

Index

- Accursius, 78
actiones. See remedies, Roman
adiaphora, 107, 109, 110, 113, 114, 115
 advantage, 90, 200, 201. See also utility
 agreement, tacit, 42, 45, 186, 187, 191, 227
 Annas, Julia, 82, 123, 127, 177, 179, 195
 anthropology, 75, 89, 91
 Carneadean, 88
 Ciceronian, 117
 Grotian, 68, 88, 89, 95, 139
 Hobbesian, 107
 Stoic, 4, 19, 39, 68, 122
 Antipater, 195
appetitus societatis, 7, 14, 49, 86, 87, 90, 91, 92,
 93, 94, 95, 96, 98, 106, 117, 139, 141, 198,
 199, 225. See also *oikeiosis*, sociability
 Aratus, 25, 151
 Arias, Franciscus, 44
 Aristotelian metaphysics, 87
 Aristotelian tradition, 6, 85, 128, 193, 226
 Aristotle, 6, 19, 36, 47, 55, 57, 58, 65, 67, 68, 74,
 75, 76, 82, 85, 114, 119, 120, 121, 123, 124, 125,
 126, 128, 129, 141, 179, 181, 190, 192, 193,
 197, 210, 214, 218, 223, 226
 Nicomachean Ethics, 119, 120, 124, 125, 126
 Topica, 67, 68
 Arminius, 32
 Armitage, David, 2, 21, 26, 28, 29, 79, 148, 150,
 163, 178, 184
 Aubert, Jean-Marie, 15
 Augustine, 75
 Aulus Gellius, 31, 43, 104
 Ayala, Balthasar, 44, 56, 97
 Azorius, Joannes, 216

 Barbeyrac, Jean, 3, 4, 16, 55, 56, 78, 85, 86, 97,
 126, 129, 228, 229
 Bartolus, 78, 134
 Bayle, Pierre, 49, 228
 Bederman, David, 7, 29, 73, 76, 79
bellum iustum. See just war
 beneficence (*liberalitas*), 126, 127

 Berlin, Isaiah, 10, 11, 220, 232
 Beza, Theodore, 97
 Bible, 17, 22, 40, 77, 166, 184, 228
 Blom, Hans, 2, 7
 Böcler, Johann Heinrich, 1, 16, 76, 77, 103, 228
 Bodin, Jean, 43, 64, 77, 78, 79, 97, 125, 198, 201,
 205
 Bouwsma, William, 107
 Brooke, Christopher, 7, 8, 21, 35, 45, 51, 104, 106,
 113, 136, 228
 Brucker, Johann Jakob, 55
 Buckle, Stephen, 56, 150, 155, 170, 185, 227
 Burckhardt, Jacob, 11
 Burlamaqui, Jean-Jacques, 3, 4, 228
 Burnet, Gilbert, 227

 Caesar, C. Iulius, 203, 213, 214
 canon law, 13, 44
 canonists, 10
 Carmichael, Gershom, 16, 87, 227
 Carneades, 31, 49, 50, 51, 54, 55, 56, 57, 58, 59, 60,
 61, 62, 63, 77, 80, 81, 83, 84, 86, 88, 89, 90,
 91, 92, 95, 96, 97, 134, 140, 142, 143
 Cato, Marcus Porcius, 98, 99, 100, 101, 104, 105,
 109
 Celsus, 164
 Charron, Pierre, 56, 97, 98, 143
 Chrysippus, 46, 47, 48, 92, 93, 99, 108, 111, 112,
 176, 177, 179, 184
 Chrysostom, John, 93
 Cicero, Marcus Tullius, 6, 8, 10, 12, 16, 18, 22, 23,
 30, 31, 32, 36, 37, 38, 39, 40, 41, 43, 45, 47,
 48, 49, 50, 52, 53, 54, 56, 57, 58, 59, 60, 61,
 64, 65, 67, 73, 75, 76, 88, 89, 92, 93, 94, 95,
 96, 97, 98, 99, 100, 101, 102, 103, 104, 105,
 106, 107, 108, 109, 110, 111, 112, 113, 117, 118,
 119, 121, 122, 123, 124, 127, 128, 131, 133, 134,
 140, 142, 143, 144, 145, 146, 151, 152, 153, 155,
 156, 170, 171, 172, 173, 174, 175, 176, 177,
 178, 179, 180, 181, 183, 184, 185, 186, 190, 193,
 194, 195, 196, 197, 198, 199, 203, 208, 213,
 217, 221, 223, 224, 225, 229, 231, 234

- Cicero, Marcus Tullius (*cont.*)
 author cited most often by Grotius, 121
De finibus, 39, 40, 92, 93, 98, 99, 100, 101, 102, 103, 104, 105, 117, 170, 172, 175, 177, 184
De inventione, 52, 65, 142, 208, 213, 217
De legibus, 16, 30, 31, 37, 38, 41, 47, 48, 53, 76, 89, 95, 98, 104, 105, 111, 117, 122, 125, 142
De officiis, 16, 36, 76, 77, 94, 103, 111, 117, 118, 121, 122, 127, 144, 152, 153, 156, 170, 174, 175, 177, 179, 180, 183, 190, 195, 198, 199, 223, 224, 229, 231
De re publica, 31, 48, 49, 50, 57, 58, 59, 89, 97, 98, 103, 142, 196
Pro Balbo, 38
Pro Milone, 140, 145, 146, 171, 172
Pro Sestio, 142
 Claudian, 134, 135
 Coke, Edward, 4, 13, 233
 Colonial Conferences, Anglo-Dutch, 32, 35, 182, 191, 212
Commentarius de bello ob Libertatem eligendo, 160
Commentarius in theses XI, 78, 160, 165, 192, 199, 209
 commerce, 11, 13, 17, 18, 24, 26, 120, 170, 185
 common property, 150, 151, 152, 153, 157, 177, 180, 181, 185
 Condorcet, Nicolas de, 11
 Connan, François, 91, 192
 Conring, Hermann, 228
 consequentialism, 214, 215, 219
 Constant, Benjamin, 11, 12, 13, 18, 170, 230
 Constitution of the United States, 3
 constitutionalism, 5, 219, 227
 contract of government, 195–201
 contractarianism, contractualism, 196
 contractual rights, 188–206
 conventionalism, 186, 187
Corpus iuris civilis, 10, 14, 22, 43, 44, 73, 78, 79, 121, 146, 148, 153, 156, 157, 189, 194, 195, 224, 234
Codex Iustinianus, 78, 189, 211
Digest, 3, 6, 12, 18, 19, 35, 36, 47, 54, 78, 79, 91, 121, 122, 123, 132, 146, 158, 159, 160, 161, 162, 163, 164, 165, 171, 172, 175, 176, 178, 180, 181, 186, 189, 190, 194, 195, 209, 212, 221. *See also* Roman law
Institutes, 132, 147, 155, 159, 168, 181, 194, 197, 229
Novellae, 78
 Covarruvias, Diego de, 78, 79, 97
 Cumberland, Richard, 85
De antiquitate reipublicae Batavae, 34, 156, 192, 198
De imperio summarum potestatum circa sacra, 165
De iure belli ac pacis, 1, 4, 6, 8, 9, 13, 15, 17, 21, 22, 25, 32, 33, 34, 35, 36, 38, 40, 41, 42, 46, 50, 51, 52, 53, 54, 55, 56, 61, 67, 70, 73, 75, 76, 78, 79, 81, 89, 91, 94, 95, 103, 106, 113, 117, 118, 120, 124, 125, 127, 128, 143, 148, 153, 160, 164, 168, 172, 173, 174, 175, 177, 179, 181, 182, 184, 185, 186, 190, 191, 193, 196, 199, 202, 212, 213, 216, 218, 222, 223, 225, 227, 231, 233
De iure praedae, 8, 9, 21, 22, 25, 27, 29, 32, 33, 34, 35, 36, 37, 39, 41, 42, 43, 44, 46, 48, 50, 51, 52, 53, 54, 60, 65, 73, 76, 82, 88, 98, 117, 118, 119, 121, 122, 124, 125, 126, 128, 140, 143, 144, 148, 157, 160, 162, 163, 164, 165, 166, 168, 170, 172, 174, 175, 178, 179, 180, 181, 182, 183, 184, 185, 186, 188, 190, 191, 192, 196, 199, 202, 207, 208, 210, 212, 213, 214, 216, 218, 222, 223, 224, 225
Defensio capituli quinti maris liberi, 26, 32, 33, 128, 148, 160, 163, 165, 177
Defensio fidei catholicae de satisfactione Christi, 165
 Defoe, Daniel, 227
 deism, 49
 Demosthenes, 80, 192
 deontological ethics, 85, 215, 218, 234
 Descartes, René, 9
 Diogenes of Babylon, 111, 112, 195
 Dionysius of Halicarnassus, 11, 226
 Donahue, Charles, 164
 Donellus, Hugo, 14, 43, 164, 181, 189, 224
 Dutch Republic. *See* United Provinces
 East India, 2, 18, 24, 26, 27, 33, 35, 41, 42, 52, 98, 131, 136, 139, 148, 149, 163, 180, 212, 217, 221, 224, 226
 Edelstein, Daniel, 230
 Eichmann trial, 232
Encyclopédie, 229
 Epicureanism, 50, 56, 90, 98, 99, 107, 140, 141, 228, 229
 Epicurus, 98, 99
etiamsi daremus, 9, 17, 40, 228
eudaimonia, 4, 84, 85, 106, 110, 120, 141
 eudaimonism, 85, 87, 107, 113, 119
 vs. jural ethics, 15
exempla, 44, 70, 71, 72, 73, 79, 81, 82, 83, 208
 expediency, 50, 59, 61, 62, 138. *See also* utility
 Faber, Petrus, 44
 Feenstra, Robert, 8, 13, 44, 78, 79, 125
 fetial law. *See* *ius fetiale*
 Filmer, Robert, 148, 186, 187, 217, 222, 227
Observations Concerning the Originall of Government, 148

- Finley, Moses, 11
 Florentinus, 122, 171, 172, 181
 Founding Fathers, 3, 4, 228, 233
 Franciscans, 10
 free trade, 4, 13, 24, 26, 27, 28, 42, 55, 149, 157,
 158, 161, 163, 170, 181, 188, 191, 198, 207, 211,
 221, 223
 French Revolution, 230
 Fustel de Coulanges, Numa Denis, 11
- Gaius, 63, 154, 168, 178, 212
 Galen, 114
 Garnsey, Peter, 10, 14, 21, 123, 164, 187, 222
 Gentili, Alberico, 4, 5, 14, 15, 17, 44, 54, 56, 61,
 97, 132, 133, 134, 135, 137, 157
De iure belli, 134, 135
De legationibus libri tres, 134
The Wars of the Romans, 61, 97, 134, 135
 Gerson, Jean, 125, 163
 Gewirth, Alan, 164
 Ginés de Sepúlveda, Juan, 134
 Gizewski, Christian, 6, 7, 29, 44, 73
 Glaucon, 59, 89
 Golden Age, 151, 153, 155, 157
 Gomarus, 32
 Gorcumensis, Henricus, 44
 Gothofredus, Dionysius, 224
 Great Tew, 227
 Greek law, 78
 Greek vs. Roman tradition, 6
 Green, Leslie, 11
- Haakonssen, Knud, 3, 4, 9, 17, 20, 21, 35, 40, 55,
 56, 83, 84, 109, 118, 119, 124, 127, 143, 197,
 199, 228
 Hadrian, 203
 Haggemacher, Peter, 3, 4, 5, 6, 8, 13, 14, 17, 33,
 40, 42, 44, 54, 106, 120, 125, 134, 136, 140,
 147, 160, 163, 164, 166, 181, 189, 190, 202,
 207, 208, 213, 216, 219, 231, 233
 Hart, H. L. A., 167
 hedonism, 99. *See also* Epicureanism
 Heemskerck, Jakob van, 25, 26, 27
 Heinsius, Daniel, 90, 124
Herrschaftsvertrag. *See* contract of government
 Hesiod, 81, 150, 151
 high seas, 17, 19, 27, 28, 41, 129, 136, 139, 149, 154,
 155, 157, 158, 159, 160, 162, 214, 221, 223,
 226, 232
 Hobbes, Thomas, 1, 5, 9, 11, 12, 19, 40, 45, 54, 57,
 72, 81, 107, 130, 131, 132, 133, 135, 136, 137,
 138, 139, 140, 141, 193, 226, 228, 229, 230
De cive, 139
Leviathan, 11, 137, 139
 Hohfeld, Wesley Newcomb, 137, 139, 218
honestum, 100, 101, 103, 104, 105, 106, 107, 108,
 109, 112, 113, 115, 116, 119, 138. *See also* virtue
 Hont, István, 5, 185, 227
 Horace, 50, 90, 113, 114, 152
 Hotman, François, 43, 78, 79, 97, 198
 human nature, 4, 18, 39, 40, 46, 48, 49, 81, 82,
 84, 85, 86, 87, 88, 90, 92, 95, 103, 105, 139,
 154
 human rights, 3, 14, 164, 233
 humanism, 57, 107, 133. *See also* legal humanism,
mos Gallicus
 humanitarian intervention, 219
 Hume, David, 110, 129, 185, 187, 227
 Hutcheson, Francis, 109
- imperialism
 Dutch, 18, 25, 32, 89, 98, 143
 Roman, 2, 18, 31, 32, 49, 50, 59, 60, 61, 89, 98,
 111, 134, 142, 143, 234
 Indian Ocean, 27, 28, 41
 indifferent things. *See* *adiaphora*
 individual rights, 10, 11, 12, 13, 18, 119, 147, 165
 induction, 53, 54, 67, 71, 79, 80
Inleidinge tot de Hollandsche Rechts-Geleerdheid,
 212
Inter caetera (1493 edict), 28
 interest. *See* expediency
 International Court of Justice, 231
 Inwood, Brad, 7, 20, 101
 Irnerius, 78
 Irwin, Terence, 56, 84, 86, 100, 120
 Isidore of Seville, 142, 143
Etymologiae, 142, 144
 Iulius Caesar, Gaius. *See* Caesar, C. Iulius
ius fetiale, 103, 143, 144, 145, 146, 188, 189, 234
ius navigandi. *See* free trade
ius occupandi, 178, 180, 187
ius puniendi. *See* right to punish
- James II, 227
 John XXII, 8, 176
 jurat ethics, 5, 15, 19, 36, 86, 98, 107, 110, 112, 117,
 120, 129
 just war, 5, 13, 14, 26, 50, 89, 96, 98, 103, 113, 117,
 134, 142, 143, 144, 145, 146, 147, 160, 162,
 171, 179, 185, 188, 190, 207, 208, 210, 221,
 224, 225, 226, 232
 justice, 4, 26, 49, 61, 83, 87, 94, 95, 105, 109, 119,
 140, 195
 Aristotelian, 19, 74, 119–29, 133, 218, 226
 arithmetic, 120
 Carneades on, 57, 58, 59, 84, 142
 Ciceronian, 4, 36, 122, 123, 124, 127, 152, 195,
 223, 224
 commercial, 120

- justice (*cont.*)
 corrective, 6, 19, 36, 87, 119, 120, 121, 123, 124,
 125, 126, 127, 128, 129, 165, 173, 174, 179,
 190, 199, 214, 215, 218, 223, 225
 distributive, 4, 6, 19, 36, 119, 120, 121, 123, 124,
 125, 126, 127, 128, 129, 188, 214, 218, 223,
 228
 distributive vs. corrective, 119–29
 domestic, 142
 entitlement theory of, 180, 188
 fit with nature, 84, 87, 88
 Grotius' theory of, 19, 109, 110, 112, 113,
 119–29, 177
 Hobbesian, 140–41
 Hume on, 110, 187
 impact of Grotius' theory of, 129
 international, 141, 142
 Lactantius on, 60
 Laelius' defense of, 97
 natural, 5, 19, 53, 58, 60, 83, 84, 85, 90, 98, 111,
 118, 123, 125, 126, 142, 179, 218, 223, 233
 of the Roman law, 79
 procedural, 188
 property-based, 108, 109, 110, 177, 223
 rights-based, 4, 19, 109, 125
 rule-based, 108, 109, 110, 118, 119
 rules of, 129
 Smith on, 113, 128, 231
 Stoic doctrine of, 89, 96, 119
 true, 123
 Ulpian's definition of, 96
 utility-based, 140
 virtue of, 120, 165
- Justin, 75
 Justinian, 12, 13, 43, 78, 132, 155, 164, 224,
 229
- Kaltenborn, Rudolf, 6, 7
 Kant, Immanuel, 229, 230
kathekonta, 110, 111, 114, 115, 117, 152, 153
katorthomata, 110, 112, 115, 117
 Klein, Jacob, 106, 107, 231
 Korkman, Petter, 56, 57, 60
- Lactantius, 56, 57, 58, 59, 60, 61, 75, 76, 142
Divinae institutiones, 58, 60, 142
 Laelius, Gaius, 58, 89, 97, 134, 142
 Laudensis, Martinus, 44
 Lauterpacht, Hersch, 7, 155, 158, 161, 213, 233
 law, sources of, 2, 4, 17, 18, 27, 29, 30, 31, 32, 33,
 35, 37, 38, 41, 42, 43, 45, 46, 49, 51, 54, 88,
 118, 221
 theory of, 120
 Le Clerc, Jean, 228
 Lee, Daniel, 7, 8, 21, 204, 206
- legal humanism, 43, 78, 124, 189, 224. *See also*
mos Gallicus
 Leibniz, Gottfried Wilhelm, 228
 Levellers, 227
lex Aquilia, 146, 172, 212
lex de imperio Vespasiani, 197
 liberalism, 3, 179, 233
libertas, 12, 27, 32, 35, 167, 181, 182, 183, 199, 213,
 214, 215, 223
commerciorum. *See* free trade
 liberty, modern, 10, 11, 13
 of the ancients, 11, 12
 Lignano, Johannes de, 44
 Lipsius, Justus, 45
 Livy, 11, 12, 38, 73, 143, 144, 146, 189, 190, 199,
 226
 Locke, John, 4, 108, 135, 179, 180, 187, 188, 193,
 209, 210, 217, 218, 219, 226, 227, 233
Second Treatise, 188, 209, 210, 227
 Lucretius, 114
 Luper, David, 8, 21, 97, 232
 Lupus, Johannes, 44
 luxury, 185
- Machiavelli, Niccolò, 12, 45, 56, 134
 Machiavellianism, 137
 MacIntyre, Alasdair, 226
 Mai, Angelo, 57
 Maine, Henry Sumner, 7, 225, 233
 Malcolm, Noel, 47, 54, 133, 135, 137, 138, 141
Mare liberum, 1, 7, 17, 22, 25, 26, 27, 30, 32, 35,
 54, 77, 78, 148, 149, 153, 160, 162, 163, 176,
 177, 184, 191, 198, 212, 225
 Martianus Capella, 25
 Mathie, Wilhelmus, 44
 McDaniel, Iain, 21
 Mill, John Stuart, 230
 Miller, Jon, 7, 20, 57, 94, 112, 120, 121, 136, 163
 Mitsis, Phillip, 108, 109, 110, 112, 113, 123, 163,
 176, 177, 180
 modern ethics, 86
 modernity
 Grotius', 15, 85
 Mohl, Robert von, 230
 Molina, 54, 216
 monarchomachs, 202
 Montaigne, Michel, 56, 97, 98, 143
 Montesquieu, 219, 229
mos Gallicus, 14, 43, 78, 79, 164, 224
 Moser, Johann Jakob, 233
- Nagel, Thomas, 40, 135, 137, 138
 natural law
 enforcement of, 19
 modern, 8, 55, 57, 130, 234

- natural rights, 3, 5, 6, 9, 10, 13, 14, 15, 19, 22, 35,
 109, 118, 119, 126, 128, 131, 133, 135, 147, 149,
 160, 163, 164, 166, 170, 182, 202, 206, 210,
 212, 222, 223, 226, 227
- naturalism, 84, 85, 86
 Aristotelian, 84
- Nelson, Eric, 21, 77
- neo-Roman tradition, 12, 226
- Neratius, 155
- Nozick, Robert, 108, 188
- occupatio*, 149, 152, 153, 154, 156, 175, 178, 180, 185,
 186, 223
- Ockham, William of, 10
- Oestreich, Gerhard, 13, 45
- oikeiosis*, 49, 90, 93, 95, 96, 98, 99, 100, 101, 103,
 104, 105, 106, 107, 112, 114, 117, 118, 122, 153,
 170, 199. *See also appetitus societatis*,
 sociability
- Oldenbarnevelt, Johan van, 24, 33
- orthos logos*. *See* right reason
- Ovid, 113, 114
- papal donation, 28, 29, 224
- Parallelon rerumpublicarum*, 25, 190, 192
- Pericles, 72
- Philip II, 130
- Philo of Alexandria, 47
- Philus, Lucius Furius, 59, 97
- Plato, 57, 58, 59, 75, 89, 121, 168, 173, 179, 204, 215
Gorgias, 168
Laws, 173, 204
Republic, 59, 89
- pleasure. *See* hedonism
- pleonexia*, 124
- Plutarch, 11, 47, 92, 108, 111, 205, 214, 226
- Pohlenz, Max, 91, 95, 96, 99, 100
- Polybius, 11, 205
- Pomponius, 159, 162
- prima naturae (ta prota kata phusin)*, 40, 100, 101,
 104, 105, 106, 107, 108, 109, 112, 113, 114, 117
- private property, 4, 6, 10, 12, 13, 27, 29, 32, 36, 41,
 60, 92, 93, 94, 106, 108, 109, 110, 113, 114,
 117, 118, 121, 123, 124, 127, 128, 144, 149, 150,
 151, 152, 153, 154, 155, 156, 157, 159, 160, 161,
 162, 166, 168, 169, 170, 172, 173, 174, 175,
 176, 177, 178, 179, 180, 181, 182, 183, 184, 185,
 186, 187, 188, 189, 191, 192, 193, 194, 198, 199,
 200, 201, 204, 206, 209, 211, 212, 217, 218,
 219, 222, 223, 224, 226, 227, 230, 231, 233
- acquisition of, 180, 186
- institution, 180
- origin of, 187
- original distribution of, 188
- right to, 175–88
- privateering, 26, 143, 207
- property rights. *See* private property
- proto-liberalism, 87
- provocatio*, 12
- public property, 150, 155
- Publicola, P. Valerius, 205
- Pufendorf, Samuel, 16, 54, 55, 76, 103, 187, 228,
 229, 231
- Quintilian, 23, 52, 57, 65, 67, 69, 70, 71, 72, 74,
 78, 79, 80, 98, 225
- Institutio oratoria*, 52, 65, 74
- raison d'état*, 62, 133
- Ramus, Petrus, 9, 51
- ratiocinatio*, 66, 67, 69, 70, 71, 79, 80
- rationalism, 17, 39–40, 48, 49, 84, 228
- reason of state. *See* *raison d'état*
- recta ratio*. *See* right reason
- remedies, Roman, 5, 12, 13, 14, 18, 19, 157,
 158, 160, 161, 163, 164, 173, 182, 221,
 226
- republicanism, 12, 111, 206
- rerum repetitio*, 143, 144, 145, 146, 188,
 208
- res communes*, 27, 152, 154, 156, 157, 159, 160, 162,
 211, 223
- res nullius*, 150, 154, 156, 179, 223, 231, 232
- resistance, right of, 202–06
- rhetoric, 9, 19, 23, 32, 45, 51, 52, 53, 54, 57, 60, 62,
 64, 65, 66, 67, 68, 69, 70, 71, 72, 74, 79, 80,
 83, 98, 168, 225, 226
- right reason, 31, 40, 46, 47, 48, 49, 54, 85, 86,
 104, 105, 107, 110, 111, 112, 115, 116, 117, 118,
 119, 200, 229
- right to punish, 14, 15, 19, 118, 135, 136, 137, 139,
 160, 161, 165, 167, 169, 170, 191, 202,
 207–20, 222, 227, 232
- rights, 3, 5, 10, 11, 12, 13, 14, 19, 25, 27, 32, 35, 106,
 108, 109, 110, 113, 118, 119, 125, 127, 128, 131,
 133, 136, 137, 139, 146, 149, 160, 162, 163,
 164, 165, 166, 167, 168, 170, 171, 177, 178,
 183, 186, 187, 189, 190, 193, 195, 197, 200,
 201, 202, 209, 212, 213, 217, 218, 219, 221,
 223, 224, 226, 231, 234
- rights, constitutional, 5
- Roelofsen, C. G., 9
- Roman law, 3, 4, 5, 6, 7, 10, 12, 13, 14, 15, 16, 17,
 18, 19, 35, 37, 38, 73, 76, 78, 79, 91, 97, 117,
 123, 128, 131, 132, 133, 134, 135, 142, 147, 148,
 154, 155, 158, 159, 161, 162, 163, 164, 167, 168,
 171, 172, 173, 174, 176, 178, 179, 180, 182,
 185, 186, 189, 190, 191, 194, 195, 201, 203,
 204, 206, 207, 209, 211, 212, 220, 221, 224,
 226, 229, 231, 234

- Roman law (*cont.*)
 of obligations, 17, 18, 123, 124, 127
 of property, 17, 124, 127, 128, 180, 221
 Roman republic, 11, 12, 140, 143, 171, 205, 214, 226
 Roman tradition, 3, 10, 16, 22, 35, 37, 70, 117, 133, 142, 224, 226, 233, 234
 Rousseau, Jean-Jacques, 11, 12, 72, 168, 197, 202, 228, 229, 230
Contrat social, 11
 rule-based ethics vs. virtue. *See* jural ethics
- Santa Catarina*, 25, 26, 207
sapiens. *See* Stoic sage
 Sauter, Johann, 47
 Scaliger, Joseph Justus, 24
 Schaffner, Tobias, 87
 Schneewind, J. B., 9, 17, 20, 51, 55, 56, 87, 88, 104, 113
 Schnepf, Robert, 9, 43, 51, 55, 56, 62, 63, 64
 Schofield, Malcolm, 31, 47, 93, 111, 123, 177
 scholasticism, 14, 16, 17, 40, 44, 47, 48, 55, 56, 57, 78, 79, 83, 85, 86, 131, 133, 137, 146, 189, 208, 216, 222
 School of Salamanca. *See* Spanish scholastics (School of Salamanca)
 Scott, James Brown, 8, 67, 73, 76, 79, 121
 Scottish Enlightenment, 11, 16, 21, 108, 110, 185, 227
 secularism, 4, 9, 16, 17, 31, 39, 58
 Selden, John, 7, 22, 147, 148, 150, 157, 221
 self-defense, 80, 135, 146, 169, 170, 171, 172, 173, 174, 217, 218, 219
 right to, 170–74
 self-interest, 5, 56, 61, 62, 88, 89, 92, 98, 106, 133, 136, 137, 138, 141, 195
 self-love, 99, 100
 self-preservation, 5, 55, 96, 97, 98, 99, 100, 101, 103, 105, 108, 109, 110, 113, 114, 115, 117, 118, 119, 122, 133, 135, 136, 137, 138, 139, 141, 170
 Grotius on, 39
 Seneca, Lucius Annaeus, 10, 45, 75, 112, 122, 141, 176, 177, 184, 185
De beneficiis, 141, 176, 184
 Sepúlveda, Juan. *See* Ginés de Sepúlveda, Juan
 Sexbie, Edward, 227
 Shalev, Eran, 21
 Shaver, Robert, 51, 56, 57, 96
 Sidgwick, Henry, 15, 86
 Sidney, Algernon, 227
 Simon, Richard, 228
 skepticism, 31, 32, 51, 54, 55, 56, 57, 60, 61, 62, 78, 80, 83, 86, 89, 96, 97, 98, 133, 137, 138, 143, 163, 228, 233
 Academic, 57, 97
- Skinner, Quentin, 12, 20, 43, 54, 57, 70, 167, 198, 203, 223, 226
 Smith, Adam, 55, 91, 113, 128, 129, 185, 227, 231
Lectures on Jurisprudence, 227, 231
 sociability, 46, 68, 84, 88, 89, 103, 116, 118, 229.
See also appetitus societatis, oikeiosis
 social contract, 141, 192, 196, 199, 205, 212
societas generis humani, 96
 Solon, 80, 174, 205, 214
 sophists, 61, 62
 Soto, Domingo de, 54, 132, 231, 232
 sovereignty, 203
 Spanish scholastics (School of Salamanca), 5, 8, 11, 14, 15, 18, 27, 46, 78, 125, 132, 133, 222, 223
 Spinoza, Baruch, 228
 Stahl, Friedrich Julius, 230
 state of nature, 2, 4, 5, 12, 17, 19, 25, 27, 35, 36, 41, 54, 85, 88, 119, 120, 122, 124, 125, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 145, 146, 147, 148, 149, 150, 151, 153, 154, 156, 157, 158, 159, 160, 161, 165, 166, 167, 168, 171, 176, 177, 180, 181, 182, 184, 185, 187, 188, 190, 191, 192, 193, 199, 202, 207, 209, 210, 213, 217, 218, 221, 222, 223, 224, 225, 226
 Welwod on, 2
 Stein, Lorenz von, 230
 Stoa, 7, 8, 36, 85, 91, 93, 95, 98, 99, 108, 109, 110, 111, 112, 113, 117, 118, 176
 Stobaeus, 36, 47, 101, 104, 115
 Stoic sage, 6, 48, 100, 109, 110, 111, 112, 115, 117, 118, 168, 176
 Stoicism, 4, 6, 7, 17, 19, 31, 32, 36, 38, 39, 41, 45, 46, 47, 48, 50, 53, 58, 68, 74, 75, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 119, 121, 122, 123, 125, 142, 152, 153, 163, 170, 172, 176, 177, 195, 199, 225, 226, 229
 Ciceronian, 106
 Greek, 108, 123
 Roman, 109, 112
 Strauss, Leo, 130
 Striker, Gisela, 85, 96, 100, 101, 102
 Suárez, Francisco, 14, 17, 40, 47, 54, 87, 125, 128, 134
 subjective right(s), 10, 11, 14, 33, 108, 119, 124, 125, 126, 127, 129, 160, 163, 164, 165, 166, 169, 173, 199, 200, 201, 203, 213, 223, 231, 233
summum bonum, 87, 98, 100, 101, 105, 106, 108
 Supreme Court of the United States, 233
 syllogism, 67, 68, 69

- Tacitus, 133, 156
telos, 96, 98, 100, 101, 105, 106, 110
 Tertullian, 75, 76
testimonia, 64, 65, 66, 70, 71, 72, 75, 76, 184
 theater analogy, 176, 177, 184
Theses LVI, 160, 165, 166, 167, 168, 178, 181, 209, 222, 223
 Thirty Years' War, 34
 Thomas Aquinas, 15, 86, 130, 133, 176, 223
 Thomism, 10, 13, 15, 55, 85, 87, 133
 Thucydides, 56, 61, 62, 72
 Melian Dialogue, 61, 62, 72
 Tierney, Brian, 8, 10, 13, 51, 125, 163, 164, 176
 trade, 35
 Trajan, 203
 Treaty of Saragossa, 28, 29
 Treaty of Tordesillas, 28
 Tuck, Richard, 3, 5, 8, 9, 13, 14, 35, 41, 46, 51, 55, 56, 57, 72, 96, 97, 98, 113, 119, 124, 131, 133, 134, 135, 136, 137, 143, 147, 163, 181, 199, 209, 210, 227, 229
 Tullius Cicero, Marcus. *See* Cicero, Marcus
 Tullius
 Twelve Tables, 30, 37, 38, 80, 174

 Ulpian, 91, 96, 158, 159, 174, 194, 209
 United Provinces, 13, 24, 25, 32, 34, 98, 146, 148, 224, 232
 usufruct, 176, 204, 206
utile, 61, 125, 138, 159. *See also* utility, expediency, utility
utilitas. *See* expediency, utility
 utility, 86, 89, 135, 140, 141, 198

 Valerius Publicola, P. *See* Publicola, P. Valerius
 Van der Wal, G. A., 8

 Vázquez, Gabriel, 47, 48
 Vázquez de Menchaca, Fernando, 4, 14, 15, 78, 79, 90, 97, 130, 132, 133, 181, 216
 Controversiae illustres, 132, 181
 Velleius Paterculus, 213, 214
 Vermeulen, B. P., 8, 9, 51, 125
 Villey, Michel, 10, 13, 124, 128, 163, 164
vindictio, 128, 182
 virtue ethics, 15, 19, 84, 86, 98, 111, 117, 120, 121, 124, 226
 Vitoria, Francisco de, 44, 54, 132, 197, 216, 231
 VOC (*Vereenigde Oost-Indische Compagnie*), 2, 18, 24, 25, 26, 32, 33, 34, 41, 139, 143, 146, 148, 149, 158, 180, 191, 198, 207, 211, 212, 217, 221
 Voltaire, 229
voluptas. *See* hedonism

 Waldron, Jeremy, 167, 178, 180, 187, 188, 218
 war, just causes of, 13, 33, 44, 117, 144, 145, 146, 149, 160, 161, 162, 169, 171, 188, 189, 190, 211, 231
 Welwod, William, 1, 2, 27, 78, 147, 157, 160, 163, 177, 184, 221
 Whigs, 4, 226
 White, Morton, 3, 21, 35, 228
 Wieacker, Franz, 60, 78, 145, 155, 180, 188, 191, 192, 194, 233
 Winkel, Laurens, 2, 7, 63, 91, 93, 96
 Wood, Neal, 175, 179, 180, 224

 Xenophon, 114, 127

 Zeno, 99, 100, 101, 110, 111, 151
 Ziegler, Karl-Heinz, 7, 73
 Ziskind, Jonathan, 7, 29, 148, 159, 162