

Samuel von Pufendorf, from *De jure naturae et gentium* (1672)

Abstract

Samuel von Pufendorf (1632-1694) was a philosopher and political theorist. Writing on a wide variety of topics, von Pufendorf is perhaps best known today for his work on international law. In his 1672 text *De jure naturae et gentium* (The Law of Nature and Nations), von Pufendorf wrestled with the dominant voices in international law in the seventeenth century: Hugo Grotius (1583-1645) and Thomas Hobbes (1588-1679). In this excerpt from the 1729 English translation, von Pufendorf tackles the issue of the natural condition of humankind: are people peaceful or warlike? What is the origin of the State? What role does God play in human society and interaction?

Source

Chapter II.

Of the natural State of Man

By the natural State of Man in our present Enquiry, we do not mean that Condition which is ultimately designed him by Nature, as the most perfect and the most agreeable, but such a State as we may conceive Man to be placed in his bare Nativity, abstracting from all the rules and Institutions, whether of human Invention, or of the Suggestion and Revelation of Heaven, for the Addition of these Assistances seems to put another Face on things, and to frame human Life anew, by an exacter Model. By this wide Exemption we do not only exclude all the various Arts and Improvements, and the universal Culture of Life, but especially civil Conjunctions and Societies, by the introducing of which Mankind was first brought under the decent Management of Order and Regularity. That we may be able to form clear and distinct Notions of this supposed State, we will first consider it in itself, and examine especially what Rights and what Inconveniences attend it, that is, what would be the Condition of particular Men, if there were no Arts or Inventions set afoot, and no Communities formed and established in the World. And then, secondly, we will consider it in order to other Men, whether in this Regard it bears the Semblance of Peace, or of War, that is, whether Men who live in a natural Freedom, so as neither to be subject to one another, nor to acknowledge a common Master, are likely to prove Enemies or Friends. In this second Consideration the State we are speaking of, is capable of a Subdivision, being either full and absolute, and so bearing an equal Regard towards all Men in general, or else limited and restrained, as it has Respect only of a certain Part of Mankind. This double Notion of a State is answerable to the double Manner in which we may consider the Men who are to compose it, either as each particular Man lives in a natural Liberty towards all others, or as some Men have entered into a Society between themselves, but are joined to all the rest of the World by no other Ties, besides those of common Humanity.

II. Now to form in our Minds some Image of this natural State, such as it would be, if destitute of all Arts and Assistances either invented by Men, or revealed by GOD, we must fancy a Man thrown at a Venture into the World, and then left intirely to himself, without receiving any farther Help or Benefit from others, than his bare Nativity, we must likewise suppose him to be furnished with no larger Endowments of Body or Mind, than such as we can now discover in Men, antecedent to all Culture and Information, and lastly, we must take it for granted, that he is not fostered under the peculiar Care and Concern of Heaven. The Condition of such a Person could not prove otherwise than extremely miserable, whether he were thus cast upon the Earth in Infancy, or in Maturity of Stature and of Strength. If an Infant, he could not but

have sadly perished unless some Brute Creature had, by a kind of Miracle, offered its Dugs for his Support, and then he must necessarily have imbibed a fierce and savage Temper, under the Nursery and Tutelage of Beasts. If in Perfection of Limbs and Size, we must, however, conceive him naked, able to utter nothing but an inarticulate Sound, a Stranger to all Institution and Discipline, amazed and startled at the Things about him, and even at his own Being: The Admonition of Hunger would make him seize greedily on any Thing that was near him, his Thirst would direct him to the first Water, and Dens or Trees would afford a Refuge from the Injuries of Weather. Should we suppose a Number of such helpless Wretches thrown together by Nature on some uninhabited Soil, we cannot but think that they would so long, however continue in a brutal Wildness and Disorder, till at last, either by their own Wit and Experience, or by some Hints and Instructions taken from the Conduct of mute Creatures, they should by Degrees arrive at some Method and Elegancy of Living, and as Virgil says,

“Varias usus meditando extunderet artes” Studious Need might beat out useful Arts.

This will easily be acknowledged by any one that looks about on the numerous Improvements and Assistances which we make use of in our daily Actions, and at the same Time considers how difficult it would be for any Man to invent all these of his own Head, if he were not put in the Way by the previous Labour and Guidance of others, and how great a Part of these Ornaments and Conveniencies of Life, would at once enter into the Thoughts of the Generality of Mankind. Hence it is no Wonder that the Heathen Writers, who understood not the true Origin of Men as delivered in holy Scriptures, should make so foul a Representation of their primitive State.

When the first Fathers of our human Brood,
Dirty and dumb crawled from the teeming Mud,
A war began with Nails, and Fists, and Heads,
For Acorn Banquets, and for leafy Beds.
Cudgels came next in Play, and riper Hate
Armed them with surer Instruments of Fate.
At length their Voice grew Index of their Thought,
Now Rage began to cool, and Force to cease,
And gen’ral Parlies worked a gen’ral Peace.
Towns rose, and Laws were settled, to remove
Invading Thefts, and check licentious Love.

This is Horace’s Description, and we may expect a fuller from Lucretius. [...]

Source: Samuel von Pufendorf, *Of the Law of Nature and Nations: eight books*, trans. Basil Kennett, London 1729, pp. 102-103. Available online:

<https://archive.org/details/oflawofnatureat00pufe/page/102/mode/2up>

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