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Kari Saastamoinen

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Kari Saastamoinen

While the idea that human beings are somehow equal by nature has a long history, it became a topic of more intense philosophical reflection in the seventeenth century, when Thomas Hobbes, Samuel Pufendorf, and John Locke used this notion to articulate their doctrines of the state of nature and the contractual origins of human power relations. These three theorists were not the most egalitarian political writers of the seventeenth century, but they presented their rival views on the character, foundation, and consequences of natural human equality in greater detail than any of their contemporaries.

Today, this philosophical discourse on natural equality is best known from the works of Hobbes and Locke. However, no one in the seventeenth century had more to say about natural equality than Pufendorf, whose massive main work on natural law, *De jure naturae et gentium* (1672), included a long chapter on the topic. This was the most extensive theoretical discussion of natural equality in seventeenth-century political theory. It was also widely read, as Pufendorf's main work, together with its abridged version *De officio hominis et civis* (1673), was translated into several European languages and reprinted numerous times in the eighteenth century.¹

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¹ The standard editions of these two works are *De jure naturae et gentium*. Samuel Pufendorf, *Gesammelte Werke*, Band 4, ed. Frank Böhling (Berlin: Akademie Verlag, 1998)

In modern research, Pufendorf's doctrine of natural equality has received relatively little attention, and the assessments that have been made have not always been positive. Two American theorists of human equality have characterized *De jure's* chapter 3.2. on natural equality as "a curious essay" which not only conflates fact and value, but also fails to give "any solid clue" regarding the meaning of natural equality.² In German scholarship, however, Pufendorf has been credited with founding natural equality on human dignity. This interpretation was introduced by Hans Welzel, according to whom Pufendorf established not only natural equality but, after some false starts, his entire theory of natural law on the dignity of humanity, thus anticipating the Kantian doctrine of *Menschenwürde*.³ While subsequent scholars have usually not followed Welzel in seeing human dignity as the foundation of Pufendorf's natural law doctrine, the view that he deduced natural equality from the dignity of humanity is repeated in numerous studies.⁴

In this article my aim is to show that, while Pufendorf's discussion of natural equality left a great deal to be desired in terms of clarity and precision, it is still possible to identify some major principles which guided his remarks on the topic. I will, however, partly question the proto-Kantian interpretation of Pufendorf's doctrine put forward by Welzel. To this end, I will first pay more attention than previous commentators to the highly unequal distribution of abilities Pufendorf found in the human species. I will

and *De officio hominis et civis*. Samuel Pufendorf, *Gesammelte Werke*, Band 2, ed. Gerald Hartung (Berlin: Akademie Verlag, 1997). English translations of *De jure* are mainly from *The Political Writings of Samuel Pufendorf*, ed. Craig L. Carr, trans. Michael J. Seidler (New York: Oxford University Press, 1994). Since this work includes only selections, quotations from book six are from the English translation in *De jure naturae et gentium libri octo*, trans. C. H. Oldfather and W. A. Oldfather (Oxford: Clarendon Press, 1934). English translations of *De officio* are from *On the Duty of Man and Citizen*, ed. James Tully, trans. Michael Silverthorne (Cambridge: Cambridge University Press, 1991). References to these works specify the book, chapter, and paragraph.

² John E. Coons and Patrick M. Brennan, *By Nature Equal: The Anatomy of a Western Insight* (Princeton: Princeton University Press, 1999), 34.

³ Hans Welzel, *Naturrechtslehre Samuel Pufendorfs. Ein Beitrag zur Ideengeschichte des 17. und 18. Jahrhunderts* (Berlin: Walter de Gruyter, 1958), 47–49. See also *Naturrecht und Materiale Gerechtigkeit* (Göttingen: Vandenhoeck & Ruprecht, 1952), 141–42.

⁴ To mention some of the most important ones: Horst Denzer, *Moralphilosophie und Naturrecht bei Samuel Pufendorf. Eine geistes- und wissenschaftsgeschichtliche Untersuchung zur Geburt des Naturrechts aus der Praktischen Philosophie* (Munich: Beck, 1972), 148; Otto Dann, *Gleichheit und Gleichberechtigung. Das Gleichheitspostulat in der alteuropäischen Tradition und in Deutschland bis zum ausgehenden 19. Jahrhundert* (Berlin: Duncker & Humbolt, 1980), 98; Thomas Behme, *Samuel von Pufendorf: Naturrecht und Staat. Eine Analyse und Interpretation seiner Theorie, ihrer Grundlagen und Probleme* (Göttingen: Vandenhoeck & Ruprecht, 1995), 90–92.

then point out that by natural equality Pufendorf referred to two logically separate ideas. Human beings are equal by nature in the sense of having an equal obligation to obey natural law and in the sense of having similar innate duties toward each other. My argument is that the dignity Pufendorf attributed to human nature did not indicate the Kantian idea of absolute and incomparable worth but only a comparative superiority in relation to other creatures. This comparative dignity of human nature offered a foundation for the equal obligation to obey natural law, but not for the similarity of innate duties. The latter followed from the fundamental principle of natural law, the duty to maintain sociality, and from observations concerning human self-esteem. Pufendorf failed, however, to distinguish properly between the two meanings of natural equality, and his failure in this regard has made his discussion on the topic somewhat difficult to follow.

DISTRIBUTION OF ABILITIES

In order to understand Pufendorf's doctrine of natural equality, we must first pay attention to the fact that it is not accompanied by a belief in the relative similarity of human capabilities. Like most seventeenth-century political theorists, Pufendorf takes it for granted that the male sex has superior abilities in relation to the female one.⁵ More significant in this context, however, is the fact that in *De jure* 3.2, he refers twice to the unequal distribution of abilities among men and women alike. The first reference occurs when he criticizes Hobbes for claiming that while the physical abilities of human beings are equal in the sense that everyone is able to kill everyone else, there is even greater equality in the prudential abilities of human individuals. Hobbes had maintained that prudential abilities are rather similar in all individuals with similar experience, though he admitted that due to their vanity many are inclined to think that they have more wisdom "than the Vulgar." When we add to this that it is much easier for human beings to observe the workings of their own prudence than that of others, they hardly ever "believe there be many so wise as themselves." In Hobbes's opinion, such complacency with one's own abilities only showed that in reality prudential capabilities are equally distributed: "For there is not ordinarily a greater signe of the equall distribution of any thing, than that every man is contented with his share."⁶

⁵ Pufendorf, *De jure* 6.1.11.

⁶ Thomas Hobbes, *Leviathan* 1.13, ed. Richard Tuck (Cambridge: Cambridge University Press, 1991), 87.

With the above remarks Hobbes may have merely meant that humans have a tendency to think that they are as prudent as anybody else.⁷ Yet Pufendorf understands them as arguments for the equal distribution of prudential abilities, pointing out that they are founded on erroneous empirical observations. In reality we often “see one man anticipating the consequences of things more accurately than another, and more skillfully applying his previous observations and ascertaining the similarities and dissimilarities among cases.” While prudence undoubtedly develops through experience, even of those with equal experience “one person’s skill becomes pre-eminent while another’s dullness is little remedied by experience.” Furthermore, one cannot argue that these observations would be affected by vanity, as we observe such differences not only when we compare ourselves to others but also when we compare one stranger to another.⁸

The unequal distribution of prudential and other intellectual abilities is not an arbitrary feature of the human species. On the contrary, God has quite purposefully measured out “physical and mental goods to mortals in different proportions” so that there would be suitable people for every task the human species needs in order to survive and prosper.⁹ Dissimilar abilities establish a division of labor which prevails not only among individuals but also among ethnic groups. In his history of Sweden, Pufendorf points out how the Finns living in the Swedish realm differ from the Swedes not only in their language but also in their customs and character. The Finns are rustic, stiff, and opinionated people, and yet extremely hard workers, which makes them “more proper for Fatigue and downright Labour than for such Work as requires Ingenuity and Dexterity.”¹⁰

What is more, in some cases the disparity of abilities is so great that this should be reflected in power relations. This becomes apparent when Pufendorf discusses the Aristotelian idea of natural slavery. On this issue, it has been customary to quote only the remark that “the opinion derived from the Greeks, according to which some men are by nature slaves de-

⁷ The inconsistencies in Hobbes’s remarks on natural equality are explored in Gary B. Herbert, “Thomas Hobbes’s Counterfeit Equality,” *Southern Journal of Philosophy* 14 (1976): 269–82. See also Gabriella Slomp, *Thomas Hobbes and the Political Philosophy of Glory* (Basingstoke: Macmillan, 2000), 22–30.

⁸ Pufendorf, *De jure* 3.2.2.

⁹ *Ibid.*, 3.2.2.

¹⁰ I have been unable to locate these remarks in the original *Commentariorum de Rebus Suecicis* from 1686, but they are included in Petro Brask’s Swedish translation made under Pufendorf’s supervision: *Inledning till Swänska historien* (Stockholm, 1688), 908. The English translation is from *The Complete History of Sweden*, trans. Charles Brockwell (London, 1702), 612–13.

serves to be rejected,” since it “clashes head on with the natural equality of men.”¹¹ What is often left unmentioned is that Pufendorf shares the anthropological assumptions behind the Aristotelian position.

It is evident, of course, that some men are blessed with such an abundance of natural ability that they are able not only to look out for themselves but also, indeed, to govern others. Some, however, are too dull-witted to be able to govern themselves, except badly, or they do nothing at all unless they are directed or impelled by others, even though nature has often endowed them with a strong body by means of which they can shower many advantages upon the rest. When these are subject to the sovereignty of someone more prudent, they have no doubt reached a state that agrees with their native character. Hence, if these two types of men establish a sovereignty of their own accord, it is surely congruent with nature that the authority to command be conferred upon the former and the necessity to obey laid upon the latter, for in this way both their interests will be served.¹²

Like Aristotle, Pufendorf holds that there are people who are by nature inept for governing their own lives successfully and who would benefit both themselves and others by living under the close supervision of someone with an ability to govern others.¹³ Later in *De jure* he emphasizes that slavery for such people is a fully appropriate social position, providing that it is not accompanied by inhuman cruelty on the side of the master. Slavery includes a permanent loss of personal liberty, but this is “compensated by the perpetual certainty of maintenance, which is often not the lot of those who work by the day, because of lack of employment, or their own laziness, which can be cured only by blows.”¹⁴ Moreover, the number of people with an aptitude for servitude is not small. In his history of the principal kingdoms and states in Europe, Pufendorf makes it clear that they include “the *Moors*, or as *Spaniards* call them *Negroes*,” who are bought in Africa and

¹¹ Pufendorf, *De jure* 3.2.8.

¹² Ibid.

¹³ On the complexities of Aristotle’s doctrine of natural slavery, see Malcolm Heat, “Aristotle on Natural Slavery,” *Phronesis* 53 (2008): 243–70; Thornton C. Lockwood, Jr., “Is Natural Slavery Beneficial?” *Journal of the History of Philosophy* 45 (2007): 207–21; Richard Kraut, *Aristotle: Political Philosophy* (Oxford: Oxford University Press, 2002), 277–305.

¹⁴ Pufendorf, *De jure* 6.3.10.

sent to America “to do all sorts of drudgery” for the Spaniards, and who “are generally very handy, but very perfidious and refractory,” wherefore “they must always be kept under a strict hand.”¹⁵ However, the aptitude for servitude is not only to be found in African or other non-European nations. In *De jure* Pufendorf refers approvingly to the view that “the doing away of slavery among Christians is one of the reasons why one meets everywhere such a pack of wandering thieves and sturdy beggars,” adding that this problem has “been met in some states by the erection of public workhouses, in which lazy rascals are constrained to a life of labour.”¹⁶

Pufendorf agrees with Aristotle in holding that if there is a power relation between a person with an aptitude for servitude and a person with a capacity to govern, it is “congruent with nature” that the former obeys the latter. Aristotle’s error in this issue was to assume that “nature herself has actually and directly given the more prudent sovereignty over the more dull, or such a right, at least, that the former can force the latter to serve them against their will.”¹⁷ Even when such subjection would be evidently beneficial for the less able, their right to govern their own actions should not be diminished without their consent. To be sure, this consent does not have to be founded on an expressed or tacit act of approval. The power relation can also be established by an interpreted consent.¹⁸ This is a consent inferred from the assumption that if the person understood the situation properly, he or she would give his or her consent to someone else’s authority.¹⁹ Such an idea of consent blurs the distinction between power relations founded on knowingly given approval and those derived from prevailing social conventions.²⁰ However, at the same time it highlights Pufendorf’s theoretical insistence that all power relations must be understood as prevailing between persons who are equal by nature.

¹⁵ Pufendorf, *Einleitung zu der Historie der vornehmsten Reiche und Staaten, so itziger Zeit in Europa sich befinden* (1682) 2.17. The translation is from *An Introduction to the History of the Principal Kingdoms and States of Europe*, trans. Jodocus Crull (London, 1695), 71. Emphasis in the original.

¹⁶ Pufendorf, *De jure* 6.3.10.

¹⁷ *Ibid.*, 3.2.8.

¹⁸ *Ibid.*

¹⁹ See *De jure* 3.6.2. and the comments of Jean Barbeyrac in Pufendorf, *The Law of Nature and Nations*, trans. Basil Kennet (London, 1749), 274, n. 1. A consent of this type is discussed in Peter Birks and Grant MacLeod, “The Implied Contract Theory of the Quasi-contract: Civilian Opinion Current in the Century before Blackstone,” *Oxford Journal of Legal Studies* 6 (1986): 47–85.

²⁰ This is discussed in Craig L. Carr, “Editor’s Introduction,” in *The Political Writings of Samuel Pufendorf*, 11–2.

MEANING OF NATURAL EQUALITY

In what sense are human beings by nature equal despite their highly unequal abilities? Hobbes had argued that what makes humans equal by nature is their reciprocal ability to kill each other. Pufendorf does not reject such a naturalistic understanding of natural equality altogether,²¹ but he criticizes Hobbes for contrasting this relative similarity of physical abilities with our “actual inequality” which “has been introduced by civil law.”²² In doing so, Hobbes had failed to notice that civil law “does not make one man stronger than another but more dignified” and civil inequalities “affect not men’s strength but their status and condition.”²³

Behind these remarks is Pufendorf’s renowned distinction between physical and moral entities. By physical entities he means natural objects to which God has given material characteristics as well as those inner features that produce their particular aptitudes and motions. These include human beings with all their physical and mental faculties.²⁴ As such, physical entities have no moral characteristics, morality being introduced to the world by moral entities. These are attributes “superadded to things already existent and physically complete, and to their natural effects, by the will of intelligent beings who alone determine their existence.”²⁵ The most important of such attributes are moral qualities such as obligation, authority, right, and esteem. These serve as building blocks in the construction of various moral persons in society, such as sovereign and subject, husband and wife, master and servant, and so on.²⁶ Most of these attributes have been added to physical entities by human agents in order to cultivate and organize human life. However, the first moral entities were imposed by God, who did not want human beings to live “without being accountable to any law, rule, or necessity” but wanted “men’s life and actions to be tempered by certain principles.”²⁷ To this end, God endowed the human species with an ability to recognize, even without knowledge of the Bible, that they are obligated to obey a law which imposes on them certain duties toward other people.²⁸

²¹ Pufendorf, *De Officio* 1.7.2.

²² Hobbes, *De cive* 1.4. The translation is from *On the Citizen*, ed. Richard Tuck, trans. Michael Silverthorne (Cambridge: Cambridge University Press, 1998), 26.

²³ Pufendorf, *De jure* 3.2.2.

²⁴ *Ibid.*, 1.1.2.

²⁵ *Ibid.*, 1.1.4.

²⁶ *Ibid.*, 1.1.12–23.

²⁷ *Ibid.*, 1.1.3; 2.1.1.

²⁸ *Ibid.*, 2.3.20.

In Pufendorf's view, Hobbes's method of contrasting the reciprocal ability to kill with civil inequalities is a category mistake. The ability to kill characterizes humans as physical entities, whereas civil inequalities are founded on moral attributes which the civil sovereign imposes on his subjects. This would suggest that, in the sphere of moral entities, natural equality consists of the similarity of the duties which humans have toward each other prior to mutual agreements. And this is of course the idea of natural equality which plays a key role in Pufendorf's contractual theory of human power relations. However, things are complicated by the fact that by natural equality he also refers to the idea that the obligation to obey natural law "binds all men equally."²⁹ It is important to note that these two ideas are not identical. The fact that everyone has a similar obligation to obey natural law does not necessitate the view that this law imposes similar duties on each individual. Consequently, Pufendorf's views concerning the moral foundation of equal obligation are not necessarily his justification for the similarity of innate duties. In what follows, my main focus will be on the similarity of duties, as this is the idea which explains why there are no natural hierarchies among human individuals despite the great differences in their abilities.

NATURAL LIBERTY

Why are human beings holders of similar innate duties? One answer suggested in modern scholarship is that Pufendorf sees natural equality as a corollary of the liberty people enjoy in the state of nature. Moreover, while he uses natural liberty and equality as analytic devices to "set the moral parameters of the problem of obligation," as "existent realities" they are, for him, historically given characteristics of the original human condition.³⁰ Support for such an interpretation can be found in the fact that, in his discussions of the state of nature, Pufendorf mentions liberty as the feature due to which humans are considered equal in that condition.³¹ Yet there are several reasons why I would not conclude that he deduces natural equality from the liberty that prevails in the state of nature.

²⁹ Ibid., 3.2.2.

³⁰ Craig. L. Carr and Michael J. Seidler, "Pufendorf, Sociality and the Modern State," *History of Political Thought* 17 (1996): 359.

³¹ Pufendorf, *De jure* 2.2.3; *De officio* 2.1.8.

Firstly, liberty is a moral entity in Pufendorf's theory, more precisely a right to one's own person and actions.³² Natural liberty, in turn, is a God-imposed innate right to govern one's person and actions independent of others.³³ It would be extremely strange if Pufendorf thought that the discipline of natural law can take the existence of such fundamental moral entity as historically given. Secondly, Pufendorf makes it clear that the only historically existing state of nature is the condition "that now exists between different states and between citizens of different countries, and which formerly obtained between heads of separate families."³⁴ Yet he does not restrict natural equality to male householders and civil sovereigns but insists that all humans should be regarded as equals by nature.³⁵ Finally, in his argument against the doctrine of natural slavery Pufendorf offers the following argument for the natural liberty of human beings.

Since nature has made all men equal, and since slavery cannot be understood apart from inequality (for to be a slave surely implies acknowledging a superior; freedom however, does not require one to have an inferior, as it suffices not to be subject to a superior), it is understood that naturally, or apart from any antecedent deed, all men are free.³⁶

In this statement natural liberty follows from natural equality. This order fits well with the main content of natural equality. If all humans have similar innate duties toward each other, no one has a natural right to command others. When Pufendorf mentions liberty as the reason why humans are considered equal in the state of nature, he is not discussing the moral foundation of natural equality but contrasting the state of nature with civil society. His idea is that while natural liberty is a subcategory of the broader notion of natural equality, it is the most significant aspect of this equality in the state of nature. Because of their independence, individuals in the state of nature are regarded as equals, not merely as equals by nature. This

³² Pufendorf, *De jure* 1.1.20.

³³ On Pufendorf's account of natural liberty, see Kari Saastamoinen, "Liberty and Natural Rights in Pufendorf's Natural Law Theory," in *Transformations in Medieval and Early-Modern Rights Discourse*, ed. Virpi Mäkinen and Petter Korkman (Dordrecht: Springer, 2006), 225–56.

³⁴ Pufendorf, *De officio* 2.1.6.

³⁵ Pufendorf, *De jure* 3.2.1.

³⁶ *Ibid.*, 3.2.8.

distinguishes the state of nature from civil society, in which people are highly unequal but should still be esteemed as equals by nature.

HUMAN DIGNITY

As mentioned above, several scholars have argued that Pufendorf establishes natural equality on human dignity.³⁷ As evidence they refer to the fact that in paragraph 3.2.1., which starts his discussion on natural equality in *De jure*, Pufendorf remarks how “the very word ‘man’ is thought to contain a certain dignity.” When he adds that “human nature belongs equally to all men,” it is concluded that he finds natural equality in the dignity which characterizes human nature.

This interpretation has obvious attractions. For many of us it seems natural to think that if human beings are in some morally significant sense equal, this must be founded on a feature which they all share and which is morally more important than all differences in their personal abilities and social position. And for those of us familiar with (or unknowingly affected by) Kantian moral philosophy, the idea of the dignity of humanity appears as an obvious candidate for the job. However, a closer study of what Pufendorf has to say about the dignity of human nature makes it apparent that, in so far as similar innate duties are concerned, it does not qualify for such a task. In order to understand the problems involved, it is useful to compare Pufendorf’s account of human dignity with those of Kant and Cicero.

In Kant’s moral philosophy, the notion of human dignity (*Würde*) is intimately connected to his idea of humanity (or rational nature in general) as an end in itself. The details of Kant’s theory are complex, and the question as to what exactly makes humanity an end in itself has been much debated in recent Kant scholarship.³⁸ For our purposes it is sufficient to point out that by human dignity Kant means worth that is not only unconditional in the sense that it is not dependent on being an object of human needs or desires. It is also absolute in the sense of being incomparable with the relative worth (*Wert*) that characterizes individuals in social life due to their personal abilities, “with which it cannot be brought into comparison

³⁷ See notes 3 and 4.

³⁸ Some of the rival views are discussed in Richard Dean, *The Value of Humanity in Kant’s Moral Theory* (Oxford: Clarendon Press, 2006), 17–33.

or competition at all without, as it were, assaulting its holiness.”³⁹ Such a dignity does not come in degrees, wherefore it imposes similar moral attributes on all rational beings irrespective of their abilities and merits. In *Die Metaphysik der Sitten* Kant declares that the most notable of these attributes is freedom, which he defines as “the only original right belonging to every man by virtue of his humanity,” and which includes “innate equality, that is, independence from being bound by others to more than one can in turn bind them.”⁴⁰ Kant also makes it clear that the dignity of humanity excludes slavery,⁴¹ though in numerous other writings he presents a hierarchical account of human races which justifies European colonialism and the enslavement of Africans in America.⁴² It has been pointed out, however, that in late works such as *Zum ewigen Frieden* and *Die Metaphysik der Sitten* Kant consistently condemns colonialism and chattel slavery, which seems to indicate that his views on the question of race changed in the 1790s.⁴³

A more modest idea of human dignity is to be found in Cicero’s *De officiis*. This is the *locus classicus* of the notion of human dignity and a work Pufendorf refers to over 70 times in *De jure*. Like other Roman writers, Cicero used the term *dignitas* mainly to denote a man’s superior status and worthiness in civil life. However, in *De officiis*, discussing the role of bodily pleasures in human life, he also attributed dignity to the human species in general.

It is a part of every enquiry about duty always to keep in view how greatly the nature of man surpasses domestic animals and other beasts. They perceive nothing except pleasure, and their every instinct carries them to it. A man’s mind, however, is nourished by

³⁹ Immanuel Kant, *Grundlegung zur des Metaphysik der Sitten*, AK {Author: please provide full citation for AK} 4:427–35. The translation is from *Groundwork of the Metaphysics of Morals*, ed. and trans. Mary Gregor (Cambridge: Cambridge University Press, 1998), 37.

⁴⁰ Kant, *Die Metaphysik der Sitten*, AK 6:237–38. The translation is from *The Metaphysics of Morals*, ed. and trans. Mary Gregor (Cambridge: Cambridge University Press, 1996), 30. Emphasis in the original.

⁴¹ *Ibid.*, AK 6:283.

⁴² Emmanuel Chukwudi Eze, “The Color of Reason: The Idea of ‘Race’ in Kant’s Anthropology,” *Bucknell Review* 38 (1995): 200–241, reprinted in *Postcolonial African Philosophy*, ed. E. C. Eze (Oxford: Blackwell 1997), 103–41; Robert Bernasconi, “Kant as an Unfamiliar Source of Racism,” in *Philosophers on Race*, ed. Julie K. Ward and Tommy L. Lott (Oxford: Blackwell, 2002), 145–66.

⁴³ Pauline Kleingeld, “Kant’s Second Thoughts on Race,” *The Philosophical Quarterly* 57 (2007): 573–92.

learning and reasoning; he is always enquiring or acting, he is led by a delight in seeing and hearing. . . . From this we understand that bodily pleasure is not sufficiently worthy of the superiority [*dignitas*] of man and that it should be scorned and rejected. . . . If we wish to reflect on the excellence and worthiness [*excellencia et dignitas*] of our nature, we shall realize how dishonourable it is to sink into luxury and to live in a soft and effeminate lifestyle, but how honourable to live thriftily, strictly, with self-restraint, and soberly.⁴⁴

By dignity Cicero here refers to the superiority of human beings in relation to other animals founded on their shared ability to reason and to speak. In his view, these features establish a natural fellowship (*societas*) among all members of the human species.⁴⁵ This means, among other things, that the members of the Roman elite (“we” in Cicero’s vocabulary) are expected to maintain justice even toward slaves (“the lowliest”).⁴⁶ Cicero never suggests, however, that in order to be just, the Roman elite should think that all humans have similar duties toward each other prior to mutual agreements. Nor does he contradict his notion of human dignity when he, in *De re publica*, rejects the claim that slavery and Roman imperialism are violations of justice with the following argument.

Do we not see that the best people are given the right to rule by nature herself, with the greatest benefit to the weak? Why then does god rule over man, the mind over the body, reason over desire, anger and the other flawed portions of the mind? . . . The rule of kings and generals and magistrates and fathers and nations directs their citizens and allies in the same way that the mind rules bodies, while masters subdue their slaves in the same way that the best part of the mind, wisdom, subdues the flawed and weak parts of the same mind, such as desires, anger, and others disturbances.⁴⁷

While all humans have the ability to reason, there are still significant differences in their mental capabilities, and the dignity which characterizes the

⁴⁴ Cicero, *De officiis* 1.105–6. The translation is from *On Duties*, ed. and trans. M. T. Griffin and E. M. Atkins (Cambridge: Cambridge University Press, 1991), 41–42.

⁴⁵ *Ibid.*, 1.50.

⁴⁶ *Ibid.*, 1.41.

⁴⁷ Cicero, *De re publica* 3.36–37. The translation is from *On the Commonwealth and On the Laws*, ed. and trans. James E. G. Zetzel (Cambridge: Cambridge University Press, 1999), 73.

human species in relation to other animals does not exclude natural hierarchies among human individuals and nations.⁴⁸

Cicero saw human dignity as a moral feature included in the hierarchically structured cosmological order. Pufendorf, in turn, regards it as a moral attribute God has imposed on human nature. Since God did not endow animals with an immortal soul, he was “pleased to manifest His power in producing and destroying them,” seeing that there was no need to furnish them with the ability to recognize and obey a law.⁴⁹ However, when God decided to give humans an immortal soul, he found it necessary to furnish human nature “with the light of understanding and faculty of judging, choosing and, as well, becoming highly skilful in many arts.”⁵⁰ In doing so, God also endowed human nature with the moral attribute of dignity. This dignity is unconditional in the sense that it does not depend on being an object of human needs or desires. It is not, however, absolute in the Kantian sense of the term. Like Cicero, Pufendorf uses the word *dignitas* to denote a person’s comparative value in social life, remarking that “in well-founded commonwealths citizens exceed one another in dignity.”⁵¹ This civil dignity is a subcategory of the more general phenomenon of esteem, which “is the value of persons in communal life according to which they can be equated or compared with others, and ranked before or after them.”⁵² Accordingly, the dignity that characterizes human nature does not make human individuals ends in themselves. It is merely a feature which “far outshines” that of brutes, gives human beings “pre-eminence over other living things,” raises them to a “supreme rank,” and makes them “the first among earthly creatures.”⁵³

Like Cicero, Pufendorf sees the dignity of human nature as a comparative moral feature which denotes the superiority of the human species in relation to other animals. It indicates, firstly, that God has entitled humans to use other creatures for their survival and well-being, though Pufendorf

⁴⁸ The discussion on justice and Roman imperialism in *De re publica* is explored in James E. G. Zetzel, “Natural Law and Poetic Justice: A Carneadean Debate in Cicero and Virgil,” *Classical Philology* 19 (1996), 297–319. The differences between Cicero’s and Aristotle’s accounts of natural hierarchy are briefly analyzed in Andrew Erskine, *The Hellenistic Stoa. Political Thought and Action* (London: Duckworth, 1990), 196–97. See also Ellen Meiksins Wood, *Citizens to Lords. A Social History of Western Political Thought: From Antiquity to the Middle Ages* (Verso: London, 2008), 137–44.

⁴⁹ Pufendorf, *De jure* 2.1.4.

⁵⁰ *Ibid.*, 2.1.5.

⁵¹ *Ibid.*, 3.2.2.

⁵² *Ibid.*, 8.4.1.

⁵³ *Ibid.*, 1.3.1., 2.1.5., 4.3.3.

emphasizes that we should not think that God has created the whole world only to serve our needs. Had this been God's objective, a much smaller system would certainly have been sufficient.⁵⁴ Secondly, the ability to recognize and obey a law makes all humans members of the same moral community. This means that even an enslaved enemy should not be treated "like a beast or some inanimate object, toward which we lie under no obligation."⁵⁵ It also indicates that "no matter how greatly someone excels others in mental or physical endowments," his "endowments do not give him more of a license to afflict them with injuries."⁵⁶ As mentioned previously, this equal obligation to obey natural law is one of the two senses in which Pufendorf speaks about natural equality, and one can argue that in this meaning of the term he establishes natural equality on the dignity of human nature.

However, by natural equality Pufendorf also means that all humans have, prior to mutual agreements, similar duties toward each other. This equality of innate duties cannot be justified by referring to the rational and moral faculties which distinguish humans from other animals. After all, if these faculties raise human beings above other animals, what prevents us from concluding like Cicero that superior mental capabilities give their holder a right to command those with meager abilities? Pufendorf never suggests that the mere possession of rational and moral faculties would be morally so important that it would overcome all differences in the ability to use them. To be sure, in *De jure* 3.2.6. he paraphrases Descartes, who in *Les passions de l'âme* maintained that the only thing which truly generous persons esteem in themselves is virtuous will, which "they suppose also to be present, or at least capable of being present, in every other person." Since humans share the ability to have a virtuous will, generous people "do not have much more esteem for themselves than for those they happen to surpass" in wealth, honor, intelligence, or "other perfections."⁵⁷ This could be understood to mean that the fact that all humans have a free will offers a moral foundation for holding that they all have by nature similar duties toward each other. However, in the context of Pufendorf's theory, Descartes's discussion does not explain why one should be generous toward

⁵⁴ Ibid., 4.3.2.

⁵⁵ Ibid., 6.3.7.

⁵⁶ Ibid., 3.2.2.

⁵⁷ Descartes, *Les passions de l'âme* §§ 154–55. The translation is from *The Philosophical Writings of Descartes*, vol. 1, ed. and trans. John Cottingham, Robert Stoothoff, and Dugald Murdoch (Cambridge: Cambridge University Press, 1985), 384–85.

others.⁵⁸ Thus, Pufendorf does not present Descartes's description of a generous person as an argument for natural equality, but as an ideal which human beings, who have an obligation to regard each other as natural equals, should emulate.

This still leaves the possibility that intellectual and moral faculties establish a relationship between human beings and God, and that this shared relationship to the Creator makes humans holders of similar innate duties in worldly life. This position has been recently attributed to John Locke,⁵⁹ but it cannot be found in Pufendorf. Like Locke, Pufendorf insists that every normal adult is capable of recognizing God's existence and the basic principles of natural law, at least when these truths are presented to them. This makes human beings creatures with a special moral relation to God and to members of the same moral community. But why should the shared moral relation to God indicate similar innate duties in worldly life? In the case of Locke, this question has been answered by pointing out that each individual is personally responsible for his or her chances of being saved and must, therefore, be free to govern his or her own conduct.⁶⁰ Pufendorf also holds that salvation requires personal faith, wherefore "the Wife is not obliged to follow her Husband's Religion, nor the Servant the Master."⁶¹ But why should such personal religious responsibility indicate similar innate duties in worldly affairs? Christians may, of course, have an obligation to disobey their worldly superiors, if these command them to commit sinful acts, but such religious duty does not necessitate natural equality. In any case, Pufendorf holds that the requirements of salvation are known only through the Bible, whereas the discipline of natural law is "confined within the orbit of this life" and "does not extend where reason cannot reach."⁶² Consequently, the justification for similar innate duties must be found in a this-worldly aspect of human existence.

⁵⁸ Descartes's doctrine of value and esteem is discussed in Patrick R. Frierson, "Learning to Love: From Egoism to Generosity in Descartes," *Journal of the History of Philosophy* 40 (2002): 313–38.

⁵⁹ Jeremy Waldron, *God, Locke, and Equality: Christian Foundations in Locke's Political Thought* (Cambridge: Cambridge University Press, 2002), 76–82. For a discussion on Waldron's thesis, see the articles included in the "Symposium on God, Locke, and Equality" *Political Review* 67 (2005): 405–513.

⁶⁰ Waldron, *God, Locke, and Equality*, 80.

⁶¹ Pufendorf, *De habitu religionis Christianae ad vitam civilem* (1687) § 32. The translation is from *On the Nature and Qualification of Religion in Reference to Civil Society*, ed. Simone Zurbuchen, trans. Jodocus Crull (Indianapolis: Liberty Fund, 2002), 68.

⁶² Pufendorf, *De officio*, Preface.

SOCIALITY

One suggestion made in recent scholarship still needs to be discussed. This is the view that natural equality is implicit in Pufendorf's fundamental precept of natural law: the duty to promote sociality.⁶³ Ultimately, this interpretation comes back to the view that natural equality is founded on human dignity. However, since some passages in Pufendorf's writings deal explicitly with the relationship between the principle of sociality and natural equality, it deserves a separate treatment.

Like most of his contemporaries, Pufendorf holds that human reason unaided by the Bible recognizes the existence of God, and he also thinks that reason alone understands something about God's intentions in creating the world. Above all, reason comprehends that since God has created the human species, he wants humans to promote the survival of the human species as well as that restricted well-being which they are able to achieve in worldly life. The content of the law that God has imposed on all human beings is discovered by contemplating what kind of behavior is needed to promote these goals given the nature, condition, and inclinations of the human species.⁶⁴ Relevant human features in this respect include the strong inclination to protect one's own life, the inability to survive without other people's help, and the strong tendency to hurt others. From these, Pufendorf concludes that the fundamental principle of natural law is that every "man must, inasmuch as he can, cultivate and maintain toward others a peaceful sociality that is consistent with the native character and end of humankind in general."⁶⁵ More specific precepts of natural law are then deduced by showing that they are, given human nature, necessary means of maintaining and cultivating sociality.

The view that natural equality is implicit in the duty to promote sociality finds inspiration in *De jure* 3.2.2., where Pufendorf distances himself from Hobbes's naturalistic account of natural equality by remarking that the natural equality he is speaking about "arises from the fact that the obligation to cultivate a social life, which accompanies human nature as such, binds all men equally." The same idea can be found in the early *Elementa*

⁶³ Behme, *Samuel von Pufendorf*, 90.

⁶⁴ Pufendorf, *De jure* 2.3.14. This interpretation is defended in Kari Saastamoinen, *The Morality of the Fallen Man. Samuel Pufendorf on Natural Law* (Helsinki: The Finnish Historical Society, 1995), 53–94. For a different view, see Fiammetta Palladini, "Pufendorf Disciple of Hobbes: The Nature of Man and the State of Nature: The Doctrine of *socialitas*," *History of European Ideas* 34 (2008): 26–60.

⁶⁵ Pufendorf, *De jure* 2.3.15.

jurisprudentiae universalis (1660), where Pufendorf remarks that since the “obligation to cultivate a social life accompanies human nature as such, it appears that it binds all men equally, and that all men are equal to the extent that no one, however great the goods of mind and body whereby he excels the rest, has more of a right than they to afflict others with injuries.”⁶⁶

These remarks highlight the confusing element in Pufendorf’s account of natural equality that I have already mentioned several times. By natural equality he means, firstly, that humans are equally obliged to obey natural law, and secondly, that they have similar innate duties toward each other. Natural equality in the first mentioned sense is indeed implicit in the principle of sociality. The fact that God has imposed a law on the human species means that each member of the species has a similar obligation to follow that law in his or her dealings with other human beings. However, this tells us nothing about the content of the duties natural law imposes on each individual. The fact that everyone has a similar obligation to obey a law does not necessitate the view that this law imposes similar duties on each individual. Nor can the similarity of duties be derived from the obligation to promote sociality alone. If the objective of the duty to promote sociality is the safety and well-being of the human species, and if some people best advance their own good and general well-being by serving those who are fit to command others, why should we not conclude that natural law commands the former to obey the latter? The maxim that everyone has similar innate duties toward others is not a logical corollary of the mutual duty to promote sociality but requires some further premise.

SELF-ESTEEM

Does Pufendorf articulate a premise which transforms the duty to promote sociality into a duty to esteem others as one’s equals with similar innate duties? His failure to distinguish between the two meanings of natural equality outlined above means that answering this question is a complex affair. However, a careful reading of *De jure* 3.2. reveals arguments and assumptions that make the transition easier to understand.

⁶⁶ Pufendorf, *Elementa jurisprudentiae universalis* 2.4.22. Samuel Pufendorf, *Gesammelte Werke*, Band 3, ed. Thomas Behme (Berlin: Akademie Verlag, 1999). The translation is from *The Political Writings of Samuel Pufendorf*, 86.

The first thing to notice is that Pufendorf presents both a demonstrative deduction of natural equality and what he calls “popular arguments” for this moral fact. The latter consist of observations which should make natural equality “highly plausible” to the common people, who lack both the time and capacity to concentrate on more solid philosophical justifications. In this context, Pufendorf does not refer to rational and moral abilities (or dignity) but cites classical Roman authors, who had pointed out how human beings not only share the same origin, but are also equally vulnerable and mortal as well as susceptible to the instability of worldly positions and fortunes.⁶⁷ These are, of course, similarities which characterize humans as physical entities, but we do not have to conclude that Pufendorf is guilty here of deducing moral norms from physical features.⁶⁸ Behind his popular arguments lies the assumption that when people are from childhood on instilled to praise morally good deeds and condemn the bad ones, most of them (including many famous philosophers) become unable to distinguish adequately between the physical and the moral spheres.⁶⁹ Thus, insofar as these people are ready to pay more attention to the above features of the shared human condition than to all those things which distinguish individuals and nations from each other, they are inclined to think that humans are also morally equal by nature.

Pufendorf rarely mentions popular arguments when he explores the individual precepts of natural law. That he does so in this case suggests that he sees his demonstrative deduction of natural equality as unappealing to those who lack the time and ability to follow philosophical argumentation. This is no wonder, as the point of the demonstrative argument is not to name some universally shared feature which would make all humans equal but to explain how our duty to esteem others as our natural equals follows from our duty to promote sociality.

In addition to that love man has for his life, body and things, and because of which he cannot avoid rebelling or fleeing everything tending to their destruction, we also find embedded in his mind a very delicate self-esteem. And if anyone detracts from this in any way, he is usually no less, but in fact often more upset than if harm is done to his body or things. Although this esteem is heightened by various causes, its primary basis seems to be human nature it-

⁶⁷ Pufendorf, *De jure* 3.2.3.

⁶⁸ See Coons and Brennan, *By Nature Equal*, 34.

⁶⁹ Pufendorf, *De jure* 1.2.6.

self. Indeed, the very word “man” is thought to contain a certain dignity, and the ultimate as well as the most effective argument deflecting other’s rude insults is taken to be: “Surely I am not a dog or a beast but as much a man as you.” . . . Now since human nature belongs equally to all men, and since one cannot lead a social life with someone by whom one is not esteemed at least as a man, it follows as a precept of the natural law that “Everybody must esteem and treat other men as his natural equals, or as men in the same sense as he.”⁷⁰

As mentioned earlier, the individual precepts of natural law are deduced by showing that, given human nature, they are a necessary means of maintaining and cultivating sociality. In the passage quoted above Pufendorf does this by advancing observations concerning human self-esteem and its role in social life. He points out that humans have a natural tendency to value themselves and want others to value them as well. If they feel that they are seriously undervalued by others, they are at least as much, and sometimes even more, upset as if some harm is done to their body or belongings. Moreover, while things such as highly developed abilities and special achievements often intensify a person’s sense of his or her own worth, what all humans highly value in themselves is the idea of being a member of the human species. This is an empirical observation which Pufendorf illustrates by pointing out how even “the very word ‘man’ is thought to contain a certain dignity” and how grave insults are usually answered by reminding the insulting person of one’s humanity.

Pufendorf is well aware of the fact that extraordinary abilities and achievements are often accompanied by feelings of superiority, but he insists that it is possible for humans to control such sentiments and to esteem themselves only on the basis of their morally sound behavior.⁷¹ What human beings cannot tame, however, is the anger that follows from not being regarded as a full member of the human species. Humans are incapable of maintaining peaceful relations with a person who questions their humanity, wherefore the duty to cultivate sociality imposes a duty to regard others as beings equally as human as oneself.

The above still leaves unexplained why there is a duty to regard everyone as holders of similar innate duties. If some individuals are able to govern others, while others are incapable of governing their own actions

⁷⁰ Ibid., 3.2.1.

⁷¹ Ibid., 3.2.6.

successfully, why is it not enough that the former regard the latter as unequal members of the human moral community? Pufendorf never gives a straightforward answer to this question, but there are passages which strongly suggest that his answer would refer to the effects that self-esteem and vanity have on people's idea of their own abilities.

When commenting on Hobbes's claim concerning the equal distribution of prudential abilities, Pufendorf insists that people are often ready to admit that some individuals have more prudence than they do. This does not mean, however, that they are unconcerned about being regarded as stupid. On the contrary, the "characteristic desire of humans for esteem" means that they are "indignant at being reproached for dullness and imprudence, and extremely hostile toward those who brag of their own prudence before others."⁷² This also applies to those with an aptitude for servitude. Even among these people there is hardly a person who does not think "that he can live more correctly or comfortably by his own wits than by conforming himself to another's decisions."⁷³ Accordingly, in his list of the hardships which accompany slavery, Pufendorf remarks that the burdens of servitude are intensified by innate human vanity, "because of which no man thinks himself as unworthy to rule." Due to his vanity, a slave usually thinks that "fortune is doing him injustice," since "he is as much or even more fitted to rule than his master."⁷⁴

These remarks illustrate a central assumption behind Pufendorf's discussion of natural equality. The idea of human nature that all humans associate with themselves includes an ability for self-rule. Even those individuals who in reality have an aptitude for serving others see themselves as agents fully capable of governing their own behavior and perhaps even that of others. Consequently, they feel that the dignity that characterizes them as human beings is as great as that of anybody else, and they cannot help feeling deeply insulted if others hold that nature herself has imposed servitude on them. In other words, the purpose of the duty to regard everyone as holders of similar innate duties is to maintain sociality by abstaining from violating a pivotal element in every person's self-esteem. This idea is clearly in use when Pufendorf derives from the general duty to regard others as our natural equals "certain precepts whose observance has the greatest impact on the preservation of peace and friendship among mortals." In this context, he points out that "one who demands that others be of service to

⁷² Ibid., 3.2.2.

⁷³ Ibid., 3.2.8.

⁷⁴ Ibid., 6.3.10.

him but desires always to be exempt surely deems them inferior to himself,” and by “such an attitude cannot avoid seriously offending others and giving them a pretext to break the peace.”⁷⁵ The same idea is also assumed in an argument Pufendorf added to *De jure*’s enlarged version of 1684.

And surely, just as opposite judgments about things that agree with one another imply a contradiction, so also does the laying down of different rules for two entirely similar cases, namely mine and someone else’s. Indeed since everyone knows his own nature perfectly well, and that of other men (at least in their general inclinations) no less than that, it follows that someone who decides differently about another’s right than about his own, despite their similarity, contradicts himself in a most familiar matter and gives proof of a seriously ill mind. For no good reason can be given why something I consider right for myself should, if all other things are equal, be considered wrong for another.⁷⁶

Here, the remark that a person contradicts himself by applying different moral standards to himself than to others could be seen as an attempt to express intuitions which Kant later analyzed with greater sophistication. This impression vanishes, however, when we notice that the features which make human beings “things that agree with one another” are not rational and moral faculties (or shared dignity) but general inclinations. We have seen that the most important human inclination in this context is self-esteem. Pufendorf’s argument is founded on the assumption that just as we know that we would be seriously offended if someone demanded us to observe different rules in relation to him than what he is ready to observe toward us (other things being equal), we also know, from the similarity of general human inclinations, that other people would be equally offended, if we made similar demands of them. Since natural law requires everyone to cultivate peaceful sociality, differences in abilities offer us no excuse for maintaining that such demands would be morally right for us but wrong for others.

Finally, it should be noted that Pufendorf sees an intimate connection between the duty to hold others as our natural equals and the unequal distribution of human abilities.

⁷⁵ Ibid., 3.2.4.

⁷⁶ Ibid.

[N]ature has revealed here the cleverness that she also exhibits in other matters, by measuring out her physical and mental goods to mortals in different proportions, amid whose variety the equality of which we are treating maintains a proper harmony. Thus, just as in well-founded commonwealths citizens exceed one another in dignity or wealth, while freedom belongs equally to all, so also, no matter how greatly someone excels others in mental or physical endowments, he is no less bound to exercise toward them the same duties of natural law that he expects of them, and his endowments do not give him more of a license to afflict them with injuries. Nor does stingy nature or slender fortune as such condemn anyone to a worse position in regard to the enjoyment of a common right [*ius*]. Rather, that which one person can demand or expect of another can—other things being equal—be demanded or expected of him by others as well.⁷⁷

The unequal distribution of abilities and the duty to regard others as our equals by nature are two complementary elements in God's design for the human species. The former is comparable to the unequal distribution of civil dignity and wealth among citizens in a well-founded commonwealth. Just as these inequalities are needed to uphold all functions of the civil society, so the unequal distribution of abilities ensures that there are suitable people for every task the human species needs in order to survive and prosper. Correspondingly, natural equality can be compared with civil liberty. A good civil sovereign prevents discord by taking care that civil liberty is equally shared by all citizens and that "distinctions of rank and honor" do not have "such a force that the more powerful can insult the weaker as they desire."⁷⁸ In a similar manner God has imposed on all humans a duty to regard each other as holders of similar innate duties in order to maintain "proper harmony" among individuals who are unequal in their abilities and yet equally sensitive about their status as human beings.

CONCLUSION

The exploration of Pufendorf's doctrine of natural equality I have presented above suggests the following interpretation: When natural equality refers

⁷⁷ Ibid., 3.2.2.

⁷⁸ Ibid., 7.9.8.

to the equally strong obligation to obey natural law, it is founded on human dignity and is implicit in the principle of sociality; but when it refers to the similarity of innate duties, it is a corollary of the duty to cultivate sociality and the character of human self-esteem. However, due to his failure to distinguish properly between the two meanings of natural equality Pufendorf did not make a clear distinction between these two lines of reasoning but switched fluidly from one way of thinking to another. When we add to this the popular arguments for natural equality mentioned above, his discussion easily appears as an unstructured mélange of normative remarks and empirical observations.

It is worth adding that while Pufendorf generally distanced himself from the Hobbesian understanding of natural equality, his argument for the similarity of innate duties was clearly inspired by Hobbes. In his works, Hobbes had remarked that natural law, i.e., the principles needed to ensure peace, requires people who are about to establish a civil society to acknowledge each other as equals by nature. As a reason, he pointed out that “hardly anyone is so naturally stupid that he does not think it better to rule himself than to let others rule him.”⁷⁹ This meant that even if there were people whom Aristotle had called natural slaves and people who are by nature worthy of commanding others (which Hobbes doubted), this has no significance for the establishment of civil society, since the question as to “who hath that eminency of virtue, above others, and who is so stupid as not to govern himself, shall never be agreed upon amongst men.”⁸⁰

In distinction from Hobbes, Pufendorf held it evident that there are people with an aptitude for servitude as well as people suited to command others. Yet he admitted that among the former “there is hardly anyone so stupid as not to think that he can live more correctly or comfortably by his own wits than by conforming himself to another’s decisions.”⁸¹ In other words, while the differences in human abilities were much greater than what Hobbes had assumed, he had been right in claiming that people will never agree on who has an aptitude for servitude and who is suited to command. In Pufendorf’s theory, this observation explained why all humans want to be esteemed as persons with innate duties and rights similar to those of anybody else, and why the more capable have an obligation to esteem even those with an aptitude for servitude as their natural equals.

⁷⁹ Hobbes, *De Cive* 3.13.

⁸⁰ Hobbes, *Human Nature* 17.1, in *Elements of Law, Natural and Politic*, ed. J. C. A. Gaskin (Oxford: Oxford University Press, 1994), 93.

⁸¹ Pufendorf, *De jure* 3.2.8.

For most of us with post-Kantian moral sensibilities such an account of natural equality appears strange. It indicates that the duty to regard all humans as holders of similar innate duties does not follow from some morally significant feature in their humanity but from the need to pacify their self-esteem. If human nature were not possessed of self-esteem and vanity, those with an aptitude for serving others would realize their inability to govern their own lives and see themselves as persons whom God has meant to live in servitude. In such a case, those who are fit to govern others would not be obligated to regard those with an aptitude for servitude as persons who have similar innate duties to theirs, though it would still be their duty to hold them as members of the human moral community.

However disturbing such a view may be to our eyes, it fits well with the general tone of Pufendorf's theory. While he questioned the legitimacy of European colonialism,⁸² he did not formulate his doctrine of natural equality in order to condemn slavery. On the contrary, he regarded slavery as a suitable condition for many individuals, lamenting the fact that this institution had been abolished among Christian nations. Nor did he use his account of natural equality to challenge prevailing civil hierarchies but merely to show that these are dependent on the civil sovereign.⁸³ In order to reach such conclusions, Pufendorf did not need to appeal to the absolute value of humanity but could well operate with the comparative notion of human dignity, deriving the similarity of innate duties from the principle of sociality and human self-esteem.

University of Helsinki.

⁸² Barbara Arneil, *John Locke and America: The Defence of English Colonialism* (Oxford: Clarendon Press, 1996), 54–60.

⁸³ Kari Saastamoinen, "Hobbes and Pufendorf on Natural Equality and Civil Sovereignty," in *Natural Law and Civil Sovereignty: Moral Right and State Authority in Early Modern Political Thought*, ed. Ian Hunter and David Saunders (New York: Palgrave MacMillan, 2002), 195–99.