

# The nature of natural law

In the last issue of **L&L** columnist Ed Dodson raised the question of 'natural law'. Here **David Triggs** takes issue with him and reflects on what natural law meant for Henry George

ED DODSON has recently raised questions in **L&L** regarding the nature of natural law (see box). He may be consoled to find that he does not "constitute a minority of one" when he objects to the use of the term 'natural law' as an expression of 'just' law, or moral law. I at least agree with him, and have to confess that I have not come across many people who would not. But then neither am I aware of many who would say "if only we would live according to the creator's system of natural law, all would be well in the world"—although I can sympathise with those who hear admirers of George extolling the importance of natural law and suppose that that is what they mean.

Some of the confusion that Dodson laments may arise from the meaning that he, and the likes of Mortimer Adler whom he quotes, give to the term 'natural law'. When Adler says "Let us first be clear that by 'natural law' we mean principles of human conduct, not the laws of nature discovered by the physical sciences", he is surely not referring to the same thing that Henry George so respects. It is true that Henry George does not limit the discovery of these laws of nature to the *physical* sciences but he is clear that they need to be discovered, described and acknowledged and that they do operate through human nature just as much as they apply to stars and atoms.

The essential characteristic of the natural law that Henry George refers to is, surely, that it always operates, whatever people will, think, or do—irrespective of whether it is acknowledged or ignored. Problems arise, however, when it is ignored—hence when George says: "the evils arising from the unjust and unequal distribution of wealth...are not imposed by natural laws... they spring solely from social maladjustments which ignore natural laws", he does not fail, as Dodson suggests, to "treat natural law as descriptive" nor treat them as 'prescriptive'. George here identifies the source of "the social problem" as the "social maladjustments": the problem is not that the natural law has not been operational but that it has been ignored.

Probably the most familiar example of the inviolable nature of a natural law is the one that we call 'the law of gravity'. It operates irrespective of whether humans acknowledge or ignore it. Human well-being is however clearly affected by the extent to which such a law is

understood, described and taken into account in the adjustments human beings make. When humans fly, neither human nature nor the law of gravity cease to operate, but conscious human adjustments have been made to accommodate them. When an infant loses a toy because it falls from its grasp, he or she begins the learning process. It may take a Newton and

"The term 'natural law' is used as an expression of 'just' law, or moral law. Most who embrace this meaning look no deeper than their faith in a conscious creator. They say: if only we would live according to the creator's system of natural law, all would be well in the world. To a degree, this belief was held by Henry George who wrote: "the evils arising from the unjust and unequal distribution of wealth... are not imposed by natural laws... they spring solely from social maladjustments which ignore natural laws."

But I believe we should treat natural law as descriptive—as distinct from moral law, which asks the 'ought' questions, as prescriptive. In so doing we would avoid confusions inherited from past philosophical discourse. Mortimer Adler said—"it is hard for most to understand how a natural law has anything to do with moral matters."

—Ed Dodson, **L&L** summer 2009

then an Einstein to describe the law and inspire more refined adjustments of human behaviour, but every baby child learns to acknowledge and work in harmony with the same law.

When Dodson criticises the "use of the term 'natural law' in the singular because some writers seem to imply that it had something to do with right and wrong", it is unclear whether he objects to the use of the term in the singular itself. Clearly, the use of the singular to indicate a type or class of law does not preclude the existence of the many laws that may fall under that same type or class—eg. statute law, Roman law, English law etc.

As far as human comprehension is concerned there does however seem to be a difference between the singular natural law as 'type' and particular manifestations of natural laws. Which comes first? Do we first observe phenomena and then identify a commonality that indicates 'type' or, aware of the 'type', do we then recognise conforming examples?

Here George comes to our aid when, in *The Science of Political Economy*, he indicates that both the 'inductive' and the 'deductive' modes of human reason are valid and necessary. The inductive or a *posteriori* method—based on accurate observation and "reasoning from particulars to generals in an ascending line, until we come at last to one of those invariable uniformities that we call laws of nature", he says, comes first. He continues: having "reached what we feel sure is a law of nature, and as such true in all times and places then an easier and more powerful method of ascertaining the truth is open to us—the method of reasoning in the descending line from generals to particulars. This is the method we call the deductive, or a *priori* method. For knowing what is the general law, the invariable sequence that we call a law of nature, we have only to discover that a particular comes under it to know what is true in the case of that particular".

George provides further clarification when he says: "So far as our reason is concerned, induction must give the facts on which we may proceed to deduction. Deduction can safely be based only on what has been supplied to the reason by induction; and where the validity of this first step is called to question, must apply to induction for proof. Both methods are proper to the careful investigation that we speak of as scientific: induction in its preliminary stages, when it is groping for the law of nature; deduction when it has discovered that law, and is able to proceed by shortcut from the general to the particular, without any further need for the more laborious and, so to speak, uphill method of induction, except to verify its conclusions".

We might further note George's recognition and use of a third 'method of investigation', which has been found to be effective in the discovery of truth in the physical sciences, ie. where a 'tentative deduction' or hypothesis may be employed.



The quotations cited above show how Henry George saw the importance of natural law in connection with political economy and human behaviour, and that it does not operate only in the material world. He went on to show how it permeates the subtle worlds in which man wills, thinks and desires and which are critical to the social aspects of human nature and the production and distribution of wealth throughout society.

Thus far we have not found it necessary to refer to moral law or just law in showing the importance of natural law to society. This is not to suggest that they do not matter to society but rather that natural law is of a different order.

My own feel for 'laws of a different order' is possibly helped by my experience as an engineer involved in water projects throughout the world. I easily recognise the differences between natural laws and man-made laws, regulations or requirements. The former operate through the materials and forces that engineers employ, whilst the clients and/or governments in whose jurisdiction the project may be located impose the latter. The former are fixed, do not vary and always apply; the latter may proliferate or be cancelled, may vary or be exempted.

Likewise it seems that where individual societies declare artificial 'moral laws', they may or may not be based upon natural law but they cannot be as universal in their application as are the natural laws themselves. It may well be that there is a class of laws that apply to all human societies but such laws could not override those imposed by nature on all societies. They would exhibit an accommodation with the natural law by adjusting their application in accordance with the peculiar nature of man and human society. To the extent that a human society observed these laws it might be expected to thrive. If humans and human society choose to ignore natural law and to observe only regulations that represent 'maladjustments', they might be expected to suffer—maybe to the point of extinction!

Here we come to a critical point in our enquiry and the need to take into account the nature of the human being. We need to recognise the unique degree of freedom that is available to human beings—a freedom that comes with the free will, highly developed brain, and versatile body that humans enjoy compared with all other creatures. We must recognise also the importance of our unique ability to adjust our actions to ends of our own devising. We need to acknowledge how this freedom, diversity and a susceptibility to both individual and social influences characterises human existence and how the relationships between individuals and between individuals and society is affected. It is obvious that individuals vary in how they feel, think and

behave and, whilst we may debate the relative importance of nature or nurture in shaping people's character, it is clear that the influences to which an individual is exposed, especially, but not exclusively during childhood, affect these important characteristics.

Personal experience shows us that our feelings, thoughts and behaviour affect our freedom to feel, think and behave as we would wish. For example, it is observable that repeated indulgence in a 'vice' can lead to an addiction that can seriously inhibit an individual's freedom to choose. In contrast, the practice of a virtue tends to not only increase the choices available to a person, but also to influence the likely direction of such choices.

Since, as I imagine is true of most people, I seem to be subject, in some degree at least, to

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the influences of both vice and virtue, I (and I imagine most) may thus draw upon personal experience. I mark that when under the influence of a vice my feelings, thoughts and behaviour tend to be directed towards myself whilst, when under the influence of a virtue, I tend to be more discriminating, generous and considerate of others. Could this be evidence of the operation of a natural law?

This link between an action and a consequence does not appear to flow from any personal intent, social norm, custom, tradition, or man-made law but rather be associated with an influence that is beyond the individual or society—ie. not 'artificial' but 'natural'. It is

true that individuals may be under pressure from parents, teachers, preachers and society at large to practice virtue and avoid vices, but this does not account for the nature of the relationship between such a practice and the consequence. Such encouragements merely represent social adjustments that are made in harmony with the natural law. For human beings natural law does not prescribe the practise of virtue; humans are made free to choose, as George points out; if humans were compelled by their nature to avoid error they would be less than human.

Here we may see how natural law does indeed relate to moral law, just as it must relate to all matters that pertain to the manifest universe. Moral Law cannot affect the natural law but it must be subject to it!

It may also be apparent why I so disagree with Dodson when he suggests that George was “to a degree” with others guilty of looking “no deeper than their faith in a conscious creator”. My understanding of George's faith in a conscious creator is that it was not on account of any shallowness of looking. He tells us directly that his return to faith, following a period of agnosticism, followed very deep consideration and was directly linked to his appreciation of the universal application of the laws of nature. He saw how it was only possible for a person to express their will and make a new thing that was 'good' for a purpose, ie. to meet a human want, when they used their powers consciously. Having made such a thing for the first time and describing the processes that need to be followed, further similar items could be made by 'following the process rules'—and far less consciousness was called for. These rules (laws) could thus be said to express 'the will of the original maker'. Looking with all that any man is equipped to use—his own senses, mind and spirit and aided by knowledge gleaned by past generations that satisfied his own critical faculty—it seems to me that George was able to reason that the 'all maker' must not just be conscious but must be consciousness itself—continuously manifesting through all creation and (as far as humans are concerned) especially through human kind.

Thus in his final work George was able to say—writing in 1894: “Why is it that some things coexist with other things? and that some things always follow other things? The Muslim will answer: ‘it is the will of God’. The man of our Western civilisation will answer: ‘it is a law of Nature’. The phrase is different, but the answer one.” **L&L**

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