



ע"ש ד"ר מג'די אבו לטיף - على اسم الدكتور مجدي أبو لطيف - Named after Dr. Majdi Abo Latif

The Influence of Aristotle on International Law

By: Dr. Rohan Nasser Obied

Abstract

Purpose: The purpose of this research is to identify, and signify the relevance regarding influence of Aristotle in the domain of political science and international law.

Methodology: The methodology for this research included the reliance on secondary qualitative approach, where literary articles were gathered and analyzed critically for essence of relating to the research topic.

Findings: The findings showed that although multiple evolutions have been witnessed within international law overtime, the concept proposed by Aristotle for the natural law is still evidently present and is till date considered one of the most impactful concepts within this context.

Recommendations: The proposed recommendations for this study included that of applying behavioral research to the domain of international law, as well as that of creating a proper, and effective meaning of the term terrorism so that related action which is fruitful can be taken across the globe.

Keywords: Aristotle, Aristotle's philosophy, International Law, Political Science, and Behavioral research.



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1. Introduction

1. 1. Background of the Study

The procession of time cannot be effectively understood without an implementation of the learnings gained through a course of applying varying rules and regulations. Since the world came into existence, rules and regulations have been governing the people of this planet on different matters which are concerned. According to Sheldrake, R. (2011), some people might agree that there are many laws which are present without being spoken of, but even these hold their own place of significance within a society. Such unspoken laws are still understood by the society's inhabitants as natural laws that they need to abide by, and which they will be accountable for in both this life and the one which comes after death.

Although this belief regarding regulation varies depending upon cultures and religions alike, there is unanimity when it comes to realising the importance which laws and regulations hold in general. Authors Dove & Özdemir (2015) also present the context of this importance in a differentiated light where they state that contrary to the popular thought, there is a heightened need for laws, and their abidance in the modern times of digitisation and technology. Hence this can be stated because the more humans explore and expand their resources, the more governing bodies they will require for monitoring adequate, and lawful usage of those resources so that people refrain from taking unethical advantages in any essence.



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1. 2. Research Question

The main question which will be guiding the base of this research is presented as follows;

What is the influence of Aristotle in light of the modern day International Law?

1. 3. Research Objectives

The objectives which this study will aim to achieve are highlighted as follows;

- To highlight the influence, and importance of Aristotle's philosophy on the domain of international law and political science.
- To implement the theoretical underpinnings from different dimensions which help in better understanding of the research topic.
- To critically evaluate through comparison, the differences between Hobbes and Aristotle's stance on political science.

1. 4. Research Aim and Significance

The aim of this research is to shed light on, and critically evaluate the influence and impact which was found to be present in the case of International law with reference to Aristotle's philosophy and representations of regulations. When it comes to presenting this research's significance, it can be said that the core foundation of this study which relates to understanding the role played by Aristotle in establishing the modern day regulations which are governing bodies on a global scale will help associated people in better applying it within different scenarios. These people include multiple groups such as the governing



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bodies of different countries, their law and order authorities, as well as the global regulatory bodies and general public.

The research is also a favorable platform through which further studies in this regard can be ensured within the near future where it will inspire more thorough, and effective counterparts that take on the critical side of this topic and work towards shaping the current international laws for better public, and criminal management.

1. 5. Limitations of the Research

In the course of managing this research, the following limitations/obstacles were faced that hindered to an extent successful representation of the original ideas and opinions on said matter;

- Because the research was based on a qualitative approach, the case of reliability was found to be weak. This is because qualitative research is heavily inclined towards the domain of analyzing, and critically examining data which is gained through both secondary and primary aspects, but one that is analyzed in a non-statistical, and descriptive means (Malina, Nørreklit & Selto, 2011). Said selection of a qualitative approach was made due to the time factor, as it is more easily manageable to gather secondary data and analyze it theoretically, but this also gave way to unreliable data sets which were at times biased through other researchers' judgements and own opinions.



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- A sufficient amount of literary sources was not found to be available for the case of this research, as this topic is not discussed within a singular light. Aristotle's beliefs are usually represented as a separate entity whereas International laws and political science are usually studied in a varied impression. Because of this limitation, successful establishment of a linkage between the domains regarding Aristotle's philosophy and International law could not be made as effectively as it would have been managed if there was an inclusion of the quantitative approach (Francis et al., 2010). Statistical analysis of primary data gained through varied sources helps better in cases where secondary information is not easily accessible, which was the case of this research's selected methodological approach.



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2. Literature Review

2.1. Introduction

This chapter will seek to present the findings gained through Systematic literature review or SLR, which was utilized as a way of critically reviewing sources of academic literature in accordance with the research question and topic. A theoretical framework has also been illustrated within this chapter through which individual factors were identified which related to the research topic. The gaps within literature were also identified within this context for the ones which were reviewed and analyzed critically.

2.2. Theoretical Framework

The theoretical framework for this research has been presented as follows for better understanding of the multiple factors which are involved within this research;

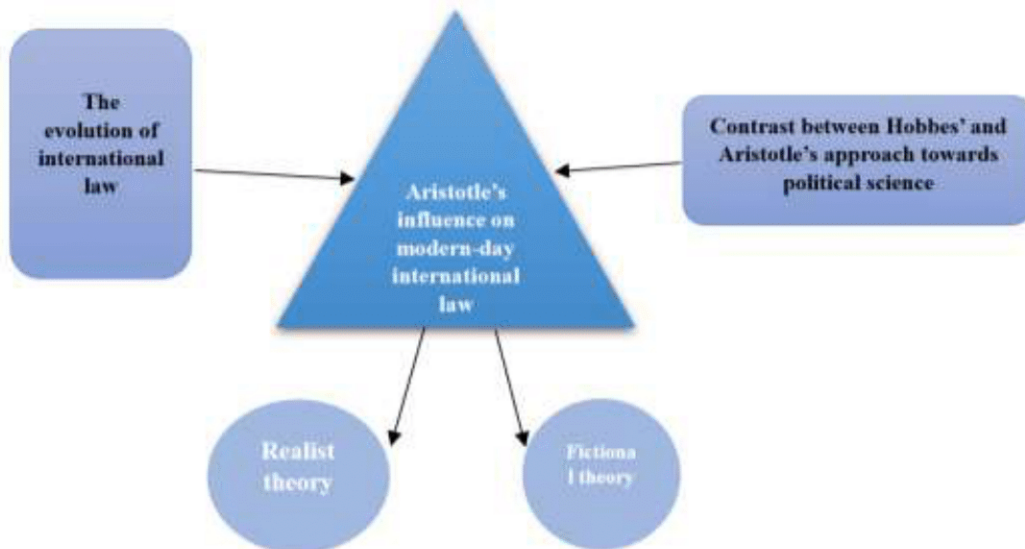


Figure 01. Theoretical framework of the research.



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2. 3. Variables Based Discussion

The following variables were identified through the course of illustrating this research's theoretical framework;

2. 3. 1. Aristotle's influence on modern day international law:

In the world of philosophers, Aristotle was best known for his great contribution towards the domains of different philosophical contexts. These relate to the factors concerning both laws, as well as the keys to a happy, and peaceful life. Being of Greek decent played a key role in the way Aristotle thought, and perceived the world. In times of the Classical Period that was apprehensible when Greek culture was known by the Ancient Greece origins, Aristotle presented some of the most notable findings, and these were inspired through the way of living in his own culture. According to a study conducted by author Vega (2013) in similar regards, the philosophy presented by Aristotle delves deep into the factors of Universality, Practical rules, and the Law. These reflect heavily upon his own upbringing, which as a natural insight, is one the most influential means of promoting a child's mental growth and function. Within similar insight it can also be said that Aristotle believed in a way of managing laws through the idea of a positive nature (Skinner, 2017). He perceived the mankind to be answerable in all forms and walks of life, but through positive means only. Yet this also reflected upon his own thinking that one should avoid the natural inclination, and desire towards these crimes and actions that are forbidden by law. This he believed, helped a person in nourishing oneself, as the abiding of these laws



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and regulations aided in making a person believe in both morality, and individual responsibility towards one's society.

Another finding which relates to the dominion of Aristotle on the aspect of law and regulation is one which promotes his focus, and high reliance on ethics. Aristotle believed ethics to be one of the most crucial factors which would be capable of bringing an individual towards the positive side of life (Polansky, 2014). He also reflected upon this within his various mentions, where he stressed upon first understanding the basic ethics of living on this planet, and then ensuring them in daily life's activities and actions. A study proposed by Tasioulas (2013) also stresses on the significance of Aristotle and his contribution to the world of international law by keeping a high range of focus on nature and the human rights as a singular aspect. The author mentions that since international law is a sensitive topic which needs to be considered as a critical one, because there still lingers the case of this context being a serious issue marred by questions of legitimacy. In this essence it can be said that his realistic approach towards the establishment of a positive, yet fulfilling individual insight should be taken as the most influential condition on which most of the world's thoughts and regulations are based.

2. 3. 2. Evolution of international law:

For the establishment, and maintenance of peace across the globe, it is essential to associate the daily activities of individuals in light of the laws which are both governed, and applied on an international basis. Here it is also significant to highlight how and why



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the international laws and regulations were developed over time to suit the growing needs of new generational crimes. To further elaborate on this matter, a study conducted by Aslam (2022) can be effectively utilised which portrays the timeline of how evolution regarding international law occurred and over which timelines. The first, and most significant changes with regards to the domain of international law were seen in the 15th century, and most evidently in the European continent (Ku, 2013). This is key to mention here because most of the regulatory bodies on a global scale are located within this domain, which specifically includes the case of the European Union, a governing body which oversees, and manages the case of international conflicts and crimes. Following this time, multiple treaties, declarations, agreements, and conferences also contributed towards specific changes within the international law, some of which are highlighted within the diagram as follows;



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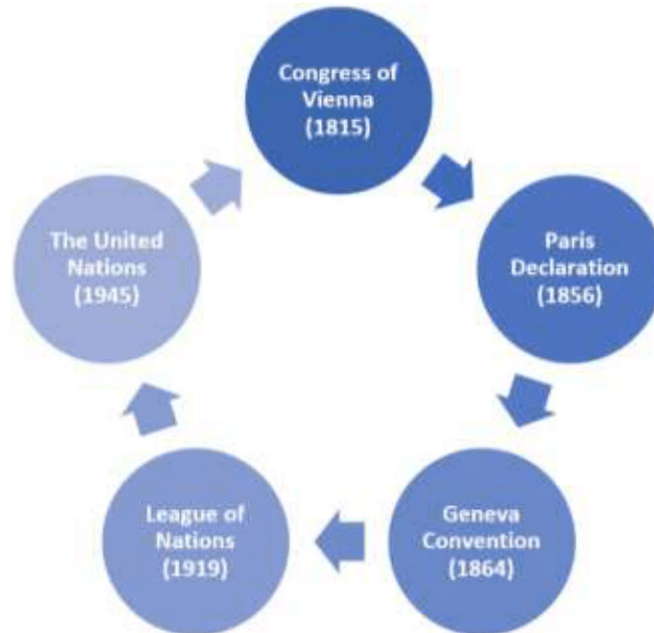


Figure 02. The multiple events which prompted changes made to the international law.

Source: (Aslam et al., 2022).

2. 3. 3. Contrast between Hobbes’ and Aristotle’s approach towards political science and regulations:

When it comes to highlighting the domain of comparative analysis between two key philosophical figures, namely Hobbes and Aristotle, it can be said that the first step is to establish similar grounds on which their studies, and teachings can be compared. This ground in the context of said study will reflect upon the area of political science, which indirectly refers to the domain of international law. According to the findings of a study conducted by Gooding & Hoekstra (2020), the main difference between the philosophy of both personalities is that of negative, and positive outtakes from life. Where Aristotle



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focuses on the gaining of positive outcomes through the domain of politics (Rapp, 2020; Kotuby Jr, 2012), Hobbes mentions that the focus should be avoiding negative results in similar contexts. Here it is also vital to understand that these two personalities are looking at the same topic in differentiated light. Where one is looking towards the gain of a positive outcome, the other is looking to avoid negative results. But this realisation cannot be comprehended in a selective light, because both of these ideologies have their own meaning and significance. Where it is important to be optimistic and focus on positive ideals, it is also important to keep in mind the negative aspects which should be mitigated to gain a more fruitful end point. These ideologies are heavily reflected within the international law as well, where some punishments are harsher than needed so that an example can be set through which motivates other people to avoid going on the path of wrong doings.

2. 3. 4. Theoretical underpinnings:

To better understand the implications regarding the context of international law and political science for this research's purpose, the following theories have been singled to shed light on theoretical bindings which form the base in this domain;

- a. Realist theory: This theory seeks to highlight, explain, and promote the main reality of international laws and politics (Carr, 2016). Yet this theory has its own critics in terms of relating it to the case of international laws mainly because it presents with a naturalist assumption that there is a high regard for the ruling class, and because it presents with less focus on the common people and their problems.



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- b. Fictional theory: The fictional theory represents the idea that dismissing of unknown, or seemingly fictional ideas is unfruitful, because these can be utilized for better positioning, and management of the world. As per the study conducted by Carty (1991), the implications of this theory reside heavily within the foundations of philosophical understanding that was promoted by Aristotle himself. Although it may seem unrealistic to shift the entire focus towards a positivist nature, it is important to not ignore the fact that this change in behaviour and way of thinking can greatly change the course of applying, and managing the rate of crimes through effective international laws and regulations.

2. 4. Research Gap and Significance

The main gap which was identified in the case of this research related to the domain of most literatures being fixated on a theoretical, or descriptive nature. The studies which were managed through a quantitative aspect were lacking in numbers, as was this topic in a singular manner of researching. Another key gap which was found related to the studies being aligned, and lacking in a manner of not relating to this research's topic through singular means. Individually the factors which are a part of this study's theoretical framework were found with ease in the form of studies, but they were not located in a singular context which posed the issue of relating them to one another on a manual basis.



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3. Material and Methods

3. 1. Introduction

This chapter will focus on highlighting the case of how this research was conducted. For better understanding of this direction, it will implement the Research Onion Model which includes the six layers of a research. These include the research philosophy, research approach, research strategy, research choices, time horizon, and the data analysis techniques and procedures. The chapter will also focus on highlighting the domain of ethical considerations, which is a key aspect to be noted for any scale and kind of research as it can forecast its efforts through complicated legal implications.

3. 2. Application of Saunders' Research Onion Model

The following research onion model is represented through a selection of specific domains in light of this research which is further preceded by details, and justifications on the mentioned choices;



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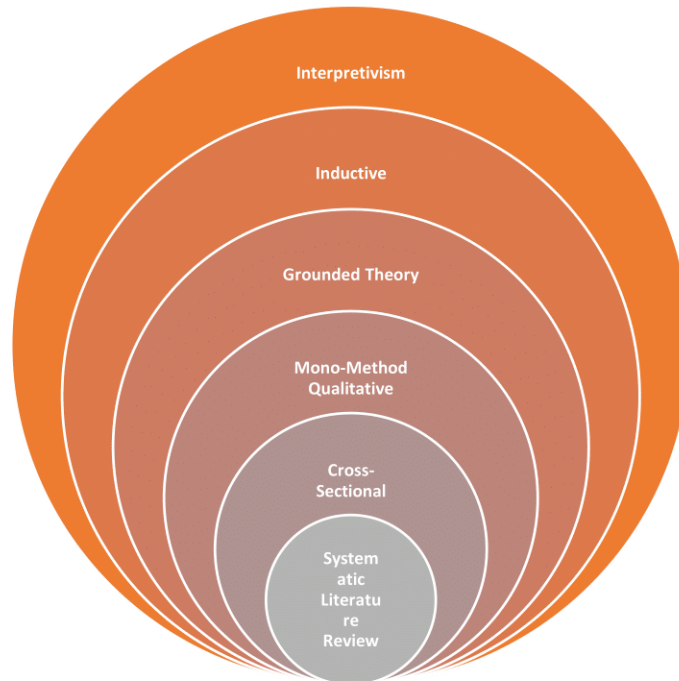


Figure 03. Research Onion Model for this research.

Source: (Melnikovas, 2018).

3. 2. 1. Research philosophy:

The selected philosophy for this research is that of Interpretivism. Amongst the choices that were available, this seemed the best choice against that of Positivism, because the latter is related more closely to the domain of quantitative approaches (Alharahsheh & Pius, 2020). Since this study was reliant on an approach that was of qualitative nature, the application of a Positivist approach was deemed unlikely, as it associates itself with the findings of a research through scientific methods.



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3. 2. 2. Research approach:

The research approach which was selected for the case of this study related to the domain of an inductive nature. This approach deals with the management of specific data and aligning it in a way that makes it generally acceptable. Whereas in comparison, the deductive approach deals with general data and fixates it into a specific version of itself through scientific means (Soiferman, 2010). This approach was not selected because it would temper with the domain of a qualitative stance where the information needs to be portrayed in a descriptive light. Hence, the approach of inductive nature was selected for this research in the end after evaluation of available methods.

3. 2. 3. Research strategy:

The main strategy for this research was selected to be that of Grounded theory. In this strategy based application, the findings are both gathered, and analyzed in a theoretical light so that a descriptive, and detailed answering of the research question and topic can be established (Chun Tie, Birks & Francis, 2019). This strategy was also selected because it coincided more readily with the qualitative perspective that the research was reliant upon for data gathering, as well as analysis.

3. 2. 4. Research choices:

The research choice which was selected for this study referred to the domain of a mono-method qualitative approach. Since there was less time and resources available, this selection was made keeping in mind that secondary data and information can be utilized



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for its assessing with ease (Queirós, Faria & Almeida, 2017). As compared to the case of a mixed method or quantitative approach, this method was more feasible because it provided with a more purposeful use of time and resources through which a more detailed, and theoretically supported data structure could be established.

3. 2. 5. Time horizon:

The time horizon which was selected for this study was that of Cross-sectional. Against the longitudinal approach which relies on gathering of Data through multiple phases and longer periods of time, this approach helped in gathering, and analyzing data in a shot span of time (Mihara & Higuchi, 2017). This approach was also opted for due to a lack of time resource, because of which data could not be gathered over a longer period of time.

3. 2. 6. Data analysis techniques and procedures:

The data for this research was gathered through the base of identifying keywords, and then using them for identifying associated literature. These keywords included the following;

- Aristotle's philosophy
- International law and politics
- Political science
- Hobbes' philosophy
- Aristotle's law philosophy

The literary articles which were gathered through this keyword based search were further analyzed through the case of SLR, or systematic literature review, which included



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critical apprehension of all literary sources in light of their findings, and association with this research's main topic and aim (Xiao & Watson, 2019). Through this means, the management of SLR within this research was ensured which further led to a greater deal of gathering, and analyzing related data in the form of literatures.

3. 4. Ethical Considerations

The domain of ethical considerations is one that should not be ignored by any researcher. This is because neglect in this matter could lead to serious consequences in the form of legal proceedings and claims made by those who feel offended or used unlawfully (Ketefian, 2015). Since this research was based on a qualitative approach, there were less chances of any ethical issues being involved, but even then, for any inclusions or inspired content, the authors of specific studies were cited within the study so as to maintain a code of transparency and respect to the ones who presented those pieces of research.



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4. Results

Through the systematic review of literary sources, the following papers have been identified which will be further explored, and discussed in light of this research's topic as well as objectives within the chapter to follow:

S. No.	Title of the Paper	Author/s and Year	Methodology	Findings
1.	Human Rights, Legitimacy, and International Law.	Tasioulas, 2013	Qualitative review of the international law.	There are three sources of potential limitations with regards to legitimacy of the international law. These include Pluralism, Freedom, and Exceptionalism.
2.	Aristotle on practical rules, universality, and the law.	Vega, 2013	Qualitative review of the studies relating to natural law.	Rules must be made to treat cases as they are. That is, unequal cases can be treated on unequal basis and vice versa. The topic of equity is highlighted in a detailed light.
3.	International Law: Evolution and Its Sources.	Aslam, 2022	Qualitative review of archival records.	Findings reflected within the domain of international law, and how it faced changed through events such as Paris Declaration (1856), League of Nations (1919), and The United Nations (1945).



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4.	The evolution of international law.	Ku, 2013	Qualitative overview through theoretical underpinnings.	The findings declared that international law as a legal system have developed into multiple disciplinary elements for governing the global conflicts.
5.	The realist critique.	Carr, 2016	Qualitative overview through theoretical underpinnings.	The concept of a utopia, or a positive implication in politics, is unrealistic, and that it is far from the reality of providing an absolute standard.
6.	Critical international law: recent trends in the theory of international law.	Carty, 1991	Qualitative overview of the recent trends relevant to the research topic.	The findings of this study related to the derivation of related concepts such as cultural anthropology which resonate closely with the domain of fictional theory and its implementations.

Table 01. SLR table for the research

4.1. Key Findings:

The first finding was related to the domain of Aristotle's philosophy and its influence on the domain of international law. Through review of literature, it was identified that the findings of Aristotle have been heavily reflected within the regulations passed by the global governing authorities. Most of the countries on an individual scale also follow



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his philosophy and teachings to incorporate them within their own national laws and regulations.

The second key finding was found to be relevant in the context of the domain representing the core findings with relevance to the context of international law and its evolution in the last years through multiple events which took place. These events were highly significant in the domain of shaping, and enhancing the international regulatory bodies through cases of treaties, conferences, and a general demand for reform. Some examples of these included the Geneva convention (1864), and the formation of United Nations in the year 1945.

The last finding with regards to the domain of this research was reflected within the identification of associated theories which could be implemented. For the aspect regarding international law, it is essential to associate the theory of fiction, mainly because it heavily supports the influence of Aristotle in this regard. The realist theory was also pronounced in similar essence as it helped in understanding the more realistic, and practical implications which Aristotle's philosophy has on the international law.



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5. Discussion

The key takeaway from the domain of this research on the topic of influence which Aristotle has had on the aspect of international law can be related in the context of aligning it with how impactful this factor really is. Since there are many other philosophers who have influenced this context of International law, it is important to relate it to the domain of having multiple sources of inspirations. Many scholars and political experts argue that the philosophy of Aristotle, although successful, is not applicable in the changing times because crimes and other issues have also changed drastically (Engle, 2013). But this research proposed that even though there is criticism on the matter, it should be noted that the inspiration from Aristotle can only be taken in the context of influencing the whole process, and not deciding the way in which regulations and international laws are designed. Said predicament also portrays the fact that Aristotle's thinking regardless of the fact that they might seem outdated and traditional, hold great value in terms of highlighting the morals, ad ethics which should be evidently portrayed throughout all generations. As Nuzzo & Vec (2012) present within their study on the same topic, there is a high risk of aligning any form of international law in a means that can be considered unfair, or unjustified to any of the parties involved. Therefore, it is even more essential to consider from all scales the implications which arise through the impression which is taken from Aristotle's view regarding natural law and political science in general.