

Anver M. Emon, Matthew Levering, David Novak. *Natural Law: A Jewish, Christian, and Islamic Trialogue*. New York: Oxford University Press, 2014. 231 pages. ISBN: 9780198706601.

*Mustafa Çakmak**

This book, a co-authored trialogue, is essentially the product of a series of symposia, “Natural Law: Jewish, Christian, and Islamic Perspectives”, convened at different places during 2010, 2011 and 2012. During these events, the three authors discussed natural law theory from the perspectives of different faiths: Islam, Christianity and Judaism. The book is structured like a symposium, with each author having one essay followed by the responses of his two colleagues. According to the authors, the purpose of this trialogue is to stimulate reflection on natural law and encourage further discussions and friendship among Jewish, Christian and Muslim scholars and communities. The authors’ intellectual backgrounds are as follows: David Novak is deeply trained in Jewish classical sources, Matthew Levering is especially interested in Biblical theology, and Anver M. Emon is an expert on Islamic jurisprudence. They therefore deal with different aspects of natural law theory and, instead of trying to answer specific questions regarding natural law, posit their own questions and answers about it. Unfortunately, this approach prevents the reader from easily connecting the three presented paradigms with each other.

In the first chapter, “Natural Law and Judaism”, Novak primarily puts forward eleven propositions regarding the natural law paradigm. He mainly underscores the fact that this paradigm is *natural* because it is discovered by humans while reasoning about the irrevocable requirements of their created human nature. Additionally, he contends that a theistic natural law theory can be shown to be more convincing and even plausible than its ancient Greek or modern natural law theories (8). In this respect, he accepts that we can learn only through revelation that God loves us and how God loves us, and we can learn only from revelation

* Assist. Prof., Giresun University, Faculty of Islamic Sciences.

that God is to be loved. That is, created natural law implies that humans need God's revelation in some particular circumstances (27). He also persistently develops a doctrine of universal natural law; however, this does not require one to be outside the covenantal community (15). This perspective brings to mind the notion of religious inclusivism, which emphasizes that some people in other religions will attain divine salvation because they are good individuals whom God loves, even though the source of divine reality and salvation is a particular religion.

The second essay, Levering's "Christians and Natural Law", brings forward seven theses that include either theological or philosophical aspects of his natural law doctrine. However, Levering's main focus is divine salvation as part of natural law theory, which he discusses within the context of two main resources: Apostle Paul's salient commentary in his letter to the Romans, "when Gentiles who have not the law do by nature what the law requires, they are a law to themselves, even though they do not have the law. They show that what the law requires is written on their hearts" (Rom 2:14–15) (66), and interpretations of five influential Patristic theologians, namely, Origen and John Chrysostom in the East (75), and Ambrosiaster, Pelagius and Augustine in the West (92). Evaluating these Fathers' contributions, Levering posits that Patristic approaches to natural law doctrine are especially instructive for religious thinkers who want to appreciate natural law's significance without reducing revelation to a secondary role in ethics. On the other hand, his pointing out of natural law's traces in some of the Patristic theologians' perspectives, which can be described as precursors of Aquinas' natural law paradigm, is also very inspiring in terms of helping one to understand religious diversity in the world.

Anver Emon's essay, "Islamic Natural Law Theories", the book's last chapter, focuses on the major Islamic natural law theories and the significance of *ṭabī'a*, which quite literally means "nature in Islamic natural philosophy", and its implications on our understanding of the natural world. When the Qur'an or ḥadith, as a source-text, says nothing about any particular issue, whether that reason has any ontological authority as a source of law about this particular issue is one of the main discussions in Islamic thought. At the outset of essay, Emon outlines three different positions about this discussion (147). First is the hard natural law theory, which grants ontological authority to human reason as something different from the epistemic authority, given to the exegesis of textual sources. This theory's basic argument is that the world was created as fused with fact and value, meaning that nature is objectively good for humanity, given the assumption of a just Creator who does only good and needs nothing. Second is the divine command theory, which

assigns no ontological authority to reason to create new norms independently. In other words, it is God's command or prohibition that determines right or wrong. Third is the soft natural law theory that, despite its claim that the natural world has a certain determinacy, does not disregard a divine goodness for humanity. That is, the fusion of fact and value in nature does not actually result from natural necessity, but rather from God's grace or wisdom.

While hard natural law theorists embrace the fusion of fact and value in nature, soft natural law theorists view that fusion as a function of God's grace (*tafaḍḍul*). In this respect, Emon focuses upon the basic debate – the relationship between reason and revelation – between Ibn Rushd, as a hard natural law theorist, and al-Ghazālī, as a soft natural law theorist. He also mentions some late Ash'arites, namely, Fakhr al-Dīn al-Rāzī, al-Ṭūfī and al-Shāṭibī as examples of soft natural law theorists. However, the fact that he never references al-Māturīdī (d. 333/944) when underscoring soft natural law theory is interesting. I say this because al-Māturīdī deserves to be mentioned as the precursor theologian who developed a moderate theory, which may be described as *soft* divine command, one located between natural law and divine command theories pre-modern Islamic theology and ethics. Furthermore, one should realize that the discussion about natural law and divine command theories between the Mu'tazilites and al-Māturīdī is older than the same discussion between Ibn Rushd and al-Ghazālī in Islamic thought.

In conclusion, this book basically underlines theistic (created) natural law theory from three religious perspectives. However, this is not a first-time event, for the authors have already presented their considerations about theistic natural law in a more detailed form.¹ Therefore, this book can be considered more of a summary of these earlier books. On the other hand, even though this book contains some instructive debates about natural law, the authors chose to focus on different aspects of it from different perspectives. For example, Novak focuses on the debates about natural law's universality and underlines its created aspect, Levering calls attention to the approaches of several Patristic theologians and mentions Biblical natural law, and Emon especially discusses hard and soft natural law theories in medieval Islamic theology. And herein lies the book's weak point, for the difficulty of making any comparison among the perspectives presented is not overcome by the accompanying responses.

1 David Novak, *Natural Law in Judaism* (New York: Cambridge University Press, 1998); Matthew Levering, *Biblical Natural Law: A Theocentric and Teleological Approach* (Oxford & New York: Oxford University Press, 2008); Anver M. Emon, *Islamic Natural Law Theories* (New York: Oxford University Press, 2010).

Although the authors concentrate on different aspects, I think that the three essays are based on five theses. First, the main ground of Judeo-Christian-Islamic natural law theories is to believe in the grace of the Sovereign God who created natural law in this world. If this is true, followers of the Abrahamic religions cannot argue for the existence of a natural law that is entirely independent of God. In other words, theistic natural law generally emphasizes that God created human beings with the ability to determine what is good or evil. Second, theistic natural law is clearly different from Platonic, Aristotelian and Stoic understandings of natural law, for in the former God's main role is to create *nature*. But this difference, in the authors view, should not render this theory any less attractive to non-theistic natural law theories. Third, the Abrahamic faiths have some eminent theologians, philosophers and jurists who have developed similar approaches to natural law, especially in pre-modern terms. In this respect, one can easily see similarities in the theological, philosophical and ethical considerations of Maimonides, Aquinas and Ibn Rushd. Fourth, natural law theory cannot be evaluated as an imperialistic project; rather, it should be seen as the projection of a universal horizon by a thinker living within a particular culture for one's own culture. In this context, it seems to me, this perspective indicates that religious inclusivism is more persuasive than exclusivism and pluralism.

Finally, one of the most distinctive aspects of the book's three essays is their highlighting of the theistic natural law theory, which may be able to provide a basis for common moral values, especially in terms of the Abrahamic faiths. In conclusion, this book contributes to the philosophical, theological and ethical debates regarding natural law theory.