Oikeiososis and appetitus societatis

HUGO GROTIIUS' CICERONIAN ARGUMENT FOR NATURAL LAW AND JUST WAR

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1. Grotius's appetitus societatis and its relationship to the Stoic doctrine of oikeiososis

The philosophical traditions of classical antiquity are extremely important when examining the justifications provided for Hugo Grotius's concept of natural law. His main authorities in this respect were the Stoics, whose doctrines were to be found in a number of philosophical works by Cicero, in particular De legibus, De finibus bonorum et malorum and De officiis. This article examines the way in which Grotius used the Stoic doctrine of oikeiososis, which he introduced in the Prolegomena to his De iure belli ac pacis from the 1631 edition onwards, describing it as appetitus societatis:

But among the traits characteristic of man is an impelling desire for society [appetitus societatis], that is, for the social life – not of any and every sort, but peaceful, and organized according to the measure of his intelligence, with those who are of his own kind; this desire the Stoics called oikeiososis.

I will argue in the present paper that what Grotius presented in the 1625 edition of De iure belli ac pacis as appetitus societatis, and later identified with oikeiososis, corresponds essentially to the Stoic notion of oikeiososis as put for-

1 De iure belli ac pacis prol. 6: Inter haec autem quae homini sunt propria, est appetitus societatis, id est communis, non qualiscunque, sed tranquillae et pro sui intellectus modo ordinatae cum his qui sui sunt generis: quam oikeiosin Stoici appellabant. The edition used is B. J. A. de Kanter van Hettinga Tromp (ed.), Hugonis Grotii De iure belli ac pacis libri tres, Lugduni Batavorum 1939, reprint Aalen 1993, with additional notes by R. Feenstra and C. E. Persenaire (referred to as IBP below). The translation is taken from Hugo Grotius, De Jure Belli ac Pacis Libri Tres, trans. F. W. Kelsey, ed. J. B. Scott, Oxford 1925 (The Classics of International Law 3, vol. 2). Some of the translations, however, have on occasion been modified for the sake of clarity or accuracy.

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ward by Cicero. Grotius might have or might not have known oikeiosis in its more orthodox version as developed by the elder Stoa (and his terminology suggests the former), but it was clearly Cicero’s rendering of the doctrine that provided the model for Grotius’s appetitus societatis and served to substantiate Grotius’s system of natural law.

Researchers into the history of ideas have devoted considerable attention to the doctrine of oikeiosis in antiquity. The general consensus is that this doctrine originated with the Stoics, although there are still a number of different views with regard to the importance of the concept for Stoic ethics. There is general agreement, however, on the fact that the surviving literature on oikeiosis – rendered here as ‘recognition and appreciation of something as belonging to one’ – does not, in any way, present a unified concept. We can distinguish two distinctly different approaches to the concept. According to the first, oikeiosis is the recognition and appreciation of oneself as belonging to oneself – a characteristic observed in all living creatures, and one that is reflected in the impulse for self-preservation. In the other approach, oikeiosis is human recognition and appreciation of the human race as belonging to the individual human being. Gisela Striker has pointed out

2 The view that oikeiosis was not originally a Stoic doctrine, but rather one that can be shown to have been present in the Peripatos, was put forward by Arnim in 1926 and again by Dirlmeier. This view is based mainly on the presentation of oikeiosis by Arius Didymus in Stobaeus, where it is referred to as a part of Peripatetic ethics. Arnim and Dirlmeier regarded this description as an authentic reflection of Theophrastus’ moral philosophy, see J. von Arnim, Arius Didymus’ Abriss der peripatetischen Ethik, Vienna–Leipzig 1926 (Akademie der Wissenschaften in Wien, philosophisch-historische Klasse, Sitzungsbericht 204, 3), 131ff., 157–161 and F. Dirlmeier, Die Oikeiosis-Lehre Theophrasts, Leipzig 1937, 20ff., 67–72. Max Pohlenz opposed this view in 1940; according to Pohlenz, the presentation of oikeiosis by Arius Didymus represents an integration of the true Stoic doctrine of oikeiosis into Peripatetic ethics attributable to the Academic eclectic Antiochus of Askalon. Thus Theophrastus, as the source, is eliminated. Brink came to a similar conclusion in 1956 when he claimed Stoic rather than Peripatetic origins for the doctrine of oikeiosis; see M. Pohlenz, Grundfragen der stoischen Philosophie, Göttingen 1940 (Abhandlungen der Gesellschaft der Wissenschaften zu Göttingen, Philosophisch-historische Klasse 3, 26), 1–81 and C. O. Brink, ‘Oikeiosis and oikeiotes: Theophrastus and Zeno on Nature in Moral Theory’, Phronesis 1 (1955–56), 123–145.


5 See Pembroke, ‘Oikeiosis’, 121, where different kinds of oikeiosis are discussed.