

Stankiewicz, Władysław J.

Ecology and Natural Law

Organon 28 30, 203-227

1999 2001

Artykuł umieszczony jest w kolekcji cyfrowej Bazhum, gromadzącej zawartość polskich czasopism humanistycznych i społecznych tworzonej przez Muzeum Historii Polski w ramach prac podejmowanych na rzecz zapewnienia otwartego, powszechnego i trwałego dostępu do polskiego dorobku naukowego i kulturalnego.

Artykuł został zdigitalizowany i opracowany do udostępnienia w internecie ze środków specjalnych MNiSW dzięki Wydziałowi Historycznemu Uniwersytetu Warszawskiego.

Tekst jest udostępniony do wykorzystania w ramach dozwolonego użytku.



Władysław J. Stankiewicz (Canada)

ECOLOGY AND NATURAL LAW*

I

Ecology and the Survival of the Fitting

Any attempt to relate ecology (a science) to natural law (an ethical theory) is bound to arouse the suspicion that natural law is being confused with the laws of nature. We are more likely to do this because the two notions are not as conceptually distinct as they once were. In the past, one of the principal distinctions between them was that a natural law was violable, whereas a law of nature was not. The latter represented a condition to which we have to adjust (thus gravity is simply a fact which establishes that tales about flying carpets are myths), whereas natural law did not establish what is possible or impossible. By nature, it represented an “ought” – not an “is” – in which the oughtness of the “ought” (obligation) derived from some conception of man as subject to whatever determined the “is’s” of the laws of nature (God, rational order), but which did not determine that man’s subjection was of the same kind as the rest of the natural order. (“Will” was presupposed: sometimes because of the logic of vitalism, as in pre-Christian conceptions, sometimes because of particular theological conceptions.) Briefly, man was part of a law-abiding order (laws of nature) but, being capable of acting in an unlawful fashion, needed the guidance of natural law to tell him how he ought to act – how he fitted into the order. Natural law and the laws of nature were closely related (*oughts* was derived from the assumed order of *is’s*), but natural law was distinguished from the laws of nature by being violable and necessary only to man, who alone in all creation was capable of acting in an “unfitting” manner.

* This is an abbreviated version of the essay published under the same title in the book *Holding One’s Time in Thought: the Political Philosophy of W. J. Stankiewicz*, Vancouver: Ronsdale Press, 1997.

Before man became aware of natural law (as through “revelation”), the task facing humans was formidable. It was not enough to know particular laws of nature. What one had to detect was their orderliness. Hence Newton’s discoveries of the law of gravitation and the nature of the spectrum were regarded as a notable contribution to civilization rather than just to scientific knowledge. A devout Catholic such as the poet Alexander Pope could say without any sense of committing blasphemy: “Newton said «Let there be light».” Newton’s discoveries were indeed a revelation: they revealed a hitherto unrecognized orderliness; they established that what had philosophically been thought of as subjective (colour) had a basis in objective conditions. There was an orderliness in nature and man was subject to it, whether he acknowledged the fact or not.

From the point of view of natural law, however, the problem is that the more orderly the laws of nature are, the more mechanistic the cosmos becomes. If we establish that the universe is completely orderly, natural law becomes unnecessary, for man is then part of determinist scheme. Hume dealt with this problem by raising doubts about causation, the concept used to detect orderliness. The consequence of his analysis is that the “laws of nature” are now thought by some to have the characteristic of natural law – that of violability: they are observed regularities rather than law-abiding conditions and only probability keeps human beings from chaos. Today we have a choice between an orderly scheme of nature based on determinism and one based on chance. Neither has any room for natural law.

However, the conceptions we have been considering are far removed from everyday life. Just as Hume acknowledged that when he stopped reflecting he acted on “commonsense” principles, so the heady speculations of science, philosophy and theology enter our lives only when someone can compel us to act in accordance with them. (This happens, for instance, when “experts” – who follow concept of materialist determinism – persuade governments to carry out slum clearance in order to bring about changes in the moral views of slum dwellers.) As individuals, we tend to act on the principles underlying natural law: we have free will and there is an orderliness to the universe that it is in our interest to conform to, provided we can get some insight into what the order is.

In our time, the concept of ecology avoids the problem raised by seventeenth- and eighteenth-century science – that we have to await full understanding of the laws of nature before we can develop a sound theory of natural law. The concept begins with the assumption that life will not endure if it does not adapt. Conceivably, man could acquire such a complete understanding of interrelationships that he could manipulate conditions to suit himself; in fact, however, we do not have this kind of knowledge and must proceed with great caution. In other words, we have moved from the Darwinian “survival of the fittest” to “survival of the fitting”, “Social man”,

says the biologist René Dubos, “has reached a stage at which his biological problems can no longer be defined merely in terms of Darwinian fitness”¹,

Such a view accords with the fundamental conception of natural law theorists, but it does not provide us with specific natural law precepts. Each situation has to be considered unique, even though conceptually it is but part of a larger whole. Adopting this view, we substitute the concept of reciprocal relations for that of a linear cause-effect relationship; we also abandon the idea of individual supremacy. This may seem close to Marxian conceptions. It is a far cry from the traditional natural law which sought to develop specific precepts applicable to man in society. Perhaps the most we can say is that the concept of ecology has shifted us back to a general conception of man’s place in the cosmos, a conception that makes possible a revival of natural law.

Vitalism and Ecology

In a narrow sense, vitalism is a comparatively recent concept: the word was first recorded in 1822. It asserts that life processes and the behaviour of living organisms cannot be understood in terms of the cause-effect analysis we employ when speaking about non-living matter. No explanation is offered and no attempt is made to integrate this view with the system of causality. Life is simply *sui generis* and that is all. As such, it is distinctly mystical; historically it can be understood as a resistance to the mechanist views that were becoming more plausible as more and more cause-effect relations were established with regard to the inanimate part of the universe.

In a broader sense, which illustrated the fact we have always employed a separate set of concepts to describe and explain animal behaviour – pleasure-pain, desire, free will, purpose, mind and consciousness – vitalist views are as old as cause-effect analysis; with the advent of animism, they have been extended to explain what we are now convinced is best explained in terms of cause-effect. Indeed, the whole trend of what we call “scientific” thinking is towards cause-effect analysis and away from vitalist concepts, even though, when we think of human behaviour, such “vitalist” concepts as purpose and pleasure-pain clearly have a sounder empirical basis than cause-effect hypotheses. It quite obviously is not empiricism – the hypothetic basis of the social sciences – that leads to the hypothesis that slum clearance will reduce the crime rate. This hypothesis is based on materialist determination rather than empirically-based vitalist views about the effect of the inculcation of ethical principles on human behaviour. If one rejects such a vitalist conception as “mind” (because it is “vitalistic”), then in “scientific” explanations of human behaviour, empiricism becomes less important than determinism.

¹ René Dubos, *Man Adapting*. New Haven: Yale University Press, 1965, p. 260.

The vitalist views are of central importance to our understanding of the role of ecology in reviving natural law issues. Natural law requires indeterminism, but not of the kind supplied by Heisenberg's Uncertainty Principle. It is true that, by introducing chance as a basic element into the universe, the Uncertainty Principle precludes determinism, but it in no way changes man's situation with regard to conceptions of natural law or anything else involving choice: we still do not have the necessary free will to make the concept useful. It is vitalism that supplies free will: it sets "life" in opposition to both cause-effect determinism and chance factors; it defines "death" as the reintegration of what had been organized in terms of life to the condition characteristic of non-living matter – which may be a determinist, a chance, or a teleological system, a mixture of these or even something unimaginable. However, its ultimate nature is not our present concern. What matters here is whether "life" by nature is such a separate form of the organization of matter that all living things, to remain alive, *have to resist their environment and be able to exploit it*. When they no longer can, they "die", and their constituent elements (except possibly for the *élan vital*) are reintegrated into whatever kind of system operates in the non-living part of cosmos. Such a view has been called mystical: in some formulations, such as Bergson's, it is rightly so described, but there is nothing inherently mystical about it. The Christian burial service – dust to dust – treats the issue quite casually, as if it were a self-evident truth that life evolved from non-life and that the constituent matter returns whence it came. We might to well to treat the issue quite casually, and like the theologians, focus our attention first, on the interlude when the dust is not dust, and secondly, on the consequences of holding the view that such an interlude exists.

We can do this without any reference to God or teleology; but one would be well-advised to understand vitalism first. If one starts with the view that life is a separate system because it was separately created, then so far as man is concerned the most immediate question is "What is the purpose of smallpox and tapeworms?" It is safer to hold to the dust to dust conception and then works towards teleological questions through vitalism rather than try to understand vitalism in teleological terms. Questions of mind, consciousness, purpose, free will and so forth all rest on a vitalist basis; to start with such conceptions is to confuse matters. Twentieth-century thought resists them because it resists vitalism. It resists the latter because the behavioral sciences want to employ the cause-effect concepts appropriate to the physical sciences. If one establishes that life is a separate system, it is logically impossible to use determinist terminology; consequently, the so-called scientific findings, although presented as empirically-based, are not in fact scientific.

Vitalism is readily defensible if life is thought of either as a separate creation (was formed interstellarly and came to earth on meteorites). Neither

theory is welcomed by either biologists or social scientists, although acceptance would justify the biologists' practice of speaking of "function" and social scientists' references to "purposeful activity". Rather they have tried to give their specialized vocabulary a determinist direction. They are urged on by determinist-oriented philosophers (such as Ernest Nagel) who point out that, in English at least, any statement of purpose can be grammatically changed to a causal one: "He went to the opera to listen to music" can be converted to "because he wanted to listen to music". What is not pointed out is that "desire" is a vitalist conception which is unintelligible when used with reference to the inanimate: purposefulness has not been converted to causality but only verbally disguised.

Environmentalism, Ecological Instrumentalism and Natural Law

Both ethics and the social sciences discuss human behaviour. In theory, the former deals with what we ought to do, the latter with what we actually do. In fact, the behavioural sciences do not hesitate to provide "ought" statements, to act as counsellors, and to defend their authority in natural law terms. The public assumes that psychologists, sociologists, anthropologists and others can supply advice – "ought" statements – because of their expertise in regard to "is" statements. Ecology is but one "science" among many that plays the role.

Practising ecologists, however, have not encouraged this interpretation of their function. It has been assigned to them by those who see the need for ethical views that transcend place and time; that is, by those who want to avoid the relativism of the social sciences that maintain "objectivity" by denying one can judge different cultures (or cultural items) as better or worse. Not many want to believe that, say, cruelty to animals is purely a matter of taste, dependent on culture. Ecology has been ascribed the capacity to make non-relativistic statements because as a science it transcends both cultures and immediate circumstances. Although ecologists may protest that such a view does not reflect what they are in fact doing, those people who look to science for natural laws (as well as laws of nature) clearly want a science which is less relativistic than the present behavioural sciences.

In fact, there are four major representations of the science of ecology.

(1) Ecology as understood by bio-ecologists is markedly conservative. It denies that our world is a machine which can be adjusted to serve any function we choose. In keeping with the fact that ecology is a science which can assign no special priority to the importance of man as compared with other species, it requires humility from man, a humility which implies that pride is a sin.

(2) Ideologically opposed to this view are those who are not themselves bio-ecologists but who see a science of environment as an instrument for

lending support *inter alia* to the Marxian theory of materialist determinism. The field of ecology as understood by non-biologists has a number of elements that make it congenial to what one may call radical environmentalism. By turning ecology into a scientific investigation of the determining effects of environment, proponents of this view can represent “capitalism” as scientifically “wrong” for even having a concept of natural resources. Capitalism is seen as the enemy because its adherents do not consider it wrong to speak about the exploitation of natural resources; furthermore it is argued that capitalism “exploits” not only the environment but members of its own society and demonstrates that “exploitation” is wrong and undemocratic. (Far from being recognized as a juggling of concepts, many people think of this argument as a self-evident truth, implying that one should get rid of the concept of natural resources and eventually of “capitalism”, Some of the protagonists do not think of themselves as ideological radicals: they think they are simply objecting to exploitation and that any decent person should feel the same way.)

This ideologically-based concept of ecology is readily distinguishable from the genuine science because, in order to accord with its ideological premises, it violates biological principles. Thus, because Marx rejected Malthusian arguments, the environmentalists – professing to be ecologists – argue that what accounts for human reproduction is not sexual practices but the level of industrialization. They consider the biological position as superficial and not reflecting “advanced” thinking. Although politicized “ecology” can serve as a party platform – as in the Green Party – it bears little resemblance to genuine scientific ecology. It shows what happens when there is a felt need for scientific support for ideological positions: namely, the adaptation of “science” to serve this purpose.

(3) The science of ecology, as opposed to the environmentalist’s pseudo-science, parts company with mechanist notions, which are inimical to natural law. Organic ideas – vitalism – are central to ecological thinking. It is not possible to discuss ecological questions without mentioning “function” and “purpose,” which under mechanism make no sense. Indeed, it may well be threat the threat which ecology poses to schemes of materialist determinism has generated left-wing efforts to use ecology as a prop for environmentalism.

(4) Under Marxist direction in the 1980s ecology was used by the USSR to support the Communist “peace offensive”; nothing is more obviously anti-ecological than nuclear weapons. Ideological distortions of the meaning and purpose of ecology tended to arouse suspicion about ecology, a suspicion that would otherwise not exist among conservative thinkers. By its nature, ecology sets limits on egoistic, hedonistic and mechanistic assumptions that over the last two centuries have prevented us from reintroducing the plausible tenets of natural law. So long as all “scientific” thinking was mecha-

nistic, there was no possible way of postulating the concepts of natural law as part of nature. Now, however, we can expect some fresh attempts to raise the matter of natural law and – despite opposition from the left – to reconsider Burkean conservatism that has much in common with ecology as understood by biologists.

Deep Ecology, Mysticism and Relativism

Whenever science and philosophy become insistent that the only possible source of knowledge is the evidence of the senses and the only valid explanation of change is mechanistic, the opposing view – which may be called “mysticism” – is considerably strengthened. Thus Romanticism – “mystic” in our sense – arose because, although mechanistic science was doing well as explanation of everything that does not raise ethical or esthetic questions, it was coping with what it could not deal with by excluding it as “unimportant” or even illusory. When empiricists came to stress determinism so as to bring some order into the chaos of perceptions, it was inevitable that our “mystics” would adopt the view that empiricist premises are misleading since a non-analytical method of apprehending reality is bound to give better results applicable to everyday life, than the kind useful in laboratory research.

The function the Romantics assigned to art is now, by default of the artistically-minded, being reassigned to some ecologists, notably those of the deep ecology variety. People calling themselves “deep ecologists” now sound as if they had learned their science (“ideology”?) at the knees of Goethe and Wordsworth, adding here and there a bit taken from *The Little Flowers* of St. Francis and a touch or so of Buddhism, just to avoid ethnocentrism.

It is not a coincidence that words ending in “centric” and “centrism” are of great importance to ecologists². We can trace the importance of the suffix back to the Copernican Revolution which shifted us from geocentric to a heliocentric conception of planetary motion. The shift is important in the history of ideas not only because it moved us away from an erroneous conception of astronomy but also because it introduced the concept of relativity. Since Copernicus, words ending in “centric” and “centrism” have been statements about relativity and relativism. This makes Copernicus especially important to us, as can be seen in the debates about anthropocentrism in which ecologists are engaged.

Ethnocentrism – judging other cultures and races by assuming that one’s own represents an appropriate standard – has been recognized as a relativistic

² Deep ecology... strives to be non-anthropocentric comments Warwick Fox. See his article *Deep Ecology: A New Philosophy of our Time*, *The Ecologist*, Vol. 14, No. 5–6, 1984, pp. 194–200. In a rebuttal addressed to the reviewer of his book *Eco-philosophy: Designing New Tactics for Living*, Henryk Skolimowski speaks of the dogma of anti-anthropocentrism, *Environmental Ethics*, Vol. 6, Fall 1984, pp. 283–288.

error ever since the anthropologist Malinowski, carrying on the Copernican tradition, protested against ethnocentric assumptions. Out of the view that ethnocentrism was “wrong” came a supposedly greater good – anthropocentrism, or the notion that culture is “human-centred”. It was assumed that if ethnocentrism is bad, then a higher level of generalization – anthropocentrism – must be good. Certainly the latter fits the Christian doctrine of the Good Samaritan, in that race and culture do not matter when a question of fundamental relations arises. However, it is evident that if anthropocentrism is more charitable than ethnocentrism, it does not attain the level of general applicability required by many today. Such thinkers want to go one step further and include not only all human beings but all living beings, on the premise that all living creatures can feel pain and pleasure. In other words, they rely on the concept of hedonism, which holds that the biological principle of pleasure-pain has broad application (biological generality). If we speak of an ethical sequence beginning with ethnocentrism, then hedonism (which can be redefined as “biologocentrism”) is the highest good.

Clearly the “mystically”-minded avoid this kind of logical analysis of sequences of ideas. But there are logical problems connected with deep ecology as well. The concept itself is relativistic. If we accept that Copernicus introduced the question of relativism we must keep it in mind. If the question is, as Copernicus might have said, “Where are we and what is happening when we say «Scorpio is rising?»”, or as Malinowski might have said, “Where are we and what is happening when we say «canibalism is wrong»,” can we ignore the origin of such questions and argue for absolutism? Beginning, as we do, with relativistic standards, can we ask “What is really true or really right?” The answer to supposed questions of absolutes is surely “Absolutely right by whose standards?” If the question runs “Is cannibalism immoral by the nature of the universe?”, are we not beginning with a relativism that assumes “non-relativism” is right?

Mystics or deep ecologists may suppose that they already know the answer because they do not think in terms of strict “logic” and have rejected relativism. But there is obviously something wrong with a relativism that is not fully relativistic: how can a relativist arguing from the logic of relativism recognize degrees of relativism as degrees of truth? If ethnocentrism is wrong because it uses cultural standards to reject other cultural standards; then of course anthropocentrism is wrong because it uses human standards to deny the importance of the non-human ones. Once we start on this sequence, we may reach the view that, say, atomic theory is much more important than human beings and, by declaring that one must not interfere with “nature” and natural processes, lapse into primitive fatalism. As a consequence, even deep ecologists may finish by accepting determinism although they began by rejecting it.

It is both illogical and impractical to apply words ending in “centrism” as if they were absolute ethical terms, when by their nature they express a preference for one kind of relativism. Who needs natural law? Atoms? No, they get by with laws of nature. Insects perhaps and other things that are the concern of ecologists? No, they too get by with what comes naturally. It is mankind that needs natural law if we recognize that supposed laws of nature, such as the hedonist principle, do not really supply what we need. Biological principles accord only with our biological nature but not with the concepts of “self” and “soul” supplied by our intelligence. It is not self-evident that ethnocentrism and anthropocentrism are “wrong”, Whether they may be so is a question to be explored when considering natural law. The stance taken by those who oppose the anti-anthropocentrism of deep ecologists – whether the former are shallow-ecologists or eco-philosophers (like Henry Skolimowski) – may well encourage such exploration.

II

The concept “laws of nature” has traditionally been distinct from that of natural law. Laws of nature refer to the principles setting out the order that seems apparent in the part of objective reality that we think of as determined. Natural laws refers to principles of choice applying to the part of objective reality in which behaviour seems not to be determined – the human being’s. One is tempted to speculate how some kind of inculcated ethical behaviour in humans might be advantageous for the human race. Natural law can be thought of as the conception of an “ought” in the absence of a “must”. Yet, this absence is a seeming one only, for this “must” in fact is inherent in the nature of the “ought” of natural law. “Ought” implies the “must” that would exist if human beings were omniscient and purely rational. It also implies the view that a “revelation” of some kind is available to man. It can thus be said that the conception of natural law, as inherited by our culture, has been theological.

When considering the revival of the concept of natural law we might remind ourselves of the increasingly complex distinction between it and the laws of nature. This recent revival is now raising problems that were in the past excluded by the very nature of the concept of natural law. There is a serious gap between traditional thinking on natural law and the “revival” of natural law by ecologists. The concern of ecologists today is not with ethical absolutes and the problems they pose but with questions of *ethical relativisms*. In the debates between “shallow” and “deep” ecologists it is the validity of relativism that is at issue (not just the validity of a particular relativist viewpoint).

Yet one can also argue that ecology is raising natural law issues in a non-relativist form; this arises from the fact that ecologists ask questions

about the validity of ethical standards, questions that never or seldom occur in the social sciences. Social scientists occasionally debate “objectivity” and the possibility of a value-free social science, but they are not inclined to argue with each other in an interdisciplinary way about the norms they are using: thus psychologists and sociologists have theories of crime; jurists have theories of coping with crime; and philosophers have theories about definitions of crime. But to my knowledge they do not consider the “natural-law” issue of whether there is a type of behaviour unrelated to questions of whether a “victim” can be pointed to (or to arrangements between disputants, i. e. *modus vivendi* questions), or whether a behaviour is “wrong” (in terms of natural law), and whether, accordingly, society has the “right” to do something about it – and indeed an obligation. But this kind of question is now raised by some ecologists, who are successfully arguing (in the sense that people pay attention) that it does not in the least matter whether seal hunts, for instance, are good for the Newfoundland economy and accordingly in the eyes of some should be supported by the federal government.

*

What ecology and natural law have in common is the view that man *must* adjust his interests and desires to the fact that he is part of a larger whole which has a power – a capacity for determining events – that man cannot possibly achieve. In terms of Kant’s categorical imperative, the maxim of natural law now is: “Never make an exception of yourself even as a species”. The qualification “even as a species” distinguishes “ecology” from the classical natural law tradition, for the centrality of man in a natural law system – anthropocentrism – is the consequence of the fact that only man has need of “natural law”. All other species can look to instinct.

The problems faced are inherently intractable. In any society, the body of norms is by nature anthropocentric: they do make an exception of man as a species. Thus one can “murder” a human being but not a wolf, steal from a man but not a dog, and use a horse to plow without thinking of it as a slave. Even the faint possibility that under the influence of ecology as “natural law”, we will either have to give up our concept of murder or give up eating meat, is so alarming to some people that the ecology-“natural law” equation deserves more attention than most people are probably ready to give it.

The problems referred to, however, presuppose that “ecology” is part of the same tradition as natural law, whereas “ecology”, although sharing with natural law the same premise regarding man’s condition as natural law, is part of an anti-rational tradition that is sometimes called mysticism but could also be called occultism (since mysticism has a recognized place in any rational epistemological system).

The occultism of “ecology” is beautifully illustrated by the Gaia hypothesis. The reaction to the latter by those whose interest in ecology is primarily determined by their political ambition – like late twentieth-century Marxists – helps us understand why “ecology” should become important at a time when any talk of “natural law” is derided (and when “law” in the sense of “positive” law is highly suspect).

According to Jamas Lovelock, the author of the Gaia hypothesis, it was William Golding who suggested the term for Lovelock’s hypothesis that the earth is an organism and man but a cell that better not become cancerous by acting as if it were “independent”. Now Golding, we might recall, was the English schoolmaster who wrote *Lord of the Flies* (1954), a book which reflected his anti-Rousseau and pro-Hobbesian view that children freed from social restraints and living under conditions of nature do not become “noble savages” but mere savages whose lives are shown to be “nasty, brutish and short”.

In the 1960’s, Golding’s book became a cultist classic to many hippies: they managed to miss his real message, focusing instead on freedom from constraint. Such misreading of the text is disturbing, for it can say a good deal about modern irrationalism. The traditional Romantic argument for the rejection of rationalism rested on the belief that it meant rejection of an imposed order that blinds us to the actual order – the “natural” order on which true “natural law” is based. But if what has happened in the case of the reaction to Golding’s book was an inability to understand art (in this case: literature), it may seem that this type of modern irrationalism hides a general inability to apprehend any order: logical, aesthetic or natural. To modern Romantics of the “artistic bend”, “ecology” spells fear of the unknown: fear of the consequences of interfering with nature.

An interesting reaction to this situation came a few years ago from the Marxian perspective of M. Bookchin: “The misanthropic strain that runs through the movement in the name of «biocentricity», antihumanism, Gaian consciousness and neo-Malthusianism ... threatens to make ecology ... the best candidate we have for a “dismal science”.³ David Pepper (citing Bookchin) supports this view with a highly significant quotation from Lovelock: “It is the health of the planet that matters, not of some individual species or organism”.⁴ So while some ecologists are now inventing biological laws which they pretend are “natural laws”, Marxists – who by now have had a good century of opposing certain economic verities (such as *laissez-faire*) as if they were “natural” laws – are coming back to life like zombies inspired by a new opportunity, to make a case in the name of humanity.

³ M. Bookchin, *Ecology as a Dismal Science*, Green Line, 96, 11–12 (1992).

⁴ David Pepper, *Eco-socialism: from Deep Ecology to Social Justice*, London and New York: Routledge, 1993, p. 147. See also: J. Lovelock, *The Ages of Gaia: a Biography of our Living Earth*, Oxford: Oxford University Press, 1989, p. XVII.

Recognition that there is some kind of disharmony between society's conception of the good and nature's order long precedes the ecologist's – and Marxist – view that the exploitative propensity of “capitalism” is short-sighted. The earliest discussion we have – Plato's *Republic* – attempts to integrate human nature, the State and ultimate reality in a mystical way that resembles that of twentieth-century ecologists. (The difference is that ecologists focus on nature's well-being rather than man's, because the latter's well-being supposedly follows from “concern for nature”.)

What we need to notice is that this discussion presupposes that some kind of disharmony is possible between what man does and wants, and what nature “is”. Such a view was understandably “logical” when man and nature were thought of as separate creations; the ensuing problems were solved by assigning to man hegemony, as in Genesis. But this conception of “natural law” as anthropocentric by nature was undermined by Darwin's theory, which shows man as a rather late and minor aspect of evolution.

Ecology as Natural Law: the Retreat from Humanism

Whatever other attributes natural law theory may have, the essential characteristic is that it is humanist (or, as we tend to say today, anthropocentric): premised on the concept of free will as peculiar to man, natural law theory supplies mankind with *oughts* or moral laws just as nature supplies animals with instincts.

The assumption is that man can and will act against his interest if he does not have the “sophia” or “wisdom” that Greek philosophy sought and Christian theology offered in the form of “revelation”, Natural law is not something we have by nature or naturally acquire in the course of everyday living (is not another word for “prudence” or “experience”). Nor is it a synonym for “human nature”, that hypothetical set of biological impulses man would follow if he were not in fact the product of “socialization” (as behaviourists argue), or the product of the interaction between biology and personal experience (as the majority of psychologists and sociologists seem to believe).

(Rather, natural law theory rests on a denial of this line of thought, for otherwise it would be no different from what could be called “biological law”: the behaviour of living organisms being the product of an interaction between biological impulse – like hunger or thirst – and experience when satisfying biological drives.)

As viewed by natural law theorists, natural law is something peculiar to the situation of humanity: people are capable of conceiving of themselves as existing in time and therefore requiring principles *not* limited by the immediate situation (which both impulse and impulse modified by experience are).

Humanity's situation in respect to natural law as distinct from that of other species (like mice) was well expressed by Robert Burns in "To a Mouse" (1786):

... *Still thou art blest, compared wi' me;
The present only toucheth thee:
But och! I backward cast my e'e,
On prospects drear!
An' forward, tho' I canna see,
I guess an' fear!*

Natural law theory is the theory that attempts to cope with this psychological situation. It is *not* the theory ecologists derive from Burns: "The best-laid schemes of mice and men/Gang aft agley", Schemes certainly "gang aft agley" (go astray). Indeed, the fact that they do is an ethical and epistemological truth about the human situation. But trying to do something about this situation is what natural law is about. Natural law is not the argument that mice and men are in the same situation and deserve the same compassion. Natural law and ecology differ. It would be far-fetched to think that Burns supposed that they are the same, though he did have the compassion ecologists only pretend to have.

Thus natural law is almost incomprehensibly esoteric: Plato's allegory of the Cave is as good a statement of the problem as any. "Science" cannot supply this kind of knowledge. It is unrelated to the "sophia" question raised by natural law conceptions: one *cannot* logically move from ecology in science to "natural law" in which "symbiosis" (a scientific conception) is equated with harmony (a normative or "natural law" conception going back to the Pythagoreans).

When Dryden in "A Song for St. Cecilia's Day" (1687) wrote "From harmony, from heavenly harmony/This universal frame began... the diapason closing full in Man", he was speaking about natural law theory, in which order expresses the essence of "law", and harmony is the criterion of natural law – the means by which mankind knows when human beings are acting in accordance with nature, or, put in ecological terms, symbiosis becomes normatively significant.

Anyone who prefers to speak of ecology and symbiosis rather than of "A Song for St. Cecilia's Day" misses the point of natural order that includes aesthetics. Ecology as natural law ignores its humanist basis. "Natural law" is an attempt to integrate humans and nature rather than the view that man by nature is a mere component of "nature" (part of a mechanist system). "Humanism" (or, as it is represented in ecological terms, "anthropocentrism") is the essence of natural law and thus sets "ecology" in opposition to "natural law". As mankind matters more than anything else, human interests ("man is the measure of all things") are the normative determinative that are lacking in "ecology". Such is the essential distinction between "natu-

ral law” and “ecology”, even though both are attempts to integrate man and nature, and in this sense can be related if not identified.

Under the influence of positivism (Spencer and Comte) and logical positivism (Ayer and Stevenson) we have neglected the “uniqueness” argument on which both natural law theory and, oddly enough, Darwinian theory are based. “Glory be to God for dappled things -/For skies of couple-colour.../For rose-moles all in stipple”, sang Gerard Manley Hopkins (in his poem “Pied Beauty”) extolling uniqueness and its consequent – variety – at the very time when Darwin’s theory leading to uniqueness (origin of species) was being diffused.

Twentieth-century society has on the whole interpreted Darwinian theory as determinist and anti-individualist: the argument goes, individuality, as an accident of circumstances, is of no real significance (not a value term); there is no problem in arguing that ecology or some sort of generalized symbiosis (union between organisms) is the conceptual consideration when speaking of “natural law”; we humans “should” attempt to forget concepts of uniqueness – of man the measure – and replace it with a determinist system in which man is but a cog in a natural machine.

William Paley (1743–1805) argued against such a view (Paley’s watch)⁵ but, in this non-historical age, who is aware of his argument?

Ecology as Secularized Optimism

It may seem paradoxical to argue that a society as secular in its orientation as ours is adopting a view almost identical to the one proposed by Leibniz in his *Essai de Théodicée* (1710). After all, Voltaire, the father of anti-clericalism, made in *Candide* (1759) a highly effective empirical case against Leibniz – and his idea of the “best of all possible worlds” – by the simple device of juxtaposing a series of misfortunes and the glosses on them by Dr. Pangloss (the putative disciple of Leibniz). Dr. Pangloss, to be sure, remains adamant to the end:

“Well, my dear Pangloss”, said Candide to him, “when you had been hanged, dissected whipped, and were tugging at the oar, did you always think that everything happens for the best?” “I am still of my first opinion”, answered Pangloss, “for I am a philosopher and I cannot retract as Leibniz could never be wrong; and besides, the pre-established harmony is the finest thing in the world and so is his plenum and materia subtilis.”⁶

What is important is to make the connection between what Leibniz wrote and what ecologists are saying. The type of objection Voltaire raised against

⁵ Note Paley’s watch argument in his *Natural Theology* (1802): the existence of a watch implies the existence of a watchmaker.

⁶ Voltaire, *Candide*. New York: The Modern Library, n. d., ch. XXVIII, pp. 157–158.

Leibniz is equally relevant with respect to ecology which attempts to justify the ways of nature and prescribes what men's attitude to these ways should be.

Ecology could be referred to as a secularized theodicy that could do with a new *Candide* which would satirically illuminate the fact that most people do not realize that ecology is a justification, not a report about facts. In other words, ecology takes a "natural law" position and is not a statement about the laws of nature.

Because such judgemental or justificatory ecology originated in the English speaking world, its source almost certainly lies there rather than in Continental Europe, in Milton's rather than Leibniz's theodicy:

Of Man's First Disobedience, and the Fruit
Of that Forbidden Tree, whose mortal taste
Brought Death into the World, and all our woe...

(*Paradise Lost*, Book I)

Lovejoy called Milton's position the "paradox of the fortunate fall"⁷, for it is the ingenious argument that although man was at fault for his disobedience, a beneficent and all-wise Creator brought forth a greater good from that evil by means of the redemption of Christ. Specifically – and more practically – Milton's argument for freedom of the press in the *Areopagitica* (1644) exactly parallels his argument in *Paradise Lost* (1663). More pertinently, J. S. Mill's argument in *On Liberty* (1859) parallels Milton's except in one respect. Mill removed the theological limits that Milton placed on his argument for freedom: he secularized Milton's theodicy.

Now the point is not that the "oughtness" in nature observable in judgemental ecology derives from Milton or Leibniz. In the Christian tradition there has been an "ought" in nature ever since S. Augustine abandoned Manicheism for Christianity; that is, if one rejects Manicheism as an explanation of good and evil, one is left with the statement in Genesis: "And God saw every thing that He had made, and, behold, it *was* very good" (Ch. I, v. 31).

Even if one introduces the Fall of Man as an explanation of evil, or the will of man, or the shortcomings of human perception, "nature" retains its goodness, or to put it differently, its potential as the basis for "natural law", as in the views of the Romantics and twentieth-century ecologists. In effect, it becomes the touchstone or *summum bonum* for man when the "will of God" is obscure, so that when that will is in fact rejected as a basis for "natural law", the tradition of "nature" as an alternative remains (unless a specific effort is made to get rid of the remnant of the Christian tradition). It scarcely needs be pointed out that only a truly devout Manichean would want to get rid of it.

⁷ Arthur O. Lovejoy, *Essays in the History of Ideas* [1948], New York: Capricorn Books, G. P. Putnam's Sons, 1960.

What a secularized theodicy does is shift the explanation of evil from Satan to man – specifically to man’s violation of nature’s laws rather than God’s. In orthodox Christianity the “unnatural” has always been evil. Furthermore, since the eighteenth century, so has the “artificial”. This change is now causing problems, or at least is represented as doing so by ecologists. Their movement tends to imply that whatever is the product of artifice, is by definition unnatural and thus contrary to nature. It is this that is making civilization (and civility) a supposed type of evil resisted by latterday Adamites.

Fool’s Paradise

All civilized societies – those capable of sustaining at least one city – seem to have a myth of a Golden Age – of the “garden” – a fact taken by some as evidence that at one time there really was a paradise now lost. Since hunting-gathering societies have no such myth, mythologists suspect that the Adam-and-Eve myth reflects a time at the dawn of history when all human societies were foragers living in a symbiotic relation with their environment – a situation that provided an almost unbelievable amount of leisure. (Anthropologists estimate that foragers could supply all their needs in an hour or two of “work”.) This is what our Jungian “collective unconscious” remembers when we speak about Adam and Eve and paradise lost. All humans must once have lived the life of foragers, a million or so years ago; apparently it is hard to shake its hold on us.

We did lose it, however, and for the reasons – fantastically enough – stated in the Biblical account: we ate of the forbidden fruit of knowledge and thus broke with the symbiotic relation we had with nature.

Before there were anthropologists, when people were naive enough to be literalists – to suppose, for instance, that “Adam”, the Aramaic word for “man” was a personal name, there were Adamites who argued that acting as if one were in a state of innocence – i. e. acting as if “relativism” were a matter of psychological fact – would take us back to the paradise lost.

The Adamite heresy (with roots in a Christian sect of the second century) has been recurrent throughout history, for it reflects the sin of pride – our tendency to assume we are right; that anyone who doubts us is accordingly wrong and is not acting in our interest in saying so.

The Adamite heresy is a heresy because, of course, it violates the doctrine of original sin. Even in an age of anti-clericalism this fact matters because original sin considered in secular terms presumes that human beings cannot trust their biological nature with regard to questions of how to behave or what to believe. Theologians may speak of the “sin of pride” and “original sin” but even if their terms seem mythic, they envision issues in terms of evolution: man evolved reason in place of “instinct” (“human nature”) be-

cause reason is more flexible and allows us to cope with the unpredictable (a most important biological advantage that animals do not have).

“So what?” one might say. What have such speculations got to do with ecology and natural law? In effect we now touch on the political significance of “original sin” and the Adamite heresy as a violation of fundamental concepts of political theory. Hobbes – old atheist as he was – operated on the basis of the concept of original sin (human nature being inherently untrustworthy), entailing a need for “authority” and coercion. This is the very need that both Adamites and ecologists refuse to take into consideration when they propose their own ideas on “natural law”.

Hobbes put forward the most logical and unpalatable of all forms of the social contract. Arguing from man’s egoism (the theologian’s “original sin”) he held that “natural law” cannot operate in the absence of positive law (what the sovereign power commands). He did *not* argue, as Thrasymachus, Hegel and Freud seemed to do, that the State is the *source* of what we call, or think of as, “natural law”, but held that the coercion of the State is the necessary – though not sufficient – condition for the operation of “natural law” among members of society.

To be sure, making a case for this view may not be relevant. What is relevant is to point out that Hobbes maintained that coercion is not by nature “evil” – as liberals think (see: J. S. Mill’s *On Liberty*) – and that therefore concepts of “equality” based on the liberal conception are not by definition “good” (as most people assume nowadays).

With respect to the question of “ecology” as “natural law” what matters is that science-oriented ecologists are converting “equality” – originally a statement about the human situation – into a biological statement: man is no better and deserves no more consideration than any other species. Ecologists have thus absolutized the liberal notion of equality and declared it to be a natural law. Ecologists have thus absolutized the liberal notion of equality and declared it to be a natural law. This is a false view: certainly the contractualist argument for coercion as a necessary part of natural law cannot be overridden by “god will” arguments based on “ecology”. Somewhere along the line we have to indicate that “The road to hell is paved with good intentions”, that there is something called a “fool’s paradise” which new Adamites and ecologists hope to enjoy. They will not be able to do so. Hobbes explained why.

Choice and Biological “Rule of Law”: Ecology as Return to Natural Law

In a series of cruel conditioned reflex experiments, Ivan Pavlov⁸ (1849–1936) established a biological principle – a “rule of law” for biological organisms: to enforce a choice in the absence of a means of making a choice

⁸ By experimenting on dogs, Pavlov used physiological reflexes to explain psychological phenomena.

is not good. Indeed, according to Pavlov, such situations produce neurotic behaviour – rather than evidence of “liberty” as a good.

Pavlov’s experiments were particularly cruel because they were unnecessary. The point he established experimentally had already been made five or six hundred years earlier by what philosophers know as the “Buridan’s Ass Argument”, Unlike a human being who has “free will,” the scholastics argued that an ass would starve to death if required to choose between two sets of indistinguishably good fodder (whereas a human being would make an arbitrary decision – for instance, by using the device of tossing a coin). Ours is a relativist age when the means of choosing – ethical principles and values – have been declared invalid. Yet the need to make choices remains part of our very being: we feel that we both can and must make them. No determinist argument has ever been able to dispose of the psychological fact that we human beings feel the necessity of making choices, free will being part of our elemental being. Such “truth” as can be found in existentialism rests on this. Such appeal as Buddhism has for Christians also rests on this. (According to Buddhism, if we can eliminate desire, we will eliminate the agony of making choices and become one with a universe in which decision-making is the source of problems rather than of solutions, as it is in Christianity.)

Much less formalized “philosophies”, such as ecology and the sociobiology of E. O. Wilson (1975), also seem to rest on people’s psychological need – intensified in our relativist age – for a means of making choices. It is not helpful to maintain that the “good society” is a liberal one that removed the means for making choices by depriving us of absolute concepts of good and evil. Wilson’s sociobiologism has to be rejected by anyone interested in ethics, for it is a revival of instinct theory. Arguing for “egoism of a species” rather than for the individual, Wilson is denying the concept of a natural order or harmony.

Historically, it is hardly surprising that the “ecological” argument has followed upon Wilson’s sociobiologism: “Ecology”, as “natural law” is a repudiation of Wilson’s “egoism of the species”. But one has to go far back in history to see the basic objection ecologists raise – it is the Pythagorean view of harmony (“ecology” seems to pseudo-scientific term for it) that is at issue.

The harmony concept of the Pythagoreans (as distinct from “happiness” or “eudaemonism” of hedonism) represented the *summum bonum* of their views. It unified ethics, aesthetics and mathematics. Nowadays, it is the basis of “ecology” in its normative rather than scientific sense. It implies that man is part of nature; hence to be “good” or “happy” he must adapt himself to it.

Starting with the Pythagoreans, ecologists erect an eclectic structure. Sometimes they look to the Romantic tradition – basically a form of pantheism. Sometimes they look to “scientism”, trying to discover the “truth”, nor matter how “good” is violated. Sometimes they look to Eastern mysti-

cism such as Buddhism – wanting to become one with a cyclic order and forget about “causality” since it is not cyclic.

All this happens at a time when it is commonly accepted to reject natural law. The lesson to be drawn is that trends towards ecological solutions can be understood in the following sense: the denial of natural law is the denial that choice makes sense, whereas we know that it does. We must have means of making choices, as Buridan argued and Pavlov proved – which makes it imperative to have ethical standards.

Briefly, the human situation requires a natural law concept. Political theorists can believe in “ecology” in the mystical or normative sense because it is premised on the concept once central to political theorizing: we want to choose only so long as we have the means.

Historically we could draw the following equation: ecology is to behaviourism what Romanticism was to eighteenth-century automatism; that is, extreme behaviourism, such as that of Skinner, is the automatism of the eighteenth century (which the Romantics resisted as destructive of *all* values). Hence just as the Romantics made “Nature” (capital “N”) the source of values by means of a “higher pantheism”, modern ecologists, reasoning from Darwin’s view of man’s situation rather than the Bible’s, require us to adjust to humanity’s subordinate position in the natural order if we are to make decisions that are really in our long-term interest. In other words, ecologists make the point that hedonists either deny or obfuscate: we cannot trust our desires; hence we need a “law” or a set of rules telling us what we can trust. This is what natural law theory has always argued and why ecology may be looked upon as a form of return to “natural law”,

Mother Nature and her Bewildering Offsprings: Pantheism and Ecology

William Wordsworth’s truly mystic faith in nature (“nature never did betray those who truly love her”) could be taken as a motto of modern ecologists, who – unlike the Romantics – do not call their faith “pantheism” or the “higher pantheism” but “ecology”. Apparently their intention is make it seem a “science” and as such the source of “laws of nature”. The latter entail an obligation on man’s part to observe them, for, as Darwin made clear, we are children of Mother Nature rather than of God the Father. There is good historical reason to see modern mystical ecology in terms of what happens to pantheists who operate within the framework of Darwinian theory.

One can easily point out the mystic and pantheistic elements in the productions of some ecologists: “Why women need the goddess”; “Ecology and process theology”; “The woman I love is a planet”; and “Toward a

⁹ See Caroline Merchant (ed.), *Ecology Atlantic Highlands, NJ: Humanities Press, 1994.*

healing of self and world” are typical titles of articles in a recent book on ecology⁹.

Yet there is surely something wrong here – some self-deception (or ignorance) of the kind Aldous Huxley observed in “Wordsworth in the Tropic”¹⁰, an essay indicating that Wordsworth’s notions of a benign nature were possible only in someone whose ideas of “nature” were limited to the Lake District.¹¹ Jungles give quite a different impression, more along the line of Tennyson’s “nature red in tooth and claw” (a post-Darwinian view, of course). Even the agonies, anguish and madness of Emily Bronte’s *Wuthering Heights* (pre-Darwinian, we may note) seem closer to what “nature” teaches than does the Christian resignation of Wordsworth’s “Resolution and Independence” (satirized in Lewis Carroll’s *Alice in Wonderland*).

But it is Joseph Conrad who made the definitive case against those who, in order to get a new “natural law”, tried to revive pantheism under the guise of ecology. In Conrad’s view, the aims of man and nature are in conflict, not harmony (*Typhoon*). Furthermore he makes clear that trust in nature entails trust in human nature, while the evidence is that we human beings are rotten to the core (*Heart of Darkness*).

In Conrad’s view, not “nature” but civilization is at the heart of natural law as *effective* (or actually operative) law. He has been widely misrepresented by those who deny that contractualism lies within the scope of natural law. This amounts to a denial that a point in evolution has been reached when we recognize that we no longer can trust our nature (impulse) but must look to law: agree to be coerced into doing what biological drives do for animals.

Confronted with what Conrad has to say in *Heart of Darkness*, latter-day Romantics used the “Copernican Revolution” approach of reversing the premises. Thus, instead of arguing that the dying Kurtz (when he exclaimed “The horror? The horror!”) was horrified at how thin the veneer of civilization is in all of us, they imply that he was speaking of colonialism¹² and how wrong it is to interfere with “nature”, as known among savages.

Thus the natural-law issue revolves about the point that Conrad raised and Wordsworth’s twentieth-century ecologist descendants keep evading. Even if “nature” and its order are good, does it follow that for man the good consists in acting as if the “laws of nature” were good? (i. e. following the

¹⁰ Aldous Huxley, *Do What You Will: Twelve Essays*, London: Chatto & Windus, 1949.

¹¹ A voyage through the tropics, says Huxley, would have cured him [Wordsworth] of his too easy and comfortable pantheism. Huxley, *Do What You Will*, p. 128.

¹² Thus Zdzisław Najder, a noted Conrad scholar speaks of the *Heart of Darkness* as essentially a bitter denunciation of colonialism (Joseph Conrad, *Congo Diary*, ed. Zdzisław Najder, Doubleday, Garden City, NY: 1978), p. 1. To be sure, in his more recent biography *Joseph Conrad: a Chronicle* (Rutgers U. Press, New Brunswick, NJ: 1983) he notes that at the roots of the story we can discern not only undercurrents of doubt about Europe’s «civilizing action» in Africa but also an anxiety about man’s place in nature – particularly about the relationship between morality on one hand and nature and evolution on the other (p. 249).

laissez-faire principle of political economy; or Candide's advice "Let us cultivate our garden"; or the contractualist precepts of political theory)

Ecology may be a good thing if it takes us back to issues that have been badly neglected since the rise of science and technology; but it is a bad thing if its adherents imagine that no one has ever considered the relation between man and nature before.

On the Wrangling of Latter-day Natural Law Theorists

There is ample evidence that natural law is still being treated as if it were a question of intellectual niceties or scholastic exercises – for instance, whether Professor X is employing the naturalistic fallacy¹³ – rather than as a question of pressing public interest: something political theorists, above everybody else, must concern themselves with because it has vital social and political implications. This is also what the "common man" in a democracy *must* understand, whether academics, scholastics and scholiasts do or do not.

If one ignores academic manoeuvring for advantage and focuses on the plight of modern man, the "natural law" question becomes quite simple. If there is no such thing as "natural law" comprehending one's personal behaviour (say, as a hypothetical Robinson Crusoe) and one's situation in society (the natural law issue covered by contractual theory), then anything one thinks of as good and bad, right and wrong, has its basis in personal tastes (is subjective and relative).

Insofar as it can be shown that such assumed personal tastes have – in point of empirical fact – social and cultural uniformities, we need only add a conjectural coercive element of some kind (Thrasymachus's argument about the "will of the stronger"; Freud's argument about "internalized law"; Ayer's argument about emotive language; liberal arguments about "free schools," etc.) to explain otherwise unaccountable uniformities.

If there is no such thing as "natural law", then evidence of uniformities (in the assumed subjective tastes) leads people to assume coercion must be a work. Someone, somehow is forcing us to hold the same ethical views, and – of course – liberals and other right-thinking people must resist such coercion and opt for "freedom": non-natural law views.

It is essential we understand that it is the *denial* of natural law that entails the command theory of law – the mystic notion that a mysterious cosmic dictator promulgates "natural law". Natural law as understood historically (as by Aquinas) rests on reason, not dictatorship: coercion came into natural law theory as a result of rejecting its argument.

¹³ See, for example, the volume of Contemporary Essays edited by Robert P. George, *Natural Law Theory*, Oxford: Clarendon Press, 1992.

To be sure, the fundamentals of natural law theory are not the concern of political theory, which deals only with the special case situation called the “social contract” in which the “oughts” of natural law are indeed all “musts” (and thus seem to make the command theory of law the essence of “natural law”).

But the “social contract” is a special case and we make a serious logical error if we argue from it to the nature of natural law, rather than argue from natural law – reason in ethics – to the social contract as a special instance (where the “oughts” become “musts”).

The political – and moral – consequences of making such a logical error can be seen in the fundamental similarities (despite the obvious dissimilarities) between the British Constitution (unwritten) and the American Constitution, both of which are based on natural law conceptions, and, on the other hand, the Canadian Constitution (and the Charter of Rights) based on a coercive conception of law.

The Canadian Constitution is well on its way to reversing the accomplishments of the natural law constitution inherited from our immediate past. It replaces “good will” and “reason” with power relations in which majorities and minorities are set in opposition, and thus undermines the majoritarian principle¹⁴. The Canadian Charter of Rights and Freedoms (1982) seems to have been concocted by lawyers intent on simplifying their way of earning a living by making “criminality” – a contractualist concept – almost impossible to cope with (even though, under “natural law” and “contractualist” views, criminality was the principal issue).

Nothing remotely resembling what is happening today occurred in previous centuries as a result of the American natural law constitutionalism, but something like it started when, during Prohibition, political factions pretended that “Thou Shalt Not Drink” was a sort of self-evident or “natural law” conception that could and should be embodied in the Constitution. It is *this* view of constitutional oughts – a decidedly non-natural law view – that came to the fore in Canada when Trudeau, though apparently educated in a natural law tradition, promoted the coercive conception based on positive law. Coercive power determined the nature of the good – a view we now call political correctness, but which the politically correct confusedly represent as a natural-law conception.

Conclusion

Natural law theory – at heart it is a theory, not a set of fiats – rests on the argument that man alone among the animals cannot trust his biological heritage and/or experience to decide what is good and bad, right and wrong.

¹⁴ For a discussion of The Challenge to Majoritarian and to Traditional Patterns of Representation see Alan C. Cairns, *Reconfigurations*, Toronto: MacClelland & Stewart, 1995, pp. 131 ff.

Traditionally this view was based on the myth of original sin: our biological nature (instinct and impulse) has to be controlled, not expressed, and the controlling factor is – or should be – reason.

This theory is quite in accord with the theory of evolution, though the connection has never been set forth because natural law theory had been more or less abandoned by most philosophers before 1859, the year in which evolution was given its most convincing formulation.

Natural law theory, because it attempts to replace man's unreliable instincts and impulses with rational controls, is by nature anthropocentric; animals do not need it and could not use it. For this reason, all natural laws we arrive at (we do arrive at them; they are not promulgated by a cryptarch, as some critics pretend) have some marked limitations. Under natural law, infanticide – for instance – is wrong, whereas using insecticides is not.

Ecologists, operating on totally different premises, decry such limitations as arbitrary and inconsistent. By adopting the biological term "ecology", they pretend that their form of "natural law" is a scientific view – is "natural" natural law, as it were – whereas the ecological movement operating outside the discipline of biology is fundamentally mystical. Far from representing man at the apex of creation or evolution, ecologists think of man as but a small part of an unanalysable complex set of interactions, so that the only "rational response" is to argue for a sort of moral *laissez-faire*: leave "nature" alone.

Such a view comes very close to the one Voltaire satirized in *Candide* – the Leibnizean theodicy that all is for the best in this best of all possible worlds. Voltaire's closing observation in *Candide* – "let us cultivate our garden" – may mean that we have to look after our interests even if this is paradise (the garden), or that, although it may be paradise, we nonetheless have to do a good deal of weeding. Pretending all is for the best just as things are, is moral blindness, not science or philosophy. Indeed it is the moral failing of "scientific" ecologists that sets them apart from natural law theorists.

A Note on Ecological Terms

Shallow ecology. As one might guess, "shallow ecology" is not the term applied by its supposed adherents but rather expresses how deep ecologists view members of the opposition. To quote Warwick Fox: "When we talk about the world as if it were a collection of discrete, isolable «things», we are in Arne Naess's view, «*talking at a superficial or preliminary level of communication*»"¹⁵. In the context of "talking about the world as if it were a collection of discrete, isolable «things»", the italicized words can be taken as a definition

¹⁵ Warwick Fox, op. cit., p. 194. Fox sums up the chief characteristics of shallow ecology: it sees human beings as separate of their environment and as the source of all value (i. e. anthropocentric); and it advocates the preservation of the environment because of its value to man.

of “shallow ecology,” provided on substitutes “ecologists” for “we”. Thus “shallow ecologists”, are those who in the eyes of “deep ecologists” do not consciously depart from the assumptions of empirical science.

Shallow ecology then is just plan ecology considered as ethically significant either because (a) there is no “naturalist fallacy” (Hume said that one cannot derive an “ought” from an “is”; G. E. Moore said that attempts to do so constitute the naturalist fallacy) or because (b) ecology like the behavioural sciences tacitly incorporates ethical views in order to gain a meaningful position, just as the physical sciences tacitly incorporate man’s set of senses and the biases they produce simply because one needs to be able to make intelligible statements.

Deep ecologists do not criticize “shallow” ecologists on the basis of either (a) or (b), since they do not so much abandon shallow ecology as add “depth”, making further assumptions that shallow ecologists would regard as “unscientific”.

Deep ecology. Deep ecology rejects the view that man is the measure of all things, seeing man rather as “one constituency among others in the biotic community”. It recognizes “the intrinsic value of the nonhuman members of the biotic community... and the right of these members to pursue their evolutionary destinies”. It opposes “the arrogant conceit of those who dwell in the moral equivalent of a Ptolemaic universe”; and it is “concerned to move heaven and earth in this universe in order to effect a “paradigm shift” of comparable significance to that associated with Copernicus”¹⁶.

Deep ecology interprets “objectivity” in the social sciences, not as an attempt to eliminate values but as requiring the rejection of a human bias in the values used.

From an ethical point of view, one could see deep ecology as the ultimate expression of Kant’s categorical imperative, or more “mystically”, perhaps as a Buddhacizing of the Golden Rule (if this is imaginable).

Kant’s dictum – one should never make an exception of oneself – was addressed to the individual. As a principle of deep ecology, it is addressed to mankind. As such, the objections raised to Kant’s ethics could also be applied to deep ecology.

Ecophilosophy. Ecophilosophy represents Henryk Skolimowski’s incorporation of evolution as directional into biology and specifically into ecology. He speaks of an “evolutionary imperative”, the link with Kant’s “categorical imperative” being quite deliberate. “From an *evolutionary* point of view, man as a form of life, is more evolved than the fish or mosquito”,

¹⁶ Warwick Fox, *ibid.*

¹⁷ Skolimowski, *op. cit.*, p. 286.

says Skolimowski¹⁷. Rejecting the objections to the anthropocentrism of deep ecologists, he sets his ecophilosophy in direct opposition.

The Promise of Ecology. Some feel that ecology, being a science of relationships between species and their environment (man being one of the species), will supply a kind of natural law. Adherents of this view deny that the “naturalist fallacy” – deriving an “ought” from an “is” – is a fallacy.

Books by W. J. Stankiewicz

Záznamy/Jottings: Thoughts & Aphorisms (Bilingual English-Czech edition) (Brno: Atlantis, 1995)

In Search of a Political Philosophy: Ideologies at the Close of the Twentieth Century (London & New York: Routledge, 1993)

Editor of *The Tradition of Polish Ideals* (London: Orbis Books [London] Ltd., 1981)

Approaches to Democracy: Philosophy of Government at the Close of the Twentieth Century (London: Edward Arnold, 1980; New York: St. Martin's Press, 1981)

A Guide to Democratic Jargon (London: Gliwa Press, 1976)

Aspects of Political Theory: Classical Concepts in an Age of Relativism (London: Collier-Macmillan, 1976; New Brunswick, N. J.: Transaction Books, 1982)

Editor of *British Government in an Era of Reform* (London: Collier-Macmillan, 1976)

Canada-U.S. Relations & Canadian Foreign Policy (West Chesterfield, N. H.: Gris Press, 1973)

Relativism: Thoughts and Aphorisms (Gris Press, 1972)

What is Behavioralism? Thoughts on the Crisis in the Social Sciences (Gris Press, 1971)

Editor of an contributor to *In Defense of Sovereignty* (New York: Oxford University Press, 1969)

Editor of *Crisis in British Government: the Need for Reform* (London: Collier-Macmillan, 1967)

Editor of and contributor to *The Living Name: a Tribute to Stefan Stykolt from Some of his Friends* (Toronto: University of Toronto Press, 1964)

Editor of *Political Thought Since World War II: Critical and Interpretive Essays* (New York: The Free Press of Glencoe, 1964, 1967, 1971)

Politics & Religion in Seventeenth-Century France (University of California Press, 1960; University of Toronto Press, 1960; reprinted by Greenwood Press, 1976)

Institutional Changes in the Postwar Economy of Poland (with J. M. Montias) (New York: Mid-European Studies Center, 1955).

The Accomplished Senator of Laurentius Goslicius (Munich: Oficyna Warszawska Abroad, 1946)

A fuller bibliography of WJS's writings can be found in *Holding One's Time in Thought: the Political Philosophy of W. J. Stankiewicz*. B. Czaykowski & S. V. LaSelva (eds.), Vancouver: Ronsdale Press, pp. 385–89.