

Ethics and Natural Law in Eric Voegelin's *Anamnesis*

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Introduction

The following remarks are born out of admiration for two relatively obscure articles by one of the 20th century's most eminent, yet in the eyes of many obscure political scientists.

The articles are entitled "What is Right by Nature" and "What is Nature" and were originally published in German in 1963 and 1965 respectively. In 1966, they were included in a German collection of essays entitled *Anamnesis*. They were first translated into English in 1978, as part of the English-language version of *Anamnesis*.¹ [1]

The author is Eric Voegelin (1901 – 1985), a German political thinker who fled Nazism in 1938 and went on to become a controversial and influential, albeit not widely read, political philosopher in the United States. He taught there for two decades after his flight from Europe, and returned to the United States after having taught in Munich for most of the 1960s. His writings encompass the fields of philosophy, political science, religion, psychology, and not least history, but in spite of his breadth of

1 [1] The references in the following are to this translation, by Gerhart Niemeyer (Voegelin 1978). A full translation of the original German version of *Anamnesis* is now available in volume 6 of *The Collected Works of Eric Voegelin* (Voegelin 2002).

scope, it seems both possible and reasonable to label him first and foremost a political philosopher in the classical sense ♦ someone who contemplated the nature and meaning of political life, as well as the place of philosophy within the political community.

Let me briefly explain my admiration for the articles mentioned before venturing to analyze them and their immediate context, and then place them within the modern and post-modern debate on the meaning, function, and limits of ethics.

For the better part of four years ♦ way back in the last decade of the previous millennium ♦ my main task in life was to write something meaningful about the tradition of ethics known as natural law or natural right, in the form of a doctoral dissertation, which is now ♦ several years later ♦ being turned into a book.² [2] While the focal point of my discussion was the relationship between natural law on the one hand and the modern teaching of natural rights (or human rights) on the other, the work demanded that I sketch a general background in the form of a depiction of the most central natural-law teachings among classical and medieval thinkers. This meant that a treatment of Aristotle was unavoidable, since Aristotle, alongside Plato and Cicero, stands as the most important classical author to ask the question whether there exist some things within morality ♦ ideals, norms, virtues, ways of life ♦ that are actually "right by nature," and if so, what they might be.

² [2] Syse 2004. This paper is to a certain extent made up of excerpts from chapter 3 of that book, although the context and overall argument are original to the present context. I acknowledge permission from my publisher, St. Augustine's Press, to use excerpts from the forthcoming book.

In sifting through the writings of several important commentators on Aristotle, I came across Voegelin's reflections on the question of natural right and natural law, and most importantly the articles that deal specifically with Aristotle's famous discussion of natural right (*physei dikaion*) in the *Nicomachean Ethics*, book V.3 [3]

I believe Voegelin, better than other commentators on Aristotle's text, renders meaningful the relationship between the changeability of human life on the one hand and unchangeable principles of morality on the other. In doing this, he not only gives us a useful insight into what Aristotle might have meant by saying that some things are "right by nature," but he also addresses the question of what

3 [3] Note that I am here using "natural right" in the singular, in the sense of that which is rightful according to nature. This concept is closely related to "natural law" and in some authors (such as St. Augustine and several other early Christian writers) not clearly distinguishable from it. It stands for norms, rules, or experiences of transcendence that point the way to rightful human action. This is quite different from the modern idea of "natural rights", meanings rights (or powers or liberties) that each human being has by nature. Many (such as Leo Strauss and Ernest Fortin) hold that the ancients and early medievals did not have a notion of "natural rights" in the sense elaborated by Thomas Hobbes, John Locke, Jean-Jacques Rousseau, or Immanuel Kant ❖ others (such as Jacques Maritain, John Finnis, and Fred D. Miller) hold the break between classical "natural right" and modern "natural rights" to be less radical. Either way, it is important to note that when I use ❖natural right' in this paper, I do not have in mind "rights," whether natural, human, or civil. (See also my next note.)

"ethics" actually is. In an age such as ours, which almost drowns in articles, books, statements, and discourses about ethics, Voegelin's serious attempt at understanding the nature of ethics is extremely enlightening and useful.

In the following, we will first look at Aristotle's passages on "right by nature," and then move to some important interpretations of them, among them Eric Voegelin's.

Aristotle and 'right by nature'

Aristotle's reputation as a philosopher of natural law (or at least, to use a somewhat weaker expression, of natural right⁴ [4]), rests primarily on three texts:

⁴ [4] Leo Strauss (Strauss 1953, p. 163) makes a distinction between a full-fledged (e.g., Thomistic) theory of natural law and Aristotle's more ambiguous theory of natural right. The latter is more open-ended and incorporates susceptibility to change. Strauss describes the claim of this latter kind of "natural-right" theory thus: "There is a universally valid hierarchy of ends, but there are no universally valid rules of action" (ibid., p. 162). (See also the remarks about "natural justice" as opposed to "natural law" in Striker 1996, pp. 209–20.) Voegelin makes something of the same point when he calls the "right by nature" in classical philosophy a "symbol," whereas later natural-law theory is characterized by Voegelin as a "dogmatization," "separated from its underlying experience" (Voegelin 1978, p. 55). More on this distinction between natural law and natural right can be found in chapter 1 of my book.

- ◆ The most famous text, often referred to by later natural-law thinkers, namely, *Nicomachean Ethics*, V, 7, 1134b18–1135a14,
- ◆ The opening passages of the *Politics* (I, 1–2, 1252a1–1253b39),
- ◆ Chapters 10, 13, and 15 of the first book of the *Rhetoric* (esp. 1368b9–10, 1373b1–18, 1375a25–1375b25).⁵ [5]

I will make some brief remarks on each of these important texts, starting with the *Politics*.

In the first book of the *Politics*, Aristotle insists on the naturalness of the *polis* (city-state) as such. Both the origin of the polis (the union of male and female, 1252a24–30) and the end of the polis (not mere living, but living well, 1252b28) are according to nature.

These passages seem quite straightforward; yet, when read within the context of the entire Aristotelian corpus, there is an ambiguity as concerns the concept of nature. In this connection, Voegelin makes a useful distinction between three senses of *natural* in Aristotle: (i) divine, immutable nature; (ii)

⁵ [5] In addition to these passages come references to equity, the right by nature, and naturalness in *Nicomachean Ethics*, I, 3 (1094b12–28) and V, 10 (1137a31–1138a4), and *Politics*, III (see the discussion of constitutions, esp. III, 17, 1287b37–41). In the pinpointing of these and other passages I am indebted to Fred D. Miller's essay "Aristotle on Natural Law and Justice" (in Keyt/Miller 1991, pp. 279–306).

physical, "determined" nature; and (iii) human, existentially conditioned mutability.⁶ [6] In the opening passages of the *Politics* just referred to — i.e., the passages concerned with the *origin* of the polis — it could seem that we are confronted with the second meaning of natural, i.e., a more or less deterministic view of nature.⁷ [7] The growing forth of a polis happens naturally, just as a tree grows and a lion roars. And this is surely one way in which Aristotle advocates a "right by nature": The polis has its root in man's natural desire for community (*koinonia*). It is naturally right that men live in community with each other, since it is indeed a fact that our natural impulses "drive" us together and thus lead us toward the community of the polis.

It would, however, be a mistake to infer from these observations on the origin of the polis that Aristotle sees justice among men as a result of physical determination. Firstly, we must not forget that Aristotle stresses that practical philosophy is different from theoretical studies. It is not possible to demand the same exactness in human affairs as in theoretical philosophy.⁸ [8] This is also true of the "naturalness" of human justice. Even though the society of human beings has its root in natural impulses — impulses which in some sense can be called "determined" and which are not subject to choice — the

⁶ [6] See Voegelin 1978, p. 60.

⁷ [7] It should be noted that "deterministic" here must not be understood to imply *absolute* necessity. It is the end (*telos*) of a process, which determines its outcome, and mistakes and variations in the pursuit of that end may occur. In the second book of the *Physics*, Aristotle defines natural as "that which happens most of the time" (199b23–24) — a point to which we will return shortly.

⁸ [8] See *Nicomachean Ethics*, I, 3.

actual rules and regulations that exist between humans must be flexible, exhibit change, and to some degree be subject to choice (*prohairesis*). This must be so insofar as we are dealing with human beings endowed with the capacity for choice (and, not least, the capacity for making the wrong choices). Furthermore, the naturalness of the polis is shown not only by reference to the *beginning* of the community of human beings; more importantly, it is shown by reference to the *telos* (end) of man: living well. Man in his separateness is not physically determined to reach that end. Living well is a matter of prudence and sound experience, both of which depend on a *social* life.⁹ [9] Thus, we are dealing with Voegelin's third sense of "natural."

It is important to emphasize that the different meanings of "natural" ♦ divine/immutable, physical/determined, and practical/human ♦ are surely related in Aristotle's thought. There is a clear relationship between the meaning of "natural" as we find it in the *Physics* and *Metaphysics* on the one hand, and as it is used in the *Ethics* and the *Politics* on the other. In both contexts the concept of nature is related to the *essence* of substances, as Aristotle calls it in the fifth book of his *Metaphysics* (1015a13♦19).

⁹ [9] Eric Voegelin makes much the same point when he says that:

The growth of the polis is not an inevitable biological process; men are not forced into the polis by an urge or instinct. Man is not a gregarious animal (*agelaion zoon*); he is a *politikon zoon* and that means that the end, the *telos*, of the community lies in the realm of conscious, deliberate recognition of good and evil, of right and wrong. . . . The nature of man, while finding its fulfillment in the polis, does not produce the polis automatically. (Voegelin 1957, p. 316).

When we are concerned with that which is natural, we are concerned with what things are in themselves and the source of their movement. The way a seed grows into a tree and the way a man grows into a mature human being are different, both allowing for leeway (natural is that which happens "most of the time," cf. *Physics*, II, 8, 199b23-24), but the latter obviously being mutable in a different and wider sense than the former. The important point, however, is that both movements contain within themselves and by nature the principle of their eventual end-state. And, it must be added, none of these movements are physically determined in a way that disallows for exceptions. Nature is a *principle* more than a pre-determined fact for Aristotle. Nature is not a blind efficient cause. Rather, nature must be understood as represented by *all four causes*, including a dynamic final cause and a shaping formal cause.¹⁰ [10]

Hence, the fact that Aristotle makes an event in "physical" nature namely, the act of procreation the starting-point of the development of the polis, does not mean that the establishment and growth of the polis and its system of justice is a "blind" process, not subject to change and variability.

This is not the place to give a full account of the Aristotelian teaching of form and matter, nor of Aristotelian theology and ontology. My intention is merely to point out that *the formation of the polis is natural*, and that it thus makes sense for Aristotle in his *Rhetoric* and his *Ethics* to say that part of political justice is natural. If the polis had been a mere human construct, political justice would have

¹⁰ [10] For Aristotle's teaching on the four causes the material, the formal, the efficient, and the final see *Physics*, book II, ch. 3.

been different from natural justice. But living together is natural to man, and so it also makes sense to talk about *natural* political justice.

As I have already alluded to, the naturalness of the polis is described by Aristotle in the first book of the *Politics* as being the result of a process.¹¹ [11] In each stage of the process, a "kernel" of the end-state ♦ living well ♦ is contained as a potentiality (*dynamis*). It is not natural for an individual to live solitarily and not procreate; likewise it is not natural for a man and a woman to live together without the support of a household and (eventually) a village; and finally it is not natural for a village not to evolve into a full-grown polis.

Even in the mere potentiality of the individual, there is something that points beyond the individual him- or herself. This is essentially what human nature is: the actualization of human potentialities. The end-state is characterized by that which Aristotle refers to as *autarkeia*, self-sufficiency. The polis is the final point of this process because it enables human beings to live self-sufficiently. At every other stage in the process, something is lacking for human beings to be fully human. Only in the polis can they develop their full potential as human beings, morally and

¹¹ [11] In contradistinction to Plato's tale in the *Laws*, Aristotle's "process" is not meant to be a description of a (hypothetically) historical sequence of events. Eric Voegelin prefers to see the analysis in *Politics* I as an inquiry where Aristotle proceeds "by analyzing the compound whole (*syntheton*) down to its uncompounded composing parts (*morion*)" (Voegelin 1957, p. 315).

intellectually. The person for whom this is not the case is either a beast or a god, Aristotle says famously.¹² [12]

This leads us to the first book of the *Rhetoric* where Aristotle in several places applies these natural elements of human togetherness to judicial reasoning. Since it is *not* as a result of human choice that the polis exists, it seems also to be the case that certain of the rules regulating life in the polis are natural and not subject to human choice.

Now, Aristotle's reasoning in the *Rhetoric* is certainly (and notoriously) practical, in the sense that he wants to show how one can best argue one's case in a court of law.¹³ [13] It can thus be said that the references to that which can be translated as "natural law" (i.e., law which is *kata physin*) in the *Rhetoric* cannot be taken absolutely seriously. While this may be the case, Aristotle does make distinctions and differentiations (to use a term from Eric Voegelin) in the *Rhetoric*, which are useful and indeed throw light on his overall project in practical philosophy ♦ and he does explicitly talk of law which is according to nature. Also, there is no reason to presume that Aristotle did not use this work, in the words of Am♦lie Oxenberg Rorty, to introduce "much of his own ethical theory to provide premises for the kind of forensic rhetoric that had become highly formalized and specialized legal oratory."¹⁴ [14]

¹² [12] *Politics*, I, 2 (1253a2♦6).

¹³ [13] See Keyt/Miller 1991, pp. 280♦81.

¹⁴ [14] Rorty 1996, p. x.

Indeed, Aristotle must be said to have followed Plato in holding that "the best rhetoric . . . is truthful."¹⁵
[15]

In at least one place (I, 10) Aristotle equates "law according to nature" with unwritten law. While written law demands an agreement or contract (*syntheke*) to be valid, unwritten law is not the result of people's thinking or deciding this or that. This is an important distinction which is applied also in the *Nicomachean Ethics* and which has become a central part of later natural-law theory as well as modern contract theory, even in a thinker as remote from Aristotle as John Rawls.¹⁶ [16] The point made is that there is a part of justice which is dependent on agreement or decision (this corresponds to what lawyers often call *mala prohibita*, that which is wrong merely because someone has prohibited it). But there is also a part of justice which is *not* dependent on any concrete agreement or decision (this corresponds to the legal expression *mala in se*, that which is wrong "in itself"). It should be noted here that this distinction does not have to be tied to a full-fledged theory of natural law. Habit, customs, and tradition can easily be substituted for nature in this context ♦ or they can be seen as consistent with nature, which may be Aristotle's position.¹⁷ [17]

¹⁵ [15] Ibid., p. ix.

¹⁶ [16] See Rawls 1971, p. 109 ff. For Rawls, there are certain *natural duties*: duties we have regardless of convention and/or agreement.

¹⁷ [17] The latter is, in many ways, the gist of William Conklin's argument about "immediacy" in Aristotle; see the treatment of this below.

In any case, that which is right or wrong "in itself" or "by nature" is that which would be right or wrong *independently of any concrete human decision-making*. And this is certainly central to any understanding of law which wishes to restore a certain authority to (at least parts of) the law by emphasizing that law and morality are grounded in more than mere human volition. This, incidentally, seems to be Eric Voegelin's point when he emphasizes that law and the lawmaking process are instruments for expressing the "substance of order" in society. Voegelin, like Aristotle, distinguishes between written and unwritten law: "The written law usually describes types of facts, events, and behaviors that become legally relevant" as they express conformity or nonconformity with "the substance of order that inheres essentially in society."¹⁸ [18] There is, according to this view, an experience of order that must underlie written law. Thus, law cannot be conceived of in a strictly positivist manner, rather it must be understood as an instrument for expressing a sense of order, a sense rooted in that which we can call, with Voegelin, "our preanalytical knowledge about law."¹⁹ [19]

What is important for our purpose is the fact that Aristotle in the *Rhetoric*, especially by his references to Sophocles and Empedocles, does consider it a viable criticism of existing unjust laws that they are "contrary to nature." Nature does serve a "critical function," to use Gadamer's expression.²⁰ [20] Although Aristotle may never have conceived of an eternal law against which all actual laws can be tried, he does admit that there can be a discrepancy between actual laws and that which is right by

¹⁸ [18] Voegelin 1991, p. 26.

¹⁹ [19] Ibid., p. 25. See also the appendix (III.6) below.

²⁰ [20] See Gadamer 1989, p. 320.

nature, the latter (when seen in the context of the *Politics*) being that which furthers human community in the polis and which makes human flourishing possible.

And so we can take a closer look at arguably the most important "natural-law" text in Aristotle, *Nicomachean Ethics*, V, 7.21 [21] Here Aristotle considers a central argument against the naturalness of justice: That which is by nature has the same force everywhere, but there seem to occur changes in the things recognized as just (1134b25❖27); hence, justice cannot be natural. However, says Aristotle, there *is* something which is just by nature, "yet all of it is changeable" (1134b28❖29). Only among the gods is this not true. So the text seems to confront us with a puzzle: Part of political justice is natural, yet it can be changed. Aristotle refers to an example from biology: right-handedness. Man is by nature right-handed, yet can be trained to be ambidextrous. This example, however, is far from clear. In the possibly spurious Aristotelian work *Magna Moralia* (1194b35❖37), the right hand is said to be *superior* (*beltio*) to the left, while in the *Nicomachean Ethics* (1134b32❖34) it is said to be *stronger* (*kreitton*). Is it the case that the stronger is also the "better" or "superior" in a normative sense? However that may be, it does indeed seem to be the case that we have *improved* on our natural state if we achieve the equally

21 [21] It is not here necessary to refer separately to Aristotle's *Eudemian Ethics*, since the passage referred to is identical in the two works. The *Magna Moralia* ❖ whose authorship is disputed ❖ does deviate from the *Nichomachan Ethics* in certain respects, but generally it follows the same path as its more well-known counterpart(s).

good use of both hands. We have gone *beyond* our natural state, yet not broken with nature.²² [22] But what is, then, most truly by nature: right-handedness or ambidexterity? We are surely confronted with a number of puzzles here.

Before we go on to consider these problems in the text of the *Nicomachean Ethics*, it can be useful to summarize our results so far.

Aristotle writes about natural justice (or "natural law" or "natural right") in at least three contexts. Holding these together, we can see that:

- i. Man is by nature political. Belonging to the polis is natural for man.
- ii. Nature can be used as a standard to criticize and correct deviations in positive law and actual human behavior.
- iii. Nature is a principle of change and movement. In the case of human life and human community, the goal (*telos*) of this movement is the happy life which is characterized by self-sufficiency (*autarkeia*).
- iv. Political justice is the justice which regulates human behavior in the polis. Part of this justice is natural, i.e., not subject to human decisions and agreement. This is the reason why nature can function in the way referred to in (ii).

²² [22] This is *not* parallel to what happens when a man and a woman "joins" a household, village, or polis. Remaining in the original state would in that case have been contrary to nature, whereas remaining right-handed clearly would *not* be unnatural.

v. And, finally, natural justice is changeable. The fact that the just is not recognized to be the same everywhere and at all times is no argument against there being something which is right or just by nature.

Interpretations of Aristotle's "right by nature"

If we are to grasp the meaning of Aristotle's references to that which many philosophers later would call "natural law," it is useful to take the problem of "changeability" as our focal point ♦ especially since it is a point that is absolutely crucial for Voegelin's conception of ethics.

The changeability of natural justice can be taken to indicate that Aristotle is *not* a natural-law thinker in any reasonable sense of that word, but the concept of change can also be seen as an integral part of Aristotle's concept of nature, and thus of natural law or right proper. Before turning to Voegelin, I will consider the approaches of some other thinkers to this problem, taking the problem of right-handedness and ambidexterity as my point of departure.

Hans-Georg Gadamer interprets the ambidexterity (and other) example(s) of Aristotle's to indicate that there is in nature a certain leeway, an area of "free play."^{23 [23]} In other words, nature gives man certain directions, yet these are not exhausted by the formulation of dogmatic, fixed rules. Rather, man is given an area of free play within which he may unfold his natural capacities. Gadamer

^{23 [23]} See Gadamer 1989, p. 319.

goes on to assert that "natural law" or "natural justice" in the Aristotelian sense is expressive not of fixed and eternal standards, but of certain guiding principles which must be concretized in actual situations. Thus, "for Aristotle the idea of natural law has only a critical function. No dogmatic use can be made of it . . ."24 [24]

Joachim Ritter makes a point similar to Gadamer's when he points out that there is "bei Aristoteles kein Naturrecht" in the sense of a "gesetzes Gesetz."25 [25] But there is nonetheless a conception of a "von Natur Rechte." This "right by nature" cannot be immediately deduced from an abstract concept of human nature, neither can it be fixed as a clear and concise law. Rather, it must be looked for in the philosophical discourse as well as in the traditions of actually existing societies. As such, it represents the "ground" against which positive/civil laws and customs may be judged and adjusted.

On the other hand, there may be, as Fred D. Miller asserts, a *biological* perspective at work here. Nature is "a principle of change which is inherent in substances,"26 [26] thus we see changes in natural justice because *nature* indicates *change*. Nature is dynamic, it grows and unfolds with the fullest possible actualization of natural potentialities in view. Thus, natural justice *cannot* be eternally fixed ❖

24 [24] Ibid., p. 320. Gadamer's position is reminiscent of Voegelin's, although Gadamer has less to say about the tension toward the divine than has Voegelin.

25 [25] Ritter 1961, pp. 15❖16.

26 [26] Keyt/Miller 1991, p. 289.

that which is eternally fixed is not natural (except, maybe, for God, the Unmoved Mover). The fact that natural law is changeable is thus an expression of Aristotelian biology as applied in ethics.



Leo Strauss, for his part, argues that natural justice is changeable in Aristotle's view because it is concerned with actual situations and concrete decisions: "Hence justice and natural right reside, as it were, in concrete decisions rather than in general rules."²⁷ [27] Strauss admits that there must lie some more general principles behind these decisions ♦ examples of these would be the principles underlying and explicating the natural character of the polis or the principles of natural slavery ♦ but behind these principles again resides the definition of the just as "the common good." What is required according to the common good *cannot be defined in advance*. Most basically, therefore, natural right *must* be changeable. It must be adaptable to the concrete and changing situations that constitute the human condition. As we will see in chapter IV, this point is also important for St. Thomas Aquinas.

William E. Conklin makes something of the same point when he declares that Aristotle uses *physis* in two senses:²⁸ [28] (i) a determinative sense of "natural," and (ii) a sense in which "natural" means "that which man does *immediately*."²⁹ [29] Each society has its historically conditioned characteristics. That which contributes to a political society's being "completed, healthy, harmonious,

²⁷ [27] Strauss 1953, p. 159.

²⁸ [28] Conklin's division is different from Voegelin's, but I believe the two nicely complement each other. However, the divine "pole" of existence is seemingly left out in Conklin's discussion.

²⁹ [29] Conklin 1992, p. 7

well-functioning,"³⁰ [30] is the "right by nature" for that particular society. For this actually to function in a harmonious way, citizens must identify with the *telos* of their society and with that which is necessary for the actualization of that *telos*. Or, as Aristotle puts it, "the best laws, though sanctioned by every citizen of the state, will be of no avail unless the young are trained by habit and education in the spirit of the constitution . . .".³¹ [31] Being trained (or "habituated" or "educated") to doing something or behaving in a certain way is not inconsistent with that behavior being natural. In short, nature and habit are not incompatible. That which a man does "immediately," without active deliberation and without explicit agreement with and consent from others, is thus "natural" in a sense covered by the "natural-law" texts in the *Rhetoric* as well as the *Nicomachean Ethics*. This will be the case with ambidexterity. Being right-handed is (for most people) a determined trait, molded by nature in Conklin's first sense. But in a society where it is highly wished for that its citizenry be able to use both hands  for instance, to execute certain kinds of manual work deemed essential to the well-being of that *polis*  all citizens can at an early age be trained to use both hands. It will become "natural" to them, just as it ought to become "natural" to man to devote himself to the *polis*, to help his fellow human beings, etc. These things become "right by nature" in two senses: they are naturally right because they contribute to the happiness of the *polis* (which is the *telos* of the acts in question), *and* they are naturally right because they are done "immediately" by the mature and well-habituated citizen, i.e., these acts need

³⁰ [30] Ibid., p. 11.

³¹ [31] *Politics*, V, 9, 1310a1417.

not be coerced or deliberated about. This is compatible with Aristotle's assertion that the right by nature or natural justice (*physei dikaion*) is changeable.

The five approaches to the "changeable right by nature" we have looked at so far, can be summed up thus:

- ◆ Nature allows a certain area of "free play" ◆ therefore, within the sphere of what may be called the "right by nature," there will be room for change and variation (Gadamer).
- ◆ Nature can nonetheless serve as a "ground" for right action, although one's understanding of nature must be mediated through philosophical discourse and tradition (Ritter).
- ◆ Nature is "dynamic" in the sense that it continually grows and unfolds, with the fullest possible actualization of natural potentialities in view. Thus, that which is natural ◆ even natural justice ◆ is subject to change (Miller).
- ◆ Political justice, including that part of it which is natural, must be adapted to each particular situation. There cannot be absolute rules to guide human action, because each situation man comes across is unique. Therefore, natural justice must be changeable (Strauss).
- ◆ Action which is "naturally just" is not necessarily "naturally determined" (in the sense that, for instance, procreation is). There can be action that is habituated and serves the *telos* of a particular community while still falling within the sphere of the "naturally just." This kind of "natural justice" will be changeable and contingent (Conklin).

All of these approaches affirm, to put it in Paul Sigmund's words, that for Aristotle ". . . nature's structural tendencies or goals could be a guide to politics and ethics, and a conception of a fundamental natural law or natural justice was present in his writings . . ."32 [32]

Aristotle's concept of a "right by nature" was, in other words, not dogmatized (as Gadamer or Voegelin would have put it) into a "formal natural-law theory as such."33 [33] So, on the one hand, a fully developed theory of an eternal or natural *law* is not to be found in Aristotle. Aristotle accentuates the changeability and conditionality of life in the polis, and this is mirrored in his teaching on natural justice, which does not include any concept of an unchangeable and fixed law. On the other hand, one seems to be going too far if one ♦ (as, for instance, Hans Kelsen can be said to do in his otherwise perceptive discussion) ♦ sees the changeability of human existence and the conditionality of human justice as coming into conflict with the concept of a "right by nature" as such, and thus considers the passages on natural justice to be of little or no importance to Aristotle's project.

Let us take a brief look at Hans Kelsen's famous criticism of the claim for a "natural-law" theory in Aristotle. Kelsen cannot see that the difference between legal and natural justice is significant in Aristotle, since a rule which is "legal" rather than "natural" certainly represents justice, too: "Aristotle

32 [32] Sigmund 1971, p. 12. Sigmund goes on to point out that Aristotle's conception of a "fundamental natural law" was not really "developed" by him.

33 [33] Ibid.

does not say that a norm of positive law, if it is not in conformity with natural justice, is not to be considered as valid . . ."34 [34]

However, this does not take away the fact that there *is* in Aristotle a distinction between that which requires legal sanction, and that which is assented to "immediately" (as Conklin has pointed out). And this distinction certainly has psychological *and* metaphysical significance, even if it can be claimed to lack legal significance.

It is important in this context to point out, I believe ♦ and this is the case with both Aristotle and St. Thomas ♦ that the criticism of unjust positive law on the basis of natural law does not imply that one sees unjust positive law as necessarily *invalid*. There may be many good reasons for obeying an unjust law, and, furthermore, the injustice of a law is relative to the situation in which it is applied. Saying this is not the same as denying the existence of natural law.35 [35]

34 [34] Kelsen 1957, p. 384

35 [35] The slogan *Lex iniusta non est lex* ("An unjust law is no law at all"), attributed to St. Augustine (who worded it slightly differently, see *On Free Choice of the Will (De libero arbitrio)*, bk. I, ch. 5), and famous for its use by St. Thomas (see *S.T.*, I-II, qu. 96, art. 4) ♦ and known as early as in Stoic and Ciceronian thought (see Cicero's *Laws*, bk. II, ch. 5), and even in Plato (see *Laws*, bk. IV, 715b) and Aristotle (see *Politics*, bk. IV, 1292a 31♦34) ♦ is the bone of contention here. Norman Kretzmann (in Kretzmann 1988, pp. 110♦14) seems to me right when he distinguishes between two kinds of requirements for something to be *law* in a legitimate sense; those which are moral and those which are formal. Of St. Thomas's four requirements ♦ that law is

Now, Kelsen also seems to insist on a necessary opposition between that which is habituated and that which is by nature. Thus he asserts:

... the assertion of a "natural justice" is hardly compatible with the statement made in connection with the doctrine that moral virtue is the product of habit: [as Aristotle puts it] "it is clear that none of the moral virtues is engendered in us by nature, for no natural property can be altered by habit" (1103a).³⁶ [36]

However, the passage Kelsen refers to from the *Nicomachean Ethics* merely points out that we do not *have* the moral virtues by nature; i.e., we are not born with them fully developed. Rather we are adapted by nature to receive the virtues: "Neither by nature, then, nor contrary to nature do the virtues arise in us; rather we are adapted by nature to receive them, and are made perfect by habit."³⁷ [37] I believe that Aristotle in saying this does not undermine the possibility of a "natural justice." In short, it

an ordinance of reason, ordained to the common good, made by the one who has care for the community, and promulgated (see *S.T.*, I-II, qu. 90, art. 4) ♦ the first two seem to be moral requirements, the latter two formal. A law is quite simply not a law if the formal requirements are violated, but it may be a law in the legal sense, albeit an immoral one, even if the *moral* requirements do not hold. Thus, the slogan that "an unjust law is no law at all" does not hold that unjust laws never have the force of law. It simply claims that certain laws lack certain characteristics which they ought to have in order to be laws fully binding on men's consciences.

³⁶ [36] Kelsen 1957, p. 384.

³⁷ [37] *Nicomachean Ethics*, bk. II, ch. 1, 1103a24♦25.

seems that while Kelsen points to some important statements from Aristotle which rule out a "static" understanding of Aristotelian ethics, he does not manage to show that "natural justice" or "natural right" cannot exist according to Aristotle.

Overall it is clear, I believe, that Aristotle was no positivist ♦ the distinction between that which is right or wrong merely on the basis of agreement or "contract" and that which is right or wrong independently of such agreement, seems central to an understanding of crucial parts of his teleological (goal-oriented) political theory (for instance, his teaching of good and deviant constitutions). Just as we see nature working for an end in physical nature, we see nature working for an end in the community of human beings.

The commentators referred to ♦ Gadamer, Ritter, Miller, Strauss, Conklin, and Sigmund ♦ all, albeit in different ways, affirm that there is no necessary conflict between "changeability" and a "right by nature." Thus, these commentators conclude that there *is* in some sense a consistent teaching of "right by nature" or "natural justice" in Aristotle.

This does not mean that these commentators all hold Aristotle to be a natural-law thinker in the medieval/scholastic sense of that term. Gadamer, for instance, in his analysis of the good in Plato and Aristotle, accentuates the point that Aristotle's philosophy is *not* a teaching of a concrete, transcendent good with which human action can and should conform, a point we have already touched on. However, Gadamer does emphasize that there is a way in which Aristotle sees an "approximation of the human being to the divine"³⁸ [38] as a central component of his practical philosophy. Thus, the basic tension ♦ as Eric Voegelin calls it ♦ toward a "ground" or "norm" is present in Aristotle, even according to

³⁸ [38] Gadamer [1978] 1986, p. 176.

Gadamer. It is my contention that this relationship to the divine as the true ground of any "right-by-nature" teaching, can throw some interesting light on an Aristotelian teaching of natural law or natural justice. It is this very point that comes to the fore in Eric Voegelin's analysis of Aristotle, to which we will now turn.

Eric Voegelin and the "right by nature"

It seems that an analysis of the human *experience* of the "right by nature" or "natural justice" requires an understanding of what human nature is, how it is distinguished from divine, unchanging nature, and most importantly how human nature experiences the tension toward the divine. This is the task Eric Voegelin sets himself in his interpretation of Aristotle. For Voegelin, it is not enough merely to affirm that the actual situations humans confront are diverse, or that biological nature is changing and dynamic, or that nature gives man some "free play," in order to explain the seemingly strange Aristotelian notion of "changeable natural right." We must also look to *the human experience itself*. Thus, Voegelin's analysis of Aristotle's text is not primarily an exercise in ethics or the philosophy of right, as is the case with most other commentators on Aristotle's right by nature. Rather, Voegelin goes to Aristotle and his text within the framework of a *philosophy of consciousness*.³⁹ [39]

39 [39] A fine treatment of the basic impetus behind Voegelin's philosophy of consciousness can be found in Sandoz 1999, esp. pp. 141, 167-68.

In "What is Right by Nature," Voegelin is commenting on Aristotle's text in the *Nicomachean Ethics*, but the essay can certainly also be seen as containing some of Voegelin's own reflections and views on the important philosophical problem of natural law and natural justice. The following sentences confirm this impression ♦ they seem not only to constitute a comment on the meditation underlying Aristotle's text in the *Ethics*; they also explain Voegelin's own approach to this philosophical problem:

What is right by nature is not given as an object about which one could state correct propositions once and for all. Rather, it has its being in man's concrete experience of a justice which is everywhere the same and yet, in its realization, changeable and everywhere different.⁴⁰ [40]

The present discussion thus does not merely function as an exposition of Aristotle, but also serves to map out a possible view of natural law and natural justice as such ♦ and that is indeed in keeping with the main aim of this work, which is first and foremost to present plausible and (more or less) consistent paradigms of natural law (and natural rights), not primarily to give the right historical reading of each author.

As concerns Voegelin's treatment of Aristotle, I will concentrate on two aspects which are of crucial importance: the special status of ethics as opposed to theoretical philosophy (where he comes close to Strauss's understanding of the text), and the concept of something being *kineton*, changeable,

⁴⁰ [40] Voegelin 1978, pp. 61♦62.

and the way in which this changeability is related to the divine ground of being. But first I will make some short comments on the overall structure of Voegelin's two essays "What is Right by Nature" and "What is Nature."

In "What is Right by Nature," Voegelin starts out with a rather harsh judgment of what we know as the natural-law tradition from the Stoa onwards: The classical "right by nature" symbol has been "dogmatized," something from which the debate on natural law still suffers, "separated as it is from the experience containing its meaning."⁴¹ [41] This comment shows Voegelin's attitude to much of what we know as natural-law philosophy: it constitutes a derailment into mere dogma.

Voegelin considers it essential to investigate an approach to this problem which is based on a comprehensive yet non-dogmatic philosophy of human nature, a philosophy which takes as its point of departure the human experience of life in the *metaxy*, the "in-between." He considers Aristotle to be the first to relate the expressions "right" and "nature" within such a larger existential context, and he thus sees an examination of the Aristotelian text as a useful way of getting behind "the topos of dogmatizing philosophy."⁴² [42]

The essay is divided in two. First, Voegelin carefully analyzes the text in the *Nicomachean Ethics*, V, 7 (also drawing on the definition of justice in *Politics*, I, 2), emphasizing justice (*dikaiosyne*) as a *politikon*, and pointing out the way in which this political justice exists as a "human conditioned mutability" in tension toward divine nature, which is eternally unchangeable.

⁴¹ [41] Ibid., p. 55.

⁴² [42] Ibid.

Then, in part 2 of the essay, Voegelin explicates the special power of *phronesis*: the power a man needs if he is to "mediate between the poles of the tension,"^{43 [43]} between the human and the divine. *Phronesis* is different from wisdom (*sophia*), Voegelin emphasizes, since *phronesis* deals with *human changeables*. It should be noted that "changeable" here is used in a different sense from what was the case with the changeability of natural justice, which we dealt with above. In Voegelin's view, what we can call the metaphysical meaning of natural justice refers to changeable (*kineton*) in the sense of issuing from an unchangeable ground of being (I will return to this crucial point shortly); the more ethical meaning ♦ the power of *phronesis* ♦ refers to changeable in the sense of dealing with "the possibility of action,"^{44 [44]} i.e., with things which could be different, things which are the subject of deliberation.

In "What is Nature," Voegelin states that "Any assertion that this or that is, or is not, "right by nature" must remain void of meaning unless we know what [nature is]."^{45 [45]} In pursuing this question, Voegelin first notes that there is a discrepancy between the precise and somewhat narrow definition found in the fifth book of Aristotle's *Metaphysics* (esp. ch. 4, 1014b16♦1015a19) ♦ nature as matter, form, and the compound of matter and form ♦ and the more complex concept of nature needed to explain the nature of man and society; something which Aristotle himself comes to see in his

43 [43] Ibid., p. 62.

44 [44] Ibid., p. 67.

45 [45] Ibid., p. 71.

treatment of the *physei dikaion* in the *Nicomachean Ethics*, as well as in the analysis of constitutional change in the third book of the *Politics*, according to Voegelin.

The point for Voegelin is that the concept of "the nature of beings" as mere *form* does not account for the changeability of what is right by nature. There must be some kind of movement, or a tension, for there to be a genuine experience of a "right by nature" that is also "changeable." Indeed, "nature" in the human sciences seems to denote the "constants of the order of being,"^{46 [46]} as Voegelin puts it, meaning a wider philosophical concept than the narrowly metaphysical concept of static, lifeless matter on the one hand and imposed form on the other.

From this observation, Voegelin turns his attention to *the beginning of the experience of being*, and concentrates on a philosophical "de-divinized" experience,^{47 [47]} which results in the twofold experience of "immanent" man and "transcendent" God. Man, in short, experiences a differentiation between the human realm and the divine. Voegelin relates this experience to the *arche* problem ♦ the problem of the Beginning ♦ and sees this, in turn, in relation to the *demiurgic* picture of God that emerges in Greek speculation: a picture of God in which "the form of being attains dominance over its coming-to-be."^{48 [48]} This is certainly connected to Plato's *Euthyphro* problem, about the relationship between goodness (or the form of the good) and God. The *imposition* of form replaces the philosophical concentration on form itself, according to Voegelin; likewise, the young and eager Euthyphro in Plato's

^{46 [46]} Ibid., p. 74.

^{47 [47]} As opposed to "theologizing speculation."

^{48 [48]} Voegelin 1978, p. 82.

dialogue of the same name seems to concentrate on the imposing authority behind the law rather than on the actual contents of law as seen in relation to the human good. This is a process which results in a "disturbance" which can be said to *obscure the primary experience of the cosmos*, claims Voegelin.⁴⁹

[49] The movement of man as the essence of his nature is replaced with a more static view of an *arche* in which form is simply imparted to or imposed on matter. The philosophical description of man's experience of divine being ♦ that very description which was meant to throw more light on man's relationship to the divine ♦ ends up obscuring this "movement in being" in which man is a partaker, and therefore creates a dichotomized, potentially static view of form and matter as the constituents of the universe.

Voegelin's point is that Aristotle tries to transcend this "disturbing" demiurgic experience of God, a point which comes out in Voegelin's (and Aristotle's) analysis of the *final cause*, which in the last instance is the divine *nous*:

The question of the *arche* is reformulated [by Aristotle] insofar as it no longer regards the origin of the world but rather the disposition of human order in the order of being through the accord of the human *nous* with the divine *nous*. . . . At its core human nature, therefore, is the openness of the questioning knowledge and the knowing

⁴⁹ [49] In this lies an interesting feature of Voegelin's thought: Out of the process of differentiation which Voegelin calls "the de-divinization of the world" arises not only a clearer perception of spiritual reality and human order, but *also* disturbances and disorder (cf. Franz 1992, p. 111; Voegelin 1952, pp. 100♦110).

question about the ground. Through this openness, beyond all contents, images, and models, order flows from the ground of being into man's being.⁵⁰ [50]

In trying to answer the question "What is nature?" Voegelin's emphasis is thus on the *movement in Being* ♦ a "movement" which indicates that man is a creature existing in a *metaxy*, an in-between. He is part of an ever-changing, material world, yet he is aware of a tension toward that which is higher, better, and unchanging.

This experience of what is right according to nature is very different, according to Voegelin, from a dogmatic belief in a static, unchanging nature which is imposed *simpliciter* on the human, equally static (although unordered) material realm by a Demiurge or a God. For Voegelin ♦ and for Aristotle, as Voegelin reads him ♦ man's ethical life is indeed a religious life, but it is a life lived in an *open* and *questioning* tension toward the ground of being, something which Voegelin sees as the hallmark of much of genuine Christian thinking on man and God (especially St. Thomas's teaching on the *analogia entis*), but which easily derails into Gnosticism or ideological dogmatism.

I hope hereby to have given at least a hint about what Voegelin's essays try to convey. Their complexity entails that they defy any attempt at quick summarizing, but at least we understand that Voegelin is concerned with the experience of man's nature as moving, changing, yet not without direction, and also not according to a schematized, dogmatic "system" or "ideology." His view of a "right by nature" (or "natural law") in Aristotle is very much colored by this perspective.

⁵⁰ [50] Voegelin 1978, pp. 85♦86.

This makes it natural (!) to turn to two areas of special importance to natural-law theory: the special character of ethics as being concerned with the concrete, and the concept of a cosmic movement issuing from the divine ground of being. In Voegelin these two concerns are intimately related, which accounts for the difference in approach between Voegelin and a commentator such as Leo Strauss.⁵¹ [51]

In speaking of the power of *phronesis* as a mediation between unchanging divine nature and human mutability, Voegelin seems to take the divine pole into consideration in a way that many commentators fail to do [?] or may be unwilling to do. This becomes clear when Voegelin clarifies Aristotle's *ontology of ethics*.⁵² [52] Voegelin emphasizes Leo Strauss's point that ethics is concerned with concrete action, and that this explains the conditional character of ethics. But Voegelin goes further [?] or in another direction [?] than Strauss. This comes out when Voegelin ponders why Aristotle attributes a higher degree of truth to concrete action than to general principles of ethics:

Now it does not go without saying that the lower levels deserve the attribute of more truth. Even if concrete action is more important, why should general principles and definitions be "less true" than decisions in particular cases? In this identification of truth with the concrete, there emerges the almost forgotten knowledge of the philosopher, that ethics is not a matter of moral principles, nor a retreat from the complexities of the

⁵¹ [51] This point seems to be related to the general positions on the relation between reason and revelation in Strauss and Voegelin, something which comes out in the correspondence between the two (see Emberley/Cooper 1993, esp. pp. 79[?]91).

⁵² [52] See Voegelin 1978, pp. 62[?]63.

world, nor a contraction of existence into eschatological expectation of readiness, *but a matter of the truth of existence in the reality of action in concrete situations*.⁵³ [53]

The crucial point is that Strauss ♦ along with a large number of other commentators ♦ sees the changeability of natural right as a result of the concreteness of action *considered as such*. According to this view, the mature man will, through experience and practical wisdom, be able to see what is right under varying circumstances, especially considering the mature man's knowledge of the nature of man as it is realized in the *koinonia* of the *polis*. Voegelin goes beyond this. He certainly agrees that the changeability of natural right is due to the changeability of circumstances and the concreteness of human action. And he does not deny the naturalness of the polis and the community of the polis as a *telos* of human existence. But underlying this is what Voegelin calls "the truth of existence": "The *kineton* of action is the *locus* where man attains his truth."⁵⁴ [54] An action is right not only as a result of wise deliberation within a particular context. This deliberation must, Voegelin insists, be "part of a movement in being, which issues from God and ends in human action. Just as God moves (*kinei*) everything in the universe, the divine also moves everything in us (*Eudemian Ethics*, VIII, 2, 1248a27)."⁵⁵ [55]

Thus, Voegelin sees the term *kineton* as meaning more than "changeable," it also denotes the movement in being from the divine to the human. Ethics is indeed a divine activity, not only in the sense

⁵³ [53] Ibid., p. 63 (emphasis added).

⁵⁴ [54] Ibid.

⁵⁵ [55] Ibid.

of its being concerned with an "approximation of the divine," but in its being the *locus* of divine truth in concrete human action. This becomes crucial to any understanding of natural law within a religious context, meaning a context where nature is seen as a creation or reflection of the highest being: God. Indeed, within such a context, the term "natural law" or, for that matter, "natural rights" must be seen as meaningless or arbitrary if the divine is removed from view. This is what Voegelin sees as the ultimate result of modern, secularized natural-law theory.⁵⁶ [56]

Voegelin's emphasis on "openness" and "questioning about the ground" as the core of human nature goes a long way toward explaining his approach to Aristotle's text and to natural law as such. He sees Aristotle as a philosopher who, like Plato, understands man as existing in the *metaxy*, the in-between, between the unchangeable pole of the divine and the constantly changing pole of human everyday life. Voegelin in this way brings an approach to Aristotle's text that explains the "changeability" of the *physei dikaion* a point which has puzzled so many commentators by reference to the meaning of ethics as such. Ethics is the philosophical activity that more than any other attempts to mediate divine truth into constantly changing and highly concrete sets of circumstances. Why is that so? Why does ethics have this mediating function? The answer, as far as I can understand, lies in the special dignity of ethics: It is the field of study that deals directly with the actual practices of human life and how these practices can dignify and make this life meaningful, not only for some singular human being at some specific time, but for all human beings who happen to find themselves as human beings normally do: in society with other human beings. If man's (and woman's) essence lies in the "realization of his (or her) potentialities" for social and intellectual life in the city, then this "realization" is also part of the total movement of the cosmos, which issues from the first mover. And it is no trivial part it is

⁵⁶ [56] See Voegelin 1960, p. 510 ff.

the only part of cosmic movement, as we know it, that can make politics and philosophy possible. Thus, ethics is at the same time divine *and* related to the most concrete and particular elements of human existence, namely, everyday human action.

We should remind ourselves, finally, that Voegelin's essays on the Aristotelian "right by nature" form part of his "anamnetic exercise": They are part of a philosophical and meditative quest that is meant to uncover the formative experiences of man's actions, thoughts, and beliefs. As such, it may be that Voegelin takes Aristotle seriously ♦ not only as a philosopher, but as a human being ♦ in a way that many other commentators have failed to do.

Ethics and the post-modern ♦ an attempt at a conclusion⁵⁷ [57]

The ethics of our day ♦ what we may vaguely call post-modern ethics ♦ is uneasily suspended between the particular and the universal. More than ever, pluralism has become a readily recognizable fact of human existence. More human beings than ever before have become able to observe first-hand ♦ through extensive traveling and worldwide communication ♦ the differences in culture and beliefs that shape our lives. On the other hand, this increasingly globalized world has also created a push for universal standards of decency and moral behavior, as we are confronted with evils and suffering that we believe no one should be obliged to endure, and not least as we observe the kinds of regimes and

⁵⁷ [57] See also Eugene Webb's imaginative essay in McKnight/Price 1997, pp. 159♦188, where he reads Voegelin in the context of the post-modern clash between particularism and universalism.

human beings that *cause* all the evils. The belief in human rights, international law, humanitarian interventions, even a worldwide fight against terror, all reflect the same yearning for certain common standards and ideals that are to be universally observed.

The lines between particularism and universalism are often fuzzy. Most particularists even those who end up as relativists and deny absolute truths will agree that minimum common standards to protect human dignity are called for, even if they are in practice no more than pragmatic political instruments. And most universalists will agree that the actual problems confronting individuals in different societies cannot be solved by reference to any formal set of universal principles, easily applicable regardless of cultural context. Knowledge and appreciation of the particulars of each situation are obligatory, in a world as pluralistic as ours.

Despite this fuzziness and partial overlap, attempts at making particularist and universalist perspectives on ethics converge harmonically, often fail miserably, since the underlying understanding of what ethics actually is, turns out to be quite different. Those who wish for an international liberal order of human rights approach the problems very differently from those who call for more inter-religious dialogue and a search for a common understanding on spiritual grounds, who in turn formulate and approach the problem in a truly different way from those more radical particularists (often denoted communitarians) who emphasize concrete traditions and cultural understandings as the necessary basis for all ethics.


There is no easy way to "solve" the conflicts between (and within) particularist and universalist understandings of ethics, especially since ethics moves on so many different levels: questions of rights, questions of political organization, questions of religious practice, and everyday questions of decent and moral behavior. To put "all of ethics" in one bag and make a judgment as to whether its truth or validity

is particular, or relative, or universal (or something else?) simplifies the problem to the point of making it meaningless.

But the problem is nonetheless very real, as we strive to find the right way of solving problems of hunger, war, terror, environmental destruction, racism, and political oppression. Whether problems such as these are best solved by appeal to universal ideals or local cultural mores is not easily answered. But that does not make the problems any less pressing.

This is where Eric Voegelin helps fashion an understanding of ethics that challenges us usefully. Along with Aristotle, he insists on understanding ethics in terms of movement, rather than in terms of unchanging principles. The truth about ethics always lies in *the concrete*, but not in the concrete as arbitrary or meaningless, but rather in each concrete situation as a part of human movement, which issues from a divine ground of being. To analyze rightness and wrongness in human action, we must relate our quest to the higher meaning(s) that can be actualized in a human life. This is not only a question of individual talent or fulfillment, but also a question of humanity realizing its potential in the framework of social life. Actions are "true," in the ethical sense, when they somehow manage to bring into being, in very concrete situations, the transcendent reality that underlies all of human existence. What is this reality? It is, for Aristotle and Voegelin, human life as perfected through virtue, since the virtues make it possible for individual human beings both to perfect themselves, and to live peacefully and in harmony with other human beings. This will not always happen in the same way. Practical human life is *kineton* (in movement, changeable). After all, the good of the city of which one happens to find oneself a member, will not always be the same at all times, but will have to be understood as part of a historical and natural context. But on the other hand, what is right is not purely the product of the political context of which one happens to be a part. Rather, rightness is realized in the social life of

human beings, and this social life has to take into account the nature of human beings, which issues from the transcendent reality that makes life possible in the first place.

Is this too "religious" an understanding of ethics to be at all viable in the post-modern setting? I believe not, since it is not dogmatically tied to any particular religious world-view (although it is clearly colored by the partly Platonic, partly Aristotelian, partly Christian framework within which Voegelin moves). Most of all, Voegelin puts forward an understanding of ethics that tries to reconcile movement and change on the one hand with universality on the other. He understands the applicability of universal principles and religious beliefs to concrete ethics as something truly dynamic  as a matter not of using universal principles as we use a transparent overhead foil and put it on top of a complex map, in order suddenly to see the right way to go, unequivocally and once and for all; but rather as a matter of engaging ourselves, actively and concretely, in the context in which we find ourselves, but never so that we lose from sight the basic human nature that makes us who we are, and that has to underlie all ethics, if it is rightly to carry that name. In short, ethics is all about grasping the universal in the particular, and about honoring what we may call the universal dignity of humankind in the very concrete contexts in which concrete human beings find themselves.

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