever good this idea has done, over the ages, as a regulating principle for moral or legal reform, it has also had a more dubious side. It was part of the network of ideas that constrained the lending of money in the middle ages (and so intensified the marginalization of Jews); it has been used to justify forms of slavery; it lies at the root of instinctive homophobia; it underlies the knee-jerk enthusiasm for free-market capitalism....

Nature, as a regulating principle, can be highly tyrannical.



Now Aristotle is, *par excellence*, the West's philosopher of nature. But I think it is a mistake to include him in this lineage of promoters of natural law theory.

In his careful treatment of natural law, in the *Nicomachean Ethics*, he makes the surprising claim that natural justice is *changeable*. Commentators have bust a gut in trying to explain what he might mean by this, and their answers are as unconvincing as they are various.

Looking closely at those texts, however, we see that he likens a change in natural law to the development, through exercise, of ambidexterity. "By nature the right hand is stronger, yet it is possible that all men should become ambidextrous." This simile has not been thought through.



If we take it seriously, however, then Aristotle is claiming, surprisingly, that humans can *improve on the deep moral proclivities with which they are naturally (sc.'normally') endowed*.

We may all be naturally inclined to admire patriotism, to hate inconstancy, and to prize reputation, but such natural, deep moral beliefs can perhaps be improved upon. Aristotle is not a natural law theorist: he shares with that company the idea that certain deep moral inclinations are 'written upon our hearts', but he does not share the view that these natural moral inclinations are, ethically, the bottom line. He does not succumb to their tyranny. He does not belong in the list of natural law theorists, and, most certainly, he does not figure at the head of that list.