

American constitutional democracy may be preserved while the spirit and epicurean values of plebiscitary democracy may prevail in the culture of the nation, and weaken or destroy the private and public virtues in the constitutional system. In the long run the culture of America is probably more important than its form of government, because it is the unwritten constitution of the nation, and permeates every aspect of the daily social life of the people. Ryn notes that "there are many signs" that the "ethical, intellectual and cultural foundations" of American constitutional democracy are eroding. Ryn also notes that through the nation's corrupted culture, "more and more, American politics exhibits the patterns and preferences of plebiscitary democracy," so that "American constitutionalism is being transformed into something far removed from the hopes and expectations of the framers of the Constitution." If enough Americans become sufficiently aware of the dangers that threaten their constitutional democracy, and have the moral courage to resist the powers of social disintegration, it is possible that good leadership can yet salvage what remains of their inheritance, and restore the nation to the high level of civility envisioned by the founding fathers of the American republic.

—Reviewed by Peter J. Stanlis

### ***Evolution, Natural Law, and Conservatism***

**The Politics of Human Nature**, by  
Thomas Fleming, *New Brunswick,  
New Jersey: Transaction Books, 1988.*  
viii + 241 pp. \$29.95.

ONE OF THE most controversial developments of contemporary science is the

field of "sociobiology," the application of the theory of evolution to explain animal behavior, including human behavior. There is a general impression that sociobiology supports a right-wing view of things, an impression undeniably held by the Left as indicated by attacks on sociobiology by such left-wing writers as Ashley Montague, Stephen Jay Gould, and Richard Lewontin. In fact, the uses of sociobiology for the conservative position are significant. First, the biological explanation of human behavior gives a scientific basis for the belief that human beings have a common nature, and therefore that they cannot be conditioned by social controls to assume any shape whatever. Sociobiology also gives a specific content to human nature, which is seen as derived from our animal inheritance. That human beings eat, sleep, and eliminate—as do the higher apes—is not controversial. But that human beings by nature live in families in which men work outside the home and are aggressive while women raise children. So also is the notion that human aggression, dominance, social castes, individual intelligence, and altruistic acts are directed by our genetic endowment. Science gives a picture of human nature which accords far less with enlightenment and liberal notions of human beings as rational individuals who are inherently good than it does with that traditional notion that human beings tend to act irrationally, are inherently social and in need of strong control. The idea that family life, gender differences, and social hierarchy have a biological basis lends support to the notion that human beings have a moral obligation to organize their social behavior to fit these natural forms of behavior.

*The Politics of Human Nature* takes these implications of the current theory of evolution for human behavior as proved and applies them to a range of political and social issues. It is emphatically a book that deserves to be better

known, being the only systematic attempt to apply the insights of contemporary social science, including sociobiology, to conservative social philosophy. Dr. Thomas Fleming's approach is that of an essayist rather than a formal theorist, and the book is written in the author's characteristically acerbic and insightful style. The book's nine chapters deal with natural law, sex, family life and gender relations, the origins and nature of society, anarchy and authority, and solutions for overcoming the current predicaments of Western society. All the chapters are pointed and informed, relying on Fleming's extensive reading in the social sciences. The tone is that of a well-earned resentment against the false ideas and cynical advocacies that drive current politics.

Fleming's essential insight is that the question of whether there is such a thing as human nature is the single most important issue of contemporary politics, for the very fact of innateness inherent in the concept of human nature forms a line or a chasm rather, between modern political theories and the natural law tradition. "In fact, every important political theory is also a theory of human nature." The political theories that state that man has no nature are diverse yet adhere to a common core belief.

Fleming is a partisan of human nature who makes his case that there is such a thing as human nature and describes its content by depending on the research results of sociobiology, as well as, other social sciences including anthropology, cognitive psychology, and sociology. The significance and difficulty of what Fleming is attempting here should not be underestimated, that is, placing the old philosophical doctrine of natural law on a scientific basis. Fleming refers to Aristotle's *Politics*, which is famous for, among other things, canvassing a large number of peoples and their constitutions that enabled Aristotle to give a

lucid description of the general functions of the separate parts of the state. Fleming's procedure is to substitute the generalizations of modern social science for the greater part of the direct knowledge of peoples which the ancient authors had. For Fleming the best scientific support for natural law comes from the theory of evolution, which grounds man in his relationship to animal life.

While other recent writers and biologists have described the impact of biology on human nature, he depends mostly on E. O. Wilson's *Sociobiology* (1975), for it "gave a name to the new movement and sent a signal that something of a revolution was taking place in the sciences that study man." Sociobiology combines the study of all forms of animal life, plus human ethology, genetics, and the theory of evolution to explain the behavior of animals. The main source of explanation is the theory of "inclusive fitness" that states that individual organisms act not only for their own survival but also for that of their kin, bound as they are by varying degrees of closeness based on shared genetic inheritance. Fleming agrees with sociobiology's left-wing critics that it supports a traditional view of human nature; unlike its left-wing critics, however, Fleming sees this as an advantage and an indicator of sociobiology's essential truth. He points out that relating human to animal behavior is not new, and cites Aristotle, the Stoics, St. Thomas Aquinas, and Lord Kames. In fact, natural law must be based not on ethical or religious precepts, but on "the actual behavior and conditions of human life." In a sense, therefore, the "good" must be good for us, that is, must satisfy our natural needs."

The chief general characteristic of human nature specified by evolution is that it is social, i.e., that human beings are made so as to operate in a social milieu rather than by themselves, for neither humans nor the individuals of

any other primate species exist except as part of a clan, a tribe, a family. "Our social nature is not something we are free to choose; it is a given....Society is natural." Because it ignores human sociality, modern political theory cannot explain the origin of individual human rights despite its fundamental dependence on them.

But if a defender of natural rights (e.g. property rights) like John Locke or Robert Nozick, is asked the source of these rights, he is practically compelled to take refuge in one or another version of the state of nature myth. In which case "rights" presumably are things Adam and Eve picked up off the ground in Eden and handed down to all their descendants. [p. 139]

Fleming asserts not only that social entities are "natural" and that the primary entity of human social life is the family. Indeed, Fleming devotes two chapters of the nine that make up *The Politics of Human Nature* to the family, one on the biology and culture of male-female differences and the other on the persistence and importance of family life. Much of his comment is devoted to criticism of attempts by feminists, Marxists, and cultural relativists to deny the reality of gender differentiation or the universality of marriage and child-rearing. Social structures other than the family are also natural, says Fleming, including entities such as large extended families, clans, tribes, villages, cities, and nations. But he takes the classically conservative position that smaller is better, and he is deeply suspicious of the totalitarian tendencies of modern nation-states, the history of which is a record of "predatory intrusion into the lives of families, communities, and the intermediate jurisdictions of local and provincial governments." Larger social structures are based on the next smaller, finally resting on the family unit as the basic element of society rather than the individual.

Fleming asserts that cultural evolution is continuous with organic evolution, emphasizing an evolutionary origin for political sovereignty and the complex organization typical of human society. The great majority of theories of social evolution are flawed, he says, because "they violate the principle of continuity by introducing great gaps into the history of the human race." Further, these theories are based on "conjectural and wishful thinking: a philosopher can use the state of nature as a mirror to his own picture of reality." For Fleming, the continuity of cultural evolution reflects the continuity of human nature from its biological to its cultural or social aspect. "Man in a state of nature is as much a political or social creature as he is in modern civilization."

Fleming's continuity ploy has the double advantage of fixing traditional social arrangements as givens, because they are part of man's evolutionary inheritance, and discrediting the entire modern mode of political thought based on social contract theory. The disadvantages of the continuity ploy are also double, however. First, sociobiology cannot explain those aspects of human culture which elude sociobiological explanation because they are present only in a weak or very primitive way among primates. Wilson himself specifies communication and role playing as virtually unique to human beings while sociobiological explanation of ethics (via the theory of "altruism") and religion are rigidly reductive and have critical weaknesses. Fleming, unlike Wilson, does state that his description of human nature will have recourse to literature and (the history of) politics. However, he provides no hint of the source of these higher aspects of human culture or their effect on his concept of human nature.

Second, the continuity ploy undercuts the objection that Fleming and virtually all conservatives have against the totali-

tarian tendencies of the modern nation-state while at the same time weakening his case for the family and federalism. This occurs because continuity implies that the increasing complexity of social organizations is natural, in which case the fundamental social entity is the state, as Aristotle said, since it and not the family or local government is the final end of social evolution.

Fleming is surely correct when he asserts that sociobiology supports a traditionalist conservatism. Yet there is an important difference, for although the patterns of evidence may be said to "support" or "mirror" conservative social ideals, they are not identical to them. The laws and observations of sociobiology are descriptive, whereas conservative social ideals are presumably normative, and for this reason the laws of evolution that describe human behavior do not reach the level of natural law. Fleming is aware of this, stating, "Once we have granted the universality and innateness of human social behavior, the natural law is still not binding... the natural law cannot be regarded as a set of commandments so long as it is entirely natural." Unfortunately, he offers no way of overcoming the gap between sociobiological fact and conservative social value, claiming in effect that a "natural politics" is sufficient intellectual basis for conservatism.

Even if we do leap somehow from the descriptive to the prescriptive, further dangers await, for we are not like animals in every respect and simply to act as they do, without some explicitly human principle intervening, means that men will be encouraged to "act like animals." Animals, according to Wilson, are largely polygamous and many species are cannibalistic, eating their young, obviously not the kinds of behavior which Fleming or most other civilized people want to see made into values for human society. Natural law is meant to be normative as

well as descriptive, but in a human way. If polygamy is not natural, it is not our animal ancestry that tells us so since it has major evolutionary advantages for most species, but Fleming has not in any precise way stated what the human element is that will separate the human from the animal.

The fact is that the materialism and determinism of sociobiology may well obviate its appeal as a basis for natural law despite its support for the "givenness" of human nature. E. O. Wilson reduces religious belief to mere rationalization of hypertrophic and unconscious drives genetically programmed by mankind's evolutionary past. Political ideas, says Wilson, have a purely material origin in human physiology, "most probably in the limbic system." We desire to know whether our religious and social ideals are real in themselves, because there will be no intellectual or moral basis to resist the erosion of these ideals when circumstances force us in opposing directions. While only a few radical advocates of social progress make the claim that the family is replaceable, it has become a cliché that other evolutionary impulses of human nature have become atavistic, *e. g.*, aggression. Since technological advance and social change can obviate the ends of behavioral patterns designed into human nature by evolution, how can Fleming argue that evolutionary patterns of human behavior ought to be maintained, even when they have become outmoded and redundant?

We can ask what chance Fleming's project of arguing for a common human nature on the basis of objective scientific fact will have. The answer is mixed, at best, both because there will be great resistance to the message that there are limits to social change, and because there will be resistance from those who would form the expected cadre to forward and be animated by Fleming's natural politics. Fleming's natural politics relies on

science, but the segment of the general population who are most amenable to Fleming project are religious people for whom human nature is given not by nature itself but by God. The difference is not minor, for nature as conceived by sociobiology does not obligate, has no mental or spiritual component, and operates solely on its own set of presumptively discoverable rules. Nature as the object of creation by God is something else, for its rules, while discoverable, also have a moral content, an aspect added to the scientific by the direct commands of religious revelation and the accumulated insights and experience of the human race. It is the difference between laws of nature and the logos, and despite Fleming's hope, it is unlikely that either sociobiologists or religious believers will be comfortable with each other's idea of nature.

Fleming relies on the brute force of evolutionary facts about human nature to speak for themselves, leaving it to his readers to find a way to narrow the breach between feminism and the biology of sexual dimorphism, hedonism and sexual modesty, revealed religion and evolutionary materialism. The evidence about human nature on which Fleming relies from sociobiology and other social sciences is useful, but only as a replacement for the less rigorously collected and organized evidence about human nature hitherto relied on by natural law theorists. Still, care must be used, for other sources of information about human nature must be included if the portrayal is to be a true one and if natural law is to retain its obligatory character. Evolution can be understood to support natural law but only if politics, art, literature, religion, and tradition are included in the formation of the concept of human nature, not just for philosophic consistency, but also to provide the basis for a viable politics.

—*John C. Caiazza*