

NATURAL LAW
UNWRITTEN LAW

Every preliterate society has an unwritten code of law, which can be quite elaborate, and no less effective than a written code of law. Such an unwritten code may be called 'natural law', but this expression is misleading for suggesting that it is inherent in human nature, while actually it is inherent in the preliterate society of interest. In a literate society the illusion of naturalness disappears, for everyone knows that his rights (and duties) are prescribed by written laws enforced by courts of law and their law-and-order instruments. It is only when these laws are or seem to be unjust, that we tend to claim that they violate our "natural" rights, or to condone the failure to fulfil our "natural" duties.

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