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The Critical Analysis of Natural Rights Theory

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ABSTRACT

The natural rights theory depends on the assumption that there are certain basic rights that are provided to a human being by nature. Various philosophers have justified slavery by considering it as a condition given by the nature or provided by the divine law. It was believed by the philosophers that it is provided by nature that some people are slaves. Slaves derive their rights from the nature and were born as slaves under certain circumstance whereas non-slaves also derive their rights from nature and were therefore born to rule, they have the right to make use of slaves, control and own them accordingly. The critiques of natural rights theory are of the view that slavery cannot be justified by natural law or natural rights. As slavery is the act which is unethical and morally incorrect. This research paper is based on the doctrinal and qualitative research methodology. The sources of data collected for this particular research on natural rights theory has been done by secondary sources. For this particular research the researcher depends on the secondary data from various sources such as articles, books related to philosophy, bibliographic reviews, philosophical and ethical journals, online research and various other secondary documents are used for a theoretical subject matter. This research work will help the readers to look into both positive and negative sides of the natural rights theory. The readers can trace back to the origin of the natural rights and its development. The views and thoughts of various scholars related to natural rights theory has been given in this paper. The deep analysis of the doctrine of natural rights theory has been done in this project.

I. INTRODUCTION

Natural rights theory is a political theory that states that an individual has certain inseparable rights from before even entering into a society, these rights are known as natural rights. Natural rights cannot be denied by any government. The idea of the natural rights is correlated with the doctrine that even though all human beings have certain differences that are extrinsic in nature such as caste, religion, race, gender, nationality etc but they have identical and common set of freedom, powers and competencies. The political scholars have given importance to natural rights theory and treated as hallmark of political and modern legal thought. The modern idea

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behind natural rights are that they are derived from medieval and ancient doctrines and idea of natural law. Natural law states that human beings are creatures of God and nature and they should follow the precepts and rules made by the God or the nature. The right to liberty, life and property are some of the basic natural rights given to an individual.

The idea of natural law was expanded and as a result of that, the new concept of individualism took place in the 17th Century. Doctrine of natural right was modified to focus on the concept of individualism, the individuals have certain rights and those rights perhaps cannot be violated by any member of society. A natural rights theory involves the idea of private ownership in relation to subjective status that are provided to individual human being. The rights that are taking place because of subjective status of human are imprescriptible as well as inalienable in nature. If any attempt that has been made to extinguish or renounce the natural rights, will lead to the cessation of personhood of an individual. Such as, in case of slavery, several arguments are rendered because it is a work which is developed on the concept of natural inequalities and it is violative of human natural rights of physique and intellect. The most important feature of natural right is its political bearing. Natural rights are such type of rights that cannot be curtailed by the government or any member of society. If government makes any attempt to suppress the rights of an individual then they don't have any claim over the obedience of citizen. Natural rights are above any public or communal right or any right that has been imposed by any kind of political institution. The natural rights doctrine restricts any political power. If the rights of individual are violated, the doctrine of natural right provides defence of resistance for any revolution.

Several theorists have given the modernity to natural rights by transforming its characteristic elements and by criticizing the different thoughts of scholars. The Aristotle has provided the fundamentals related to the natural rights theory. The medieval church lawyers were of the view that god has embodied certain basic rights in the human beings to prevent their creation. Hugo Grotius and John Selden were of the view that the natural rights should be such nature that it should provide self-preservation to an individual. Thomas Hobbes has focused on the concept of individualist theory. John Locke has given a deeper understanding of the natural rights by writing them about in Two Treatises on Government. Jacques Rousseau has made an attempt to relate natural rights of individual with the social order and unity by the help of Social Contract theory. The other scholars such as Samuel Adams, Sir Robert Filmer, Thomas Jefferson, Thomas Paine and Adam Smith has presented their views on the doctrine of natural rights in their writings.

II. OBJECTIVES OF THE STUDY

The objectives of this research paper are:

- To trace the origin of theory of natural rights.
- To provide deeper understanding of the concept of natural rights theory.
- To identify natural rights and its importance to the philosophers.
- To critically analyse the theory of natural rights.
- To understand the importance as well as pointing out shortcomings of the natural rights theory.
- To focus on the thoughts and views of the various scholars related to natural rights theory.

III. RESEARCH QUESTIONS

The researcher has dealt with following questions in the research work:

1. What are various kinds of Natural rights?
2. What are the views of scholars on the Natural Rights theory?
3. What are the different criticisms of Natural Rights theory on moral and ethical basis?

IV. FORMULATION OF HYPOTHESIS

On the basis of the Research Questions the following hypotheses have been formulated for conducting the research.

The natural rights theory depends on the assumption that there are certain basic rights that are provided to a human being by nature. Various philosophers have justified slavery by considering it as a condition given by the nature or provided by the divine law. It was believed by the philosophers that it is provided by nature that some people are slaves. Slaves derive their rights from the nature and were born as slaves under certain circumstance whereas non-slaves also derive their rights from nature and were therefore born to rule, they have the right to make use of slaves, control and own them accordingly. The critiques of natural rights theory are of the view that slavery cannot be justified by natural law or natural rights. As slavery is the act which is unethical and morally incorrect.

V. SIGNIFICANCE OF THE STUDY

This research work will help the readers to look into both positive and negative sides of the

natural rights theory. The readers can trace back to the origin of the natural rights and its development. The views and thoughts of various scholars related to natural rights theory has been given in this paper. The deep analysis of the doctrine of natural rights theory has been done in this project. This research work will be helpful to various scholars of political science as this paper dealt with detailed study of natural rights. This paper provided both political and ethical point of the view of scholars. The work will also be beneficial for the lawyers, academicians, undergraduate and post graduate students in understanding the concept of natural rights theory.

VI. RESEARCH METHODOLOGY

The method of research conducted for this particular paper can be categorised as the basic research. This research paper is based on the doctrinal and qualitative research methodology. The research exclusively and solely focuses on the natural rights theory. The theoretical research has been carried out for this particular research paper. The information for this particular research paper has been take from existing materials and information has been gathered and collected from the various other textbooks. The research conducted is analytical and descriptive in nature. The type of research is contextual in nature as it is the analysis of already existing sources and information. The methodology that this research follows falls under doctrinal and qualitative study. This methodology is commonly used by researchers to arrive at conclusion by collecting qualitative data from the secondary sources such as books, journals, excerpts, articles and various other documents.

VII. SOURCES OF DATA

The sources of data collected for this particular research on natural rights theory has been done by secondary sources. For this particular research the researcher depends on the secondary data from various sources such as articles, books related to philosophy, bibliographic reviews, philosophical and ethical journals, online research and various other secondary documents are used for a theoretical subject matter. The information for this particular research paper has been take from existing materials and information has been gathered and collected from the various other textbooks.

VIII. REVIEW OF LITERATURE

The review of literature for this particular project is existing literature which is in the form of books, articles and other documents. The main sources of reference are the articles and books

such as: “Interpreting Natural Rights” by Richard Humphreys³, this article deals with the interpretation and criticism of the theory of natural rights by various scholars. “Natural Rights and the Theory of the Political Institution” by George H. Mead⁴, this article provides the deeper understanding of the natural rights theory and its impact on various political institutions. “Natural Rights” by Adam Hemsworth⁵, this article has been used as source as it discusses about the Locke’s view on the natural rights theory and gives the brief introduction about the theory of natural rights. “Philosophy of Law: An Introduction” by Mark Tebbit⁶, this book discusses about the relationship of natural law and natural rights. All these sources lack the importance, types and fundamentals of natural rights. Thus, the above said lacunas are covered upon and there is a necessity for more wide scope analogy.

IX. TYPES OF NATURAL RIGHTS AND SLAVERY

There are certain inalienable rights that are possessed by an individual before the time even when he was born. It is believed by the philosophers who supported natural rights theory that these rights are given to a human being by nature or by divine law. These rights cannot be surrendered or taken away by any human being to the sovereign. The natural rights are considered to be independent of any kind of positive law. John Locke was of the opinion the enslaving one selves is against the law of nature. The person thus can not surrender or given away their natural rights as their freedom is considered as absolute. Also, he stated that the slavery is thus morally reprehensible act. It violates the certain types of natural rights such as Right to Life, this right is given to each and every individual, it includes right to live freely and without any limitation or restriction. The nature and divine law have provided this right and thus cannot be taken by any person or government. This right is an inherent right and is also protected by divine law. Slavery is such an act which directly affects the persons right to life as an individual is treated very badly and is controlled and owned by others. His right to live freely is being affected and violated. Another natural right is Right to liberty means the person has the free will and is given the freedom or liberty. The person has freedom to move freely but in slavery as the acts of the slaves are controlled by masters, the right to liberty of an individual is violated and affected. The right to be treated equally is also affected as the slaves

³ Richard Humphreys, “Interpreting Natural Rights”, *Irish Jurist* (1966-), new series, Vol. 28/30 (1993/1995), pp. 221-230.

⁴ George H. Mead, “Natural Rights and the Theory of the Political Institution”, *The Journal of Philosophy, Psychology and Scientific Methods*, Vol. 12, No. 6 (Mar. 18, 1915), pp. 141-155

⁵ Adam Hemsworth, “Natural Rights”, *History of Western Civilization II*, ER Services, 20, 2018.

⁶ Mark Tebbit, “Philosophy of Law: An Introduction”, *Routledge Taylor and Francis Group*, 3rd edition, 2017, Pg-3-20.

and non-slaves are being discriminated which morally and ethically wrong. One person is provided with the certain amenities and such amenities or facilities are not given to the slaves which clearly a violation of right to equality. Also, there are various types of slaves, the slaves can be voluntary and involuntary, voluntary slaves are those slaves which out of their free will has opted for slavery, for the living and they are well aware that they do not possess certain qualities or skills of reasonable thinking or philosophical deliberation. The voluntary slaves think that slavery is thus beneficial to them and is such an occupation which is provided by the nature or divine law. Also, there are slaves who became slaves because they were prisoner of war and the lawful captive is not against any natural right that are guaranteed to an individual. Few philosophers were of the opinion that slavery is the result of sins committed by a person and is a punishment for the offences. The slavery as act is correct morally an ethically if it is taken as punishment for the grave offence or for someone who is a prisoner of war, in that case slavery is justified but an involuntary, forced and unpaid slavery can't be justified in any possible way because it affects the basic natural and human rights of a human being. Also, any contract which is trying to alienate the rights are invalid in nature. In natural rights theory the basic rights such as right to life and liberty which is provided by divine law or nature can't be taken away by any government or person which includes person himself, voluntary slavery can also be treated as wrong because person himself does not have any right to take away the natural rights.

X. PHILOSOPHICAL VIEWS OF VARIOUS SCHOLARS ON NATURAL RIGHTS AND SLAVERY

Natural rights are those rights which are possessed by an individual even before he is born. The natural rights are those rights which cannot be taken away by any government, religion or any person including the person himself. It is observed by the philosophers that natural law rights are such rights that are given by the god or divine. These rights are natural and divine in nature. The natural rights include right to liberty, life and property. The development of natural rights theory also gave importance to the concept of individualism. Slavery means being owned and controlled by others. The slavery has been justified by the ancient philosophers with the help of natural law and natural rights.

Plato, the Greek philosopher was of the different view and has justified slavery in his works. He believed that it is correct according to natural law that the person who is better should have the right to rule inferior class. In his opinion, the nature itself intimates that for the betterment of the society, the better class should be given the right to rule inferior class. He thought that

an individual is worthy of being slaves and slaves are unworthy of freedom. According to the Plato, slaves are the individual who are not good enough, he believed in the concept of might is right, who is free is because they are strong enough to show that they are free and suppose to rule inferiors⁷.

According to Aristotle, slaves are by nature means that they ought to be slaves, where power is exercised upon them arbitrarily and they don't have any decision-making power. Natural slavery is the idea given by the great philosopher Aristotle, he believed that there are two types of slaves, one who is slave by the nature or by the divine god and other by law, convention and their own will. Philosophers have tried to justify slavery with the help of natural law and natural rights. Aristotle has justified slavery in his book Politics, he has defined slavery in two phases: first part deals with the existence of natural slave and their characteristics and second part deals with the nature of natural slaves in the society. John Maior has also stated that some men are by nature are slaves and some by the nature are free. Aristotle was the first Greek philosopher who was of the view that slavery is the natural in nature and human beings by nature are considered as slaves and non-slaves. He believed that according to natural law, slaves derive their rights from the nature and were born as slaves under certain circumstance whereas non-slaves also derive their rights from nature and were therefore born to rule, they have the right to make use of slaves, control and own them accordingly. All the human beings are provided with the rights that nature has given to them. Natural slaves are by nature slaves because it is considered that they do not possess certain qualities such as ability to think, their souls are incomplete, they lack basic knowledge and aptitude and thus requires masters to rule, control and own them. He believed that slaves are fit for all kind of work which requires physical labour. Slaves though lacked the ability to think but the basic minimal rational ability to think are present in them, to carry and understand their duties. Slaves did not entirely lack virtue; they only require basic amount of virtue to carry out their work and duties. The virtue that is possessed by slaves is such in nature that they can be treated as human beings. Also, there is one more category of slaves in language of Aristotle, those types of slaves are called Legal Slaves. They are made slaves because of their bad luck and were prisoners of war. They are treated as slaves for specified period of time through law or convention. According to him, natural slaves should never be made free, because it by nature that they are born slaves and it is their duty to serve to the people who rule them or who by nature are given the right to control and own them. The masters who were considered as superior in their reasoning powers would

⁷ Richard Humphreys, "Interpreting Natural Rights", *Irish Jurist* (1966-), new series, Vol. 28/30 (1993/1995), pp. 221-230

rule over the people who lack the ability to think and is not mentally strong. He justified slavery by stating that it will benefit slaves, because he would have the power to share the virtue of his master. According to him there are certain conditions that are necessary for the system of slavery, he believed that such conditions are provided by nature itself. Only those individuals who lacks rational deliberation or ability to think should be enslaved. He was against the idea of slavery in which slaves were prisoners of war, he only believed in one concept that slaves are made out of the nature. He was also of the view that it is the responsibility of master to treat their slaves properly. In his works he also discussed about the liberation of those slaves who has attained the required skills and has developed a rational deliberation which includes virtue and reasoning. The slavery was considered beneficial and essential and the power given to the masters must not be misused by anyone.

According to Aristotle, the idea of slavery is natural, it is just, moral and beneficial for all classes of people. People who lacks rational deliberation are deemed fit to be slaves and owning to some individual would be just in nature. If the slaves, who lacks rational defibration are just left would have to struggle for living, it is for their benefit that they are controlled and owned by others. Aristotle believes that the soul and body of slaves are made in such a manner that they are physically strong and from the hour of being born they are recognised as slaves and others are marked out for the rule.

According to Homer, the slaves are the ones made out of the condition such as prisoners of war. He believed that though the person was not inferior in nature but enslaving them would totally change them in such a way that they become natural slave. Christian theologians have considered slavery as a sin, the punishment for a sin. They believed that it is nature or a divine law, which is making an individual slave⁸. It is considered to be the judgement of god, who gives punishment to people for the sins or offences committed by them. The good ones are given the power to rule the one who has committed sins. It is the righteous act as the divine god is giving justice by punishing the sinful through slavery⁹. Aquinas, another Greek philosopher was of the view that universe has a natural structure and such structure is in such a way that gives men some authority over the inferior ones. The men who posses outstanding intelligence holds command over the people who lacks rational ability to think but possess more robust physique, such people by nature are provide by natural right to act as servant. He

⁸ George H. Mead, "Natural Rights and the Theory of the Political Institution", *The Journal of Philosophy, Psychology and Scientific Methods*, Vol. 12, No. 6 (Mar. 18, 1915), pp. 141-155

⁹ Mark Tebbit, "Philosophy of Law: An Introduction", Routledge Taylor and Francis Group, 3rd edition, 2017, Pg-3-20.

thought of slavery as a divine concept as he drew attention on hierarchical nature of heaven, in which some divine angels are considered superior to others. Aquinas was also of the view that slaves are given certain limited and restricted rights. The slaves should be treated in a good way and the masters should not threaten them, should be merciful and forgive them for their mistakes. The slaves should not be given harsher punishments which are inhumane in nature.

XI. CRITICISM OF NATURAL RIGHTS THEORY

Slavery is the act which deprives a person of many natural rights, it is the kind of condition where one individual is controlled and owned by another individual. Slaves were treated as chattel, property and was deprived of the freedom that an individual ordinarily possess. Slavery cannot be considered as a natural phenomenon because the natural rights are the rights given by the divine or god and such rights cannot be taken away by anyone including person himself. Slavery affects the right to freedom, liberty and life which is in contradiction to the concept of natural slavery. Slavery can't be justified by natural rights theory as it is only affecting natural rights such as right to life, property and liberty.

The critiques have stated that there is nothing known as natural slavery, as the classification is solely done on the basis of reasonable deliberation and ability to think which is wrong. There was no established logical method or procedure to classify or distinguish slaves on the basis of ability to think. Also, historical origin of the concept of slavery was not focused or discussed by Aristotle in his works and he solely relied upon the philosophical rationalization. There was no sensible method given by Aristotle to recognise natural slaves and there are high chances that people who are not destined to be slaves are made slaves. According to Plato, slaves are the inferior beings, the critiques of his theory stated that classifying slaves as an inferior class and non-slaves as superior class has developed into racism. It is also paternalistic argument to state that slavery is good for slaves¹⁰.

The concept of natural slavery or slavery by nature reflects the primitive look and conservatism outlook towards one's life. The theory of natural slavery is contradictory and prejudicial to human dignity of an individual. According to Plato, there are no particular hereditary right to power and all men should be treated equally was the concept given by Thomas Jefferson. He was of the opinion that by treating every individual equally would resolve the issue slavery¹¹.

According to Voltaire, a France thinker, he believed that natural law lacks moral principles and

¹⁰ Darrell Dobbs, Natural Right and the Problem of Aristotle's *Défense* of Slavery, *The Journal of Politics*, Vol. 56, No. 1 (Feb., 1994), pp. 69-94

¹¹ Ari Helo and Peter Onuf, Jefferson, Morality, and the Problem of Slavery, *The William and Mary Quarterly*, Vol. 60, No. 3 (Jul., 2003), pp. 583-614.

the reasoning, he believed that nothing can be pre-decided, he didn't believe in the divine law, he was of the opinion that everything depends on circumstances and facts. Also, depending on natural law and rights will hinder the development as it is required for the development to accord with the customs, changing needs and values. It also affects progressivism; it was believed by Charles Darwin that norms of ethics and moral rights are ever changing in nature. John Locke opposed slavery by nature and has supported slavery which is a punishment for an offence or crime¹². He believed in the concept that slavery should never be hereditary or natural. Christian theologians were of the similar view, they believed that slavery is the result of sin and not the result of nature.

According to Darwin, the slavery is the act that is dehumanizing or inhumane in nature and is violating various natural rights given by the divine or god. The natural rights include right to life, liberty and property but by treating an individual in an inhumane condition, and treating a person as property, owned and controlled by other is affecting the basic natural right which is given by the nature that is right to life and liberty. The freedom of an individual is totally taken away from the time he is born, the person cannot be distinguished by birth whether he possess certain reasoning ability or not. The classification from the birth is totally irrational and unreasonable. Natural slavery itself violates the basic natural rights. Voluntary slavery cannot be appreciated, even if a person voluntary wants to be slave but natural rights are such rights that cannot be taken by any government, by any person or by person himself but voluntary act of becoming slave is violating the right to life and liberty of a person which cannot be taken away by the person himself. The concept of individualism which states the rights of individual person as a human is also affected by the act of slavery. It cannot be defended by natural law or natural rights. The right to freedom is affected as person is controlled, owned and ruled by another person. It also not ethical to consider slaves as essential for the work of superior class and for the industries.

Slavery is unethical and cannot be justified by natural law or natural rights. Slavery is buying, ownership and selling of an individual with the intention of making them unpaid and forced labour. Slavery is wrong because it is unethical and is wrong. Slavery is wrong because of several reasons such as it increases the human unhappiness, it degrades and exploits human beings and also violates the basic human rights possessed by a human being. The slavery is the act in which force or threat of force is used on another human being, it further leads to

¹² R. M. Hare, what is Wrong with Slavery, *Philosophy & Public Affairs*, Vol. 8, No. 2 (Winter, 1979), pp. 103-12.

discrimination and the right to equality is being violated¹³. As slaves and non-slaves are not treated equally in the society. It also leads to racism as particular class of people by birth are considered to be fit for slavery. Slavery also disseminates the abuse of children.

Kant is one such theologian and a philosopher who embraced the idea of brotherhood of mankind means moral equality which is given to all persons and was against the slavery. He focused on categorical imperative as the main defining principle of humanity. According to categorical imperative, the slavery is not permissible as is inhumane in nature and against human life. According to J.S Mill and William Wilberforce, slavery is the act which is morally wrong and cannot be justified by natural or divine law. It is also morally unjust to consider a person as a slave from the time he was born. People doesn't by nature gain any status, slavery is morally wrong because it is the act of evils which infects the whole social structure or social order. Stoics was of the opinion that slavery is unjust and conventional in nature. He didn't believe on the concept that slavery is derive from the nature instead he was of the opinion that all individuals are rational beings and is thus capable of developing their own virtue. He also opined that slaves should be treated with the respect and dignity as it is the fundamental humanity. Thus, slavery is an act which cannot be justified by any natural rights theory as it is unethical and immoral in nature.

XII. CONCLUSION AND BIBLIOGRAPHY

It can be concluded from the above research that natural rights theory states that an individual has certain inseparable rights from before even entering into a society, these rights are known as natural rights. Natural rights cannot be denied by any government. Natural law states that human beings are creatures of God and nature and they should follow the precepts and rules made by the God or the nature. The right to liberty, life and property are some of the basic natural rights given to an individual. Doctrine of natural right was modified to focus on the concept of individualism, the individuals have certain rights and those rights perhaps cannot be violated by any member of society. The rights that are taking place because of subjective status of human are imprescriptible as well as inalienable in nature. If any attempt that has been made to extinguish or renounce the natural rights, will lead to the cessation of personhood of an individual. Such as, in case of slavery, several arguments are rendered because it is a work which is developed on the concept of natural inequalities and it is violative of human natural rights of physique and intellect. The most important feature of natural right is its political

¹³ Adam Hemsworth, "Natural Rights", History of Western Civilization II, ER Services, 20, 2018.

bearing. Natural rights are such type of rights that cannot be curtailed by the government or any member of society. If government makes any attempt to suppress the rights of an individual then they don't have any claim over the obedience of citizen.

The slavery has been justified by the ancient philosophers with the help of natural law and natural rights. It was believed by several philosophers that it is correct according to natural law that the person who is better should have the right to rule inferior class. An individual is worthy of being slaves and slaves are unworthy of freedom. Philosophers justified slavery by stating that slavery is the natural in nature and human beings by nature are considered as slaves and non-slaves. He believed that according to natural law, slaves derive their rights from the nature and were born as slaves under certain circumstance whereas non-slaves also derive their rights from nature and were therefore born to rule, they have the right to make use of slaves, control and own them accordingly. All the human beings are provided with the rights that nature has given to them. Natural slaves are by nature slaves because it is considered that they do not possess certain qualities such as ability to think, their souls are incomplete, they lack basic knowledge and aptitude and thus requires masters to rule, control and own them. Christian theologians have considered slavery as a sin, the punishment for a sin. They believed that it is nature or a divine law, which is making an individual slave. It is considered to be the judgement of god, who gives punishment to people for the sins or offences committed by them.

The critiques have stated that natural slavery can't be justified by natural law or natural rights as slavery is the issue which immoral and unethical in nature. The classification in natural theory is solely on the basis of reasonable deliberation and ability to think which is wrong. The classification from the birth is totally irrational and unreasonable. Natural slavery itself violates the basic natural rights. There was no established logical method or procedure to classify or distinguish slaves on the basis of ability to think. The concept of natural slavery is totally based upon the idea of philosophical rationalization. There was no sensible method given by Aristotle to recognise natural slaves and there are high chances that people who are not destined to be slaves are made slaves. Also, the philosophers who believed that slaves are the inferior beings, the critiques of his theory stated that classifying slaves as an inferior class and non-slaves as superior class has developed into racism. It is also paternalistic argument to state that slavery is good for slaves. The concept of natural slavery reflects that primitive look and conservatism outlook towards one's life. The slavery also affects basic human rights such as right to life, liberty and equality. It can be concluded that slavery is unethical and cannot be justified by natural law or natural rights. Slavery is buying, ownership and selling of an individual with the intention of making them unpaid and forced labour. Slavery is wrong because it is unethical

and is wrong. It is also morally unjust to consider a person as a slave from the time he was born. People doesn't by nature gain any status, slavery is morally wrong because it is the act of evils which infects the whole social structure or social order. The slavery thus is not natural in nature and thus is evil in nature which disturbs the social structure of the society and also is such an act which can't be justified or made clear through natural rights theory.

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