

Phil. 609 Handout 09. Extra handout on Book V, Chapter 7, paragraph 1.

The problem: Aristotle distinguishes between

1. the just by nature
2. the just by convention, by law; what he calls legal justice.

But he also says that the just by nature is changeable. This surprises us. We know that there can be great variations in what is just by conventions (different cultures, different laws), but we think that what is just by nature should be the same everywhere.

Aristotle agrees that the naturally just is the same for men everywhere, but he says that everywhere circumstances may require adjustments.

The main point is this: if the just by nature is required to change, *it changes precisely as just by nature; its variability does not make it become just only by convention.*

The naturally just is variable as just by nature;
The conventionally just is variable as just by convention;
—and neither turns into the other when shown to be variable.

An analogy, given by Aristotle: men are generally right handed (by nature); suppose that in a certain location, environmental pressures make people develop the left arm and hand more fully (suppose they live on the side of a mountain). Those people will generally be left handed, *but this fact will NOT be the outcome of convention.* It will not be a mere convention. It will be a natural outcome of natural pressures. It will be natural for these people to be different under these circumstances.

Nor would the fact that these people become left handed imply that the original condition, the fact that most people are right handed, was something brought about merely by convention.

Another example, not from Aristotle: by nature, children are raised by their own parents. This is the just and the fitting by nature. But in some extraordinary circumstances it may become just and fitting that children be taken away from parents, and this may even become common under those circumstances. This change will be by nature; it will be an adaptation required for what is just by nature. *It will not therefore be something that is just only by convention or decision or law.* Under the circumstances, it will be the right thing to do by nature, not by convention.

A fortiori, this adaptation would not imply that the original condition, the fact that children are to be raised by their parents, was only by convention.

However, it will be the right thing *only* under these special circumstances. In itself, as such, by nature in normal circumstances, children are raised by their parents, and the fact that nature requires adaptations under special circumstances does not change the ordinary course of things. It does not mean that by nature children are not "necessarily" raised by their parents.

[The fact that there do arise situations in which there are changes in what is standard by nature leads many people to conclude that there is nothing normative by nature, that everything is merely conventional, that there are no natural ends in things and in human affairs. The above argument shows that this opinion is incorrect.]