

Index

Page numbers in **bold** refer to content in footnotes.

- Abreu y Bertodano, Felix Joseph de, 576
- Acosta, José de, 90
- acquire–conserve distinction, 59–60
- Act of Anne (1709), 666
- Act of Settlement (1701), 400
- admiralty courts, 269–70, 582–6, 631
- Aeterni Patris* (1481), 113–14
- agriculture, 91–2, 98
- Aguesseau, Henri François d', 447
- ahndnames (capitulations), 364–6, 368, 720–6
 - captives, 369
 - diplomatic immunity and privileges, 730–4
 - trade, 371, 373–5
- Ahmed III, Ottoman sultan, 716–18
- Albert VII, Archduke of Austria, 311
- Alberti, Leon Battista, 189
- Alciato, Andrea, 241
- Aldobrandini, Pietro, 323, 351
- Alexandrowicz, Charles, 457
- Algiers, 360, 570, 643–4
 - privateering, 357, 371, 723
- alliance treaties, 512–15
- Amalia of Solms-Braunfels, 352
- aman (safe conduct), 363–4, 368, 720
- ambassadors. *See* diplomacy
- Amboyne massacre (1623), 151
- Amcazade Köprülü Hüseyin Pasha, 712
- American War of Independence (1775–83),
 - 392, 404
- Americas. *See* colonialism; New World discoveries
- Ammon, Wolfgang, 138–9
- amnesty clauses, 508, 595, 604–8
- Amsterdam Exchange, 271, 647–8
- Anatolia, 373
- Anglo-Dutch Wars (1652–1784), 152, 553,
 - 606, 624–5
- Anne, Queen of England, 459, 666
- Anne of Austria, 352
- Anne of Denmark, 123
- Antonio Farnese, Duke of Parma, 451, 453
- Antwerp, 270–3, 279, 283, 295–6
- appropriation, 67–71, 74, 88–99
- Aquinas, Thomas, 38–9, 47–9
 - divine law, 53–4
 - just war, 65, 143, 156, 164, 239, 501
 - trade, 286
- Aragon, 3, 5, 303, 400
- arbitration
 - in diplomatic practice, 350–2, 689–95, 706–7
 - in learned literature, 684–6
 - in political literature, 686–9
- Aretin, Karl Othmar von, 442, 453
- Argentina, 104
- Aristotelian theory, 8, 195–6
- armies, nationalisation of, 397–8, 519, 537
- armistices, 250
- Ascham, Anthony, 670
- asiento, 383, 614–15, 630–1, 646, 650
- asylum, right of, 327, 657, 661–4
- attritional warfare, 523
- Aubert, Guillaume, 344
- Augustine, Saint, 49, 64, 143, 146, 239, 346
- Augustus II the Strong, King of Poland, 430, 436, 718
- Augustus III, King of Poland, 436–7, 497
- Austria (Habsburg), 158, 519
 - abdication of Charles V, 3–13
 - conflict with France, 32–3, 331
 - conflict with Prussia, 496–8, 540
 - diplomacy, 405, 666, 704, 719
 - Ottoman encounters, 153, 364–5
 - territory and jurisdiction, 422–3, 430–1

Index

- universal monarchy concept, 161–2
- War of the Spanish Succession (1701–14), 382–5
- auxiliary aid, 514–15, 534–5
- Ayala, Balthasar de
 - diplomacy, 312
 - law of nations, 34, 39, 41
 - war, 36–7, 144, 177–8
 - conduct in, 139, 176, 190
 - just war, 158, 160, 165, 183, 241
- Ayrault, Pierre, 305, 309–12, 324–5
- Azuni, Domenico Alberto, 491–2
- Baas, Paul of Castelmore, Baron of, 665
- Badiali, Giorgio, 194
- Baïf, Lazare de, 212
- balance of power, 344–5, 383–4, 409, 453
 - arbitration, 688–9
 - just war, 511
 - neutrals and belligerents, 224–5, 576
 - peacemaking, 385, 447, 592–4
- Baldus de Ubaldis, 7–8, 74, 111, 238, 285, 450
- Baltaci Mehmet Pasha, 717
- Bank of England, 558, 648, 650
- Bank of Hamburg, 648
- bankruptcy, 273–4
- banks, 269, 558, 646–53
- Banque Générale* (France), 648–9
- Barbaro, Ermolao, 305
- Barbary Coast, 209, 216
- Barbary states. *See* Algiers; Tripoli; Tunis
- Barbeyrac, Jean, 411, 672
- Barcia Trelles, Camilo, 25
- Barnett, Alexander, 660–1
- bartratty, 272–3
- Barrier Treaty (1715), 422–3, 431–2, 439
- Bartolus of Saxoferrato, 7–8, 241, 285–6
 - territory and jurisdiction, 70, 72, 74, 81
- Battle of Beachy Head (1690), 555
- Battle of Cape Passaro (1718), 555
- Battle of Dettingen (1743), 514
- Battle of Fleurus (1690), 522
- Battle of Fontenoy (1745), 518, 521
- Battle of Lagos (1759), 561
- Battle of Lund (1676), 522
- Battle of Malaga (1704), 555
- Battle of Malplaquet (1709), 522
- Battle of Mohács (1526), 5, 357
- Battle of Mollwitz (1741), 523
- Battle of Mühlberg (1547), 12
- Battle of Pavia (1525), 10, 165
- Battle of Poltava (1709), 523, 716–17
- Battle of Quiberon Bay (1759), 555
- Battle of Saint Gotthard (1664), 712
- battle of the books, 109, 119, 468
- Battle of Torgau (1760), 523
- Baty, Thomas, 487
- Bavaria, 423–4, 444, 496–7, 514
- bearer clauses, 296
- Beaulieu, Alain, 458–9
- Belli, Pierino
 - law of nations, 34
 - peacemaking, 246
 - war, 36–7, 176–9, 186
 - neutrals and civilians, 191, 197
- Bély, Lucien, 337, 350
- Bentham, Jeremy, 46, 677
- Béranger, Jean, 350
- Berwick, James Fitzjames, Duke of, 545
- Besser, Johann, 426
- Béthune, Maximilien de, 344
- Bielefeld, Jakob Friedrich von, 656
- bills of exchange, 296, 298, 650, 652–3
- Black, Jeremy, 518, 566
- Blake, Robert, 469
- Blanning, T. C. W., 656
- Blarenbergh, Louis Nicolas, 521–2
- blockades, maritime, 221–3, 577–8, 625
- Board of Trade (England), 635
- Bodin, Jean, 26–7, 310, 395
 - dispute settlement, 351, 684–5
 - law of the sea, 472–3, 480
- Bohemia, 5, 21–2, 157–9, 354, 428
- Bohier, Nicolas, 215–17
- Bollingbroke, Henry St John, Viscount, 447
- Bonet, Honoré, 177, 179–80
- border modification, 462–3
- Borgi, Pietro Battista, 126
- Borough, John, 126
- Boscawen, Edward, 561
- bourse (exchanges), 270–1
- Brabant, 439
- Bragaccia, Gasparo, 306, 318
- Brandenburg, 426, 428–9, 438, 443, 693, *See also* Prussia
- Braun, Konrad, 309, 338
- Brazil, 92, 104, 114, 332, 462, 627
- Britain. *See* England/Britain
- Broglie, Charles-François de, 658
- Bruges, 267–8, 271–2
- Brussels, 272, 439
- Budé, Guillaume, 40
- Bull, Hedley, 403, 676–7
- Bureau des colonies (France), 635
- Burgundy, 10, 275–6, 402, 427
- Burke, Edmund, 671
- Burlamaqui, Jean-Jacques
 - natural law, 674

Index

- Burlamaqui, Jean-Jacques (cont.)
 - war, 528, 538, 541
 - just war, 531
 - maritime warfare, 563
 - neutrality in, 533–5
- Byng, George, 451
- Bynkershoek, Cornelius van, 410, 416
 - diplomacy, 663, 669, 672, 679
 - law of the sea, 470, 474–7, 484–7
 - war, 526–8
 - conduct in, 531, 538, 545
 - maritime warfare, 560–1, 564, 576–7
 - neutrality in, 532–3, 571, 579–80
- Byzantine Empire, 5, 362
- Caix, Honoré de, 304
- Cajetanus, Thomas de Vio, 39
- Calais Conference (1521), 235
- Callières, François de, 656, 658
- Calvin, John, 354
- Calvinism, 21, 117, 352, 660
- Canada, 458–61
- cannon-shot rule, 475, 479–82, 561
 - problems with, 482–90, 492–3
- canon law, 13, 15–20, 37, 62, 212, 407
 - collapse of, 22–3, 26, 35–6
 - just war, 235, 239–40, 501
 - peacemaking, 237, 339
- Cape Verde Islands, 114
- capitulations. *See ahndnames*
- captives. *See prisoners of war; slavery*
- Capuchins, 733
- Casa de Contratación* (Spain), 274
- Castile, 3–5, 9, 114–15
- Catherine the Great, Tsarina of Russia, 437, 554, 720
- Cellamare, Antonio del Giudice, Prince of, 665
- Celsus, 122, 125, 467
- ceremonies of possession, 60, 75, 95–6
- Chamilly, François Bouton de, 663
- chanceries, 306, 450
 - Ottoman Empire, 365, 368, 725, 732
- Channel Islands, 132
- chapel, right of, 326–7, 657, 660–1
- Charlemagne, Holy Roman Emperor, 161
- Charles, Duke of Berry, 381–2, 385
- Charles I, King of England, 124, 126, 129–30, 160
- Charles II, King of England, 626
- Charles II, King of Spain, 382–3, 400, 427, 446, 448, 554
- Charles V, Holy Roman Emperor, 3–13, 82, 145
 - conflict with France, 165
 - maritime relations, 211
 - peacemaking, 232–5, 244–5, 255, 348–9
 - School of Salamanca, 39, 151
 - territory and jurisdiction, 452
 - trade, 127, 273
 - universal monarchy concept, 161
- Charles VI, Holy Roman Emperor, 383–4, 428, 441–2, 444–5
 - peacemaking, 389
 - Pragmatic Sanction, 400, 496
 - territory and jurisdiction, 422–3, 431–2, 448–9, 452, 454–5, 704
- Charles VII, Holy Roman Emperor, 441
- Charles XII, King of Sweden, 716–18
- Charles Leopold, Duke of Mecklenburg, 454–5
 - chartered companies, 280–3, 291, 398, 639–42, 645, *See also Dutch East India Company (VOC); East India Company (EIC)*
- charters of privileges, 276, 358
- Chauveton, Urbain, 117
- Chigi, Fabio, 323, 351
- Christian II, King of Denmark-Norway, 165
- Christian IV, King of Denmark-Norway, 130, 354
- Christian V, King of Denmark-Norway, 578, 584
- Christianity, 20–6, 404–5, *See also divine law; papal powers; Protestantism*
 - arbitration, 692–3
 - and Charles V, Holy Roman Emperor, 5–6, 9–10
 - diplomacy, 660–1, 663
 - late medieval period, 13–20, 113
 - Ottoman encounters, 733–4
 - peace, ideal of, 32–3, 232–6, 251–2, 259–61
 - territory and jurisdiction, 65–7, 69, 80–2, 430
 - war theory, 136, 145–7
 - just war, 150–1, 163–4, 510
- Churchill, Robin, 483
- Cicero, 236, 239, 285
- citizen armies, 199
- citizenship, 276–7
- civil law, 35, 37, 43, 46, *See also Roman law*
 - maritime relations, 212, 215–17
 - medieval period, 7–8, 13
 - prescription (passage of time), 94
 - territory and jurisdiction, 70, 89
 - trade, 290

Index

- civil wars, 312–13
 civilian non-combatants, 140, 196–8, 541–3
 Clausewitz, Carl von, 136, 537
 climate change, 137–8
 closed sea (*mare clausum*), 125–6, 130
 Cloth Hall of Antwerp, 268
 Cnockaert, Pieter, 38
 Cocceji, Heinrich von, 661
 Cocceji, Samuel von, 661
 Coehoorn, Menno Van, 544
 Colbert, Jean-Baptiste, 553, 634
 Cole, Robert, 644
 collective liability, 372–3
 collective security systems, 260, 345–6
 Cologne, 317, 323, 421–2, 444
 colonialism, 24–5, 29
 acquisition of territory and jurisdiction, 80–102, 113–16, 457–64
 arbitration, 694
 financial markets, 653–4
 just war, 145–51
 naval warfare, 556–7
 peace and commercial treaties, 254–7, 614–15
 slavery, 195
 trade, 291–2, 620–32, 638–46
 Columbus, Christopher, 25, 108, 113–14, 148, 331
 commerce. *See* trade
 commercial treaties, 598, 612–16, 629–30, 638, 654
 and colonialism, 623
 and consuls, 644, 646
 and contraband, 576, 579
 and foreign merchants, 275–6
 common law. *See* *jus commune*
 Commonwealth (1649–60), 397
 Compagnie d'Occident (Mississippi Company), 649
 Compagnie de la baie du Nord, 641
 composite states, 29–30, 398–400
 confirmation of older treaties, 597–9
 confiscation of property, 187, 215–16, 223–4, 284, 545–6, 609, *See also* privateering
 Congress of Cambrai (1722–5), 409, 453
 Congress of Soissons (1728–30), 409, 453
 Conring, Hermann, 311, 414, 473
 Conseil de commerce (France), 274, 634–5
 Conseil des prises (France), 585–6
 consilia (learned opinions), 19, 36, 214, 238
 Consolato del Mare (maritime code), 225
 Constitutio criminalis (1532), 273
 consuetudo (factual custom), 293
 consulados (Spain), 265–6, 271
 consuls, 315–16, 366–8, 643–6
 Ottoman Empire, 370, 722–7
 diplomatic immunity and privileges, 730–3
 equity and customary law, 727–30
 Contarini, Alvise, 323, 351
 continuous voyage doctrine, 631
 contraband, 223–5, 575–7, 579
 Cortés, Hernan, 84
 Council of Constance (1414–18), 336
 Council of Trent (1545–63), 21, 317, 354
 Counter-Reformation, 21, 38
 Court, Pieter de la, 637
 Covarrubias, Diego, 182
 Cowell, John, 289
 Crawley, Samuel, 732
 Cretan War (1645–69), 331, 556, 711–12
 Crimean Khanate, 734
 Crimean War (1853–6), 735
 Cromwell, Oliver, 160–1
 Crucé, Émeric, 349, 637
 Cujas, Jacques, 40–1
 custom, 286–9, 293–6
 Da Gama, Vasco, 80, 148
 Dallal, Dimitri, 728–9
 Danish East India Company, 283
 Danish Icelandic Company, 282
 Dante Alighieri, 7, 346
Dar al-Harb (Abode of War), 361, 720
Dar al-Islam (Abode of Islam), 361, 720
 Davies, John, 289–90
 De Witt, Johan, 668
 Deak, Francis, 585
 debt, sovereign, 646–53
 Declaration of Meudon (1544), 12
 declarations of war, 154–6, 244, 246, 503–4, 508–12
 Dee, John, 125
 defensive alliance treaties, 512–15, 602
 Denmark-Norway
 diplomacy, 663
 law of the sea, 111–12, 117–18, 130–2, 488–90
 peacemaking, 354
 trade, 210, 276, 282–3, 643
 war, 141, 152, 542, 716
 maritime warfare, 552–4, 561, 578–9
 neutrality in, 574–6, 581, 584
 desertion, 537, 568
 destruction of property, 187–9
 Di Giorgio Martini, Francesco, 189

Index

- Dias, Bartolomeu, 80, 148
 Dickens, Guy, 663
 diplomacy (Old Regime Europe), 396–7, 429, 656–8, 708–9, *See also* dispute settlement; peacemaking arbitration, 689–95 justification of war, 508–15 mediation, 698–701 armed mediation, 701–5 natural law, 671–8 Ottoman Empire consuls and justice, 724–7 diplomatic immunity and privileges, 730–5 equity and customary law, 727–30 legal status of Westerners, 720–4 personal privileges, 664–71 positivists, 677–80 precedence, 658–61, 666 territorial privileges, 661–4
 diplomacy (Renaissance Europe), 301–2, *See also* dispute settlement; peacemaking ambassadors and other secular envoys, 313–16 diplomatic inviolability and immunity, 324–7 functions of diplomats, 319–24 maritime warfare, 221 Ottoman Empire, 365–8 papal legates and *nuncios*, 316–18 resident diplomacy and new structures, 302–8 right to send ambassadors, 308–13
 Diplomatic Revolution (1756), 405 discovery, rights by, 96 dispute settlement (Old Regime Europe), 602, 682–4, *See also* diplomacy; peacemaking arbitration in diplomatic practice, 689–95 arbitration in learned literature, 684–6 arbitration in political literature, 686–9 armed mediation, 701–5 mediation in diplomatic and political practice, 698–701, 713–16 mediation in learned and diplomatic literature, 696–8 Ottoman Empire, 727–30
 dispute settlement (Renaissance Europe) art of concluding treaties, 338–44 changing conceptions of peace, 335–8 diplomatic communication channels, 329–30 discourses on peace, 344–9
 mediation and other strategies, 349–55 peace-making strategies, 331–5
Dīvān-i Hümâyûn (Ottoman Imperial Council), 368, 374–5, 724, 733
 divine law, 27, 47, 49, 52–4, 333 just war, 66 territory and jurisdiction, 67–9, 99, 102
 Dolet, Étienne, 319, 338
 Dominicans, 733
dominium-imperium distinction, 72–3
Donatio Constantini, 113
 Donellus, Hugo, 43, 502
 Dorislaus, Isaac, 670
 Downing, George, 670
 Drake, Francis, 117, 254
 Dubois, Pierre, 345–6, 349
 Dubrovnik, 360–1, 365, 370–1
 Dumont, Jean, 407, 416, 588–9, 678–9
 Dupont de Némours, Pierre Samuel, 638
 Duprat, Antoine, 232
 Duquesne, Abraham, 570
 Dutch East India Company (VOC), 128–9, 628, 630
 diplomacy, 334
 organisational structure, 281–3, 639–42
Santa Catarina seizure, 118–19, 215
 Dutch Republic, 30, 151, 160
 colonialism, 104
 diplomacy, 311–12, 396, 665, 668–70
 dispute settlement, 698–700, 702–3 arbitration, 691–3
 mediation, 713–14, 719
 law of the sea, 118–21, 125–6, 128–32, 469–70, 486–8
 maritime warfare, 209, 224–5, 552–3, 561
 blockades, 222–3
 economics of, 558, 568
 neutrality, 573, 581
 privateering, 219–21, 567, 569
 Ottoman encounters
 diplomats, 366, 370, 722, 725–6, 728–9
 privateering, 372–5
 trade treaties, 364–5
 peacemaking, 248–9, 257, 613, 616, 627
 succession rules and international recognition, 446
 territory and jurisdiction, 422, 430–2, 455–6
 trade, 280–3, 620–1
 colonial organisations, 639–42, 644–5
 colonial trade, 623–31

Index

- financial markets, 646–8, 650–3
- mercantilism concept, 635
- War of the Spanish Succession (1701–14), 382–4
- Dutch Revolt (1567–1648), 156–7, 164, 222–3, 249, 391
- Dutch West India Company (WIC), 291, 628, 631, 640
- dynastic marriage. *See* marriage, dynastic
- dynastic succession, 399–403, 438–40
- East India Company (EIC), 118, 129, 620–1, 623, 641–2
- diplomacy, 334
- organisational structure, 281–2, 639
- Eastern Frisia, 455–6
- Eastland Company, 280
- Ebu's-Su'ud, 362–3
- ecclesiastical jurisdiction. *See* papal powers
- economic theory, 632–8
- Eden, Morton, 1st Baron Henley, 670
- Edict of Nantes (1598), 404, 660
- Edirne Event (1703), 716
- Edward III, King of England, 277
- Edward VI, King of England, 21
- Egypt, 367–8, 373, 643
- Eighty Years War. *See* Dutch Revolt (1567–1648)
- Elisabeth Farnese, Queen of Spain, 450–2
- Elizabeth I, Queen of England, 21, 117, 127, 305, 325
- embassy secretaries, 306–7
- enfeoffments, 449, 452
- Engelbert II, Count of Nassau, 341
- England/Britain, 21, 62, 85–6, 160–1, 400
 - Amboyna massacre (1623), 151
 - auxiliary aid, 514
 - civil wars (1639–53), 28, 142
 - diplomacy, 303, 305, 307
 - papal legates, 317
 - personal privileges, 665–9
 - precedence, 660–1
 - territorial privileges, 326, 662–3
 - dispute settlement
 - arbitration, 688–9, 691–4
 - mediation, 698–705, 713–14, 719
 - law of the sea, 125–8, 132, 486–8
 - colonial trade, 129–31
 - free sea concept, 117–18
 - privateering, 488
 - saluting the flag, 469–70
 - maritime warfare, 209, 552–5
 - admiralty issues, 212, 585
- contraband, 224
- neutrality, 561, 575–6, 579–81
- persons and use of weapons, 568–71
- piracy, 205, 228
- privateering, 218–21, 567
 - technological limitations, 551, 557–8
- nationalisation of military, 397
- Ottoman encounters, 373, 721
 - diplomats, 366, 729–32
 - privateering, 365–72
 - trade treaties, 364–5
- peacemaking, 232–5, 249, 256, 259, 613, 616
- Peace of Utrecht (1713–15), 592–3, 597, 614–15
- prisoners of war, 194
- succession rules and international recognition, 446–7
- territory and jurisdiction, 422, 431–2
 - eighteenth-century Italy, 450–1
 - overseas territories, 88, 90, 459–61
- trade, 621
 - colonial organisations, 398, 639, 641–6
 - colonial trade, 623–32
 - commercial treaties, 275–7
 - financial markets, 272–3, 280–2, 646, 650–4
 - lex mercatoria* (law merchant), 289–90, 292–4
 - market jurisdiction, 269–70
 - mercantilism concept, 632–3, 635
- War of the Spanish Succession (1701–14), 382–5
- English Merchant Adventurers, 271
- equity, 647, 650–1, 728–30
- Erasmus, Desiderius, 167, 188, 235, 347–9
- espionage, 319, 665
- European expansion. *See* colonialism
- Evelyn, John, 571
- exchange buildings, 270–1
- exchange cartels, 610
- extraterritoriality, 324–7, 365–8, 662–3, 679
- eye-sight rule, 488–9
- Faroe Islands, 112, 132
- fatwas*, 359, 362–3, 732
- Fazl Ahmed Pasha, 712
- Ferdinand I, Holy Roman Emperor, 3–5
- Ferdinand II, Holy Roman Emperor, 157–8, 305
- Ferdinand II, King of Aragon, 114, 148, 303, 321
- Ferretti, Giulio, 213

Index

- feudal law, 14, 16, 72, 237, 343, 406
 Feyzullah Efendi, 716
 Fieschi, Sinibaldo, 18–19
 financial markets, 264, 270–4, 646–53
 Finch, Heneage, 731–2
 fishing rights, 117–18, 123, 130–2, 489
 in territorial sea doctrines, 476–7, 480–2
 Flanders, 222–3, 317–18, 342
 dispute settlement, 267–8, 341
 territory and jurisdiction, 112, 422, 439
 Flemish Stream, 112
 Florence, 278–9, 307
fondacos (merchant inns), 270
 force, use of (Old Regime Europe), 517–24,
 See also maritime warfare
 army and civilian persons, 537–43
 conduct of armed conflict, 524–32
 enemy possessions and occupation, 545–9
 Frederick II's invasion of Silesia, 495–500
 justifying war in diplomatic practice,
 508–15, 600–2
 natural justice and positive law, 500–7
 rules of siege warfare and arms use, 543–5
 status in war and neutrality, 532–6
 force, use of (Renaissance Europe), 135–7,
 171–5, *See also* maritime warfare
 conduct of armed conflict, 184–93
 humanitarian law, 193–9
 jus in bello (warfare law), 175–84
 just war, 143–5, 172–4, 179–84
 global dimension, 145–51
 justifications examined, 156–68
 and peacemaking, 238–43, 336–7
 theory and practice, 151–6
 monopolisation of war, 23–4, 27, 29, 172
 role of force, 137–43
 foreign offices, 307–8
 form contracts, 296–7
 formal war, 499–500, 506, 528–30, 591,
 599–605, 609
 France, 62, 156, 158
 diplomacy, 303–4, 307–8, 321
 papal legates, 323
 personal privileges, 665–6, 671
 precedence, 659–60
 territorial privileges, 327, 663–4
 dispute settlement, 333, 342–4
 arbitration, 687–8, 690, 692–4, 707
 mediation, 350–2, 699–704
 Habsburg conflicts, 10–12, 32–3, 162, 331
 law of the sea, 127, 129, 469
 cannon-shot rule, 132, 486, 488
 free sea concept, 116–17
 maritime warfare, 209, 211, 211, 226,
 553–5
 contraband, 224
 invasion of the Netherlands, 625
 neutrality, 561, 573–6, 579–81
 persons and use of weapons, 567–71
 privateering, 220, 565–7
 prize law, 562, 585–6
 technological limitations, 557–8
 nationalisation of military, 397
 Ottoman encounters, 718, 721–2, 733–4
 diplomats, 366–8, 730–1
 trade treaties, 364–5
 peacemaking, 232–5, 339–41, 348–9
 most-favoured-nation (MFN) clause,
 615–16
 Peace of Utrecht (1713–15), 381–7, 593,
 613, 615
 Peace of Westphalia (1648), 389–90,
 392–3
 treaties with Spain, 249, 252, 254–6,
 258–9
 succession rules and international
 recognition, 446–8
 territory and jurisdiction, 402, 431, 433,
 439
 eighteenth-century Italy, 450–1
 overseas territories, 88, 457–61, 463
 trade
 centralisation of, 266–8, 273–5, 298
 colonial organisations, 398, 640–2, 644
 colonial trade, 621, 627–32
 financial markets, 648–50, 652–3
 mercantilism concept, 634–5
 warfare on land, 519, 521, 548
 Battle of Dettingen (1743), 514
 Palatinate invasion (1688), 523
 Siege of Bonn (1703), 517–18
 Wars of Religion (1562–98), 21, 347
 Francesco Farnese, Duke of Parma, 451–3
 Francis I, Holy Roman Emperor, 389, 427–8,
 445
 Francis I, King of France, 10–12, 89, 165, 233
 diplomacy, 303–4, 324
 financial regulation, 273
 free sea concept, 116
 peacemaking, 234, 244–5, 348
 Franciscans, 733
 Franco-Spanish War (1635–59), 20, 354, 388
 Frederick I, Holy Roman Emperor, 8
 Frederick II, King of Prussia, 401, 456, 506–7,
 591
 conduct in warfare, 522, 543

Index

- financial markets, 650
- invasion of Silesia, 495–500, 548–9
- territory and jurisdiction, 423–4, 437
- Frederick III, King of Prussia, 428–30
- Frederick William, Elector of Brandenburg, 428
- Frederick William I, King of Prussia, 426, 442, 496
- Free Port Act (1766), 638, 654
- free ports, 630–1, 638
- free sea (*mare liberum*), 109, 112, 116, 130–1
 - defence of, 116–19
 - eighteenth-century doctrines, 478–80
 - Mare liberum* (1609)
 - arguments and their origin, 119–22
 - reactions to, 122–6
 - 'free ships, free goods' principle, 573–5, 581, 625
- free trade, 128, 192, 579, 625, 634, 637
- Fregoso, Cesare, 324
- Freitas, Serafim de, 123–4
- French East India Company, 282, 457, 625, 630
- French West India Company, 628, 640, 642
- Freudenreich, Andrea, 729
- friendship, commerce and navigation (FCN)
 - treaties, 573, 612–16
- friendship, duty of, 611
- Fulgosius, Raphael, 241
- Fulton, Thomas, 493
- Gaius, *Institutes*, 43, 48, 466–7
- Galiani, Fernando, 491–2
- Gattinara, Mercurino di, 6–7, 9–11, 161, 232, 235
- Gavelius, Petrus Eliae, 325
- Genoa, 209, 278–80
 - diplomacy, 303, 309–10
 - law of the sea, 111, 126, 467
 - maritime warfare, 217, 570–1
- Gentili, Alberico
 - diplomacy, 306, 309–10, 312, 321–2, 325
 - law of nations, 34, 39, 41, 43, 45, 50–2, 85
 - law of the sea, 117, 122, 127–8, 131
 - peacemaking, 236, 238–9, 242–3, 245–6
 - Roman law, 42
 - territory and jurisdiction, 87, 91, 96, 100–1
 - trade, 287
 - war, 36–7, 176–9
 - conduct in, 139, 185–8, 190–3
 - humanitarian law, 193–8
 - just war, 144, 160, 180–4, 241–3
 - maritime warfare, 213–14, 228
- George I, King of Britain, 441, 451
- George II, King of Britain, 441, 454–5
- George Albert, Count of East Frisia, 455–6
- George of Podiebrad, King of Bohemia, 346
- Germany, 3, 28, 62
 - diplomacy, 310–11, 706–7
 - peacemaking, 341–2, 392–3
 - Protestantism, 11–12, 411–12
 - titles and legal consequences, 428
 - trade, 268–9, 273–6, 279, 295, 298
 - war, 28, 138–9, 523, 535–6
- Germonio, Anastasio, 318
- Gidel, Gilbert, 483
- Gierke, Otto von, 59
- Glafeij, Adam Friedrich, 425–6, 526–7
- good offices, 349–51
- Goodwyn, Thomas, 644
- Grand Alliance, 382–4, 429
- Grand Design (Sully), 349, 707
- grand mufti (*seyh-i-l-Islam*), 359, 363, 375, 732
- Graswinckel, Dirk, 125–6
- Gratian, 18, 35–6, 46, 48–9, 65, 239
- Great Northern War (1700–21), 716–18
- Great Ordinance of the Navy (1681), 573–4
- Greek Orthodoxy, 733–4
- Greengrass, Mark, 440
- Greenland, 111–12
- Gregorian Reform, 17
- Gröning, Johann, 580
- Gross, Leo, 387
- Grotius, Hugo, xvii, 25, 36, 145, 179
 - conduct in warfare, 139–40, 188–90, 194–9
 - diplomacy, 312–13, 321–2, 325–6, 662
 - dispute settlement, 351, 684–5
 - humanism, 39–41, 43–5
 - just war, 152, 164, 166, 336–7, 500–4
 - and Christianity, 146–7
 - and natural law, 242
 - and self-defence, 182
 - and sovereignty, 159
 - law of nations, 23, 33–4, 53–5, 85–6, 154, 161
 - law of the sea in *Mare liberum* (1609),
 - 108–9, 112
 - arguments and their origin, 119–22
 - Dutch imperialism, 118–19, 128–9, 131–2
 - influence on later scholars, 474, 480
 - reactions to, 122–6
 - maritime warfare, 214–15
 - natural law, 54, 411–12, 676–7
 - peacemaking, 236–9, 243, 245–6, 254
 - Roman law, 42

Index

- Grotius, Hugo (cont.)
 - territory and jurisdiction, 98
 - trade, 287, 290–2
- Gudelinus, Petrus, 237, 245–6
- Guicciardini, Francesco, 321
 - guilds, 265–6, 268–70, 276–7
 - Guinea Company, 639
 - Gundling, Nikolaus, 476–7
 - gunshot rule, 132
 - Günther, Carl Gottlob, 491
 - Gustavus II Adolphus, King of Sweden, 136–7, 152–3, 159
- Habsburg Monarchy. *See* Austria; Netherlands; Spain
- Haggenmacher, Peter, xviii, 47
- The Hague, 132, 326
- Hakluyt, Richard, 122
- Hale, Matthew, 668
- Hanafi school, 359–60
- Hanseatic League, 157, 210, 276, 308–9, 311
- Heckel, Martin, 353
- Henry II, King of France, 12, 129, 304, 307
- Henry III, King of France, 129, 304, 307
- Henry IV, King of France, 21, 344, 351, 687, 707
- Henry V, King of England, 194
- Henry VII, King of England, 130, 275–6, 303
- Henry VIII, King of England, 21, 232–4, 273, 305
- Hermenian, 35, 47–9
- Herzog, Tamar, 461–3
- Hesse-Cassel, 535, 666
- High Court of Admiralty, 214, 219, 228, 270, 290
- Hobbes, Thomas, 86, 413, 674
- Hochepied, Elbert de, 728
- Hof van Liere* (Antwerp), 271
- Hohenstaufen dynasty, 15
- Holy League, 700, 714–16
- Holy Roman Empire
 - abdication of Charles V, 3–13
 - diplomacy, 304–5
 - dispute settlement, 690–1, 714–15
 - peacemaking, 252, 339–43, 348–9
 - Peace of Westphalia (1648), 28–9, 141–2, 353–5, 388–90, 404
 - succession rules and international recognition, 444–5
 - Swedish invasion of, 152–3, 157
 - territory and jurisdiction, 423–4, 440–4
 - eighteenth-century Italy, 448–54
 - internationalised controversies, 454–6
- Thirty Years War (1618–48), 20–1
 - trade, 631
 - universal monarchy concept, 7–13, 15, 161–2
- Holy See. *See* papal powers
- Hont, Istvan, 637
- L'Hôpital, Michel de, 267
- hostage-taking, 343–4
- Hotman, François, 312
- Hotman, Jean, 306, 309, 312, 316, 325
- House of Hanover, 454–5
- House of Hohenzollern, 428–9, 438–40, 442–3, 455–6
- House of Wettin, 425, 436
- House of Wittelsbach, 445
- Howard, Michael, 335
- Hübner, Martin, 480–1, 561, 571, 576–7, 582
- Hudson's Bay Company, 639, 641
- Huguenots, 21, 660, 663
- human agency, 47–9, 68
- humanism, 37, 39–46, 110
 - maritime relations, 212
 - peacemaking, 347–9
 - trade, 286
- humanitarian law, 166, 193–9
- Hume, David, 412
- Hungary, 5, 12, 365, 428
- Hutten, Ulrich von, 348
- Hyde, Edward, 657–8
- Ibrahim I, Ottoman Sultan, 711
- Iceland, 112, 117
- immemorability concept, 78
- Imperial Aulic Council, 442–3, 454–5
- Imperial Diet, 141–2, 440–1, 443–4, 448–9
 - peace treaties, 340, 354, 389–90
- imperial expansion. *See* colonialism
- Imperial Government (*Reichsregiment*), 342–3
- impious hypothesis, 54
- India, 457, 621
- indigenous peoples, 95, 98, 459–61
 - indigenous agreement, 96–7, 100
- infidels, 65–6, 69
- information-gathering of diplomats, 319–20
- innocent passage, 535–6
- insolvency proceedings, 273
- institutional arbitration, 690–2
- insurance, maritime, 271–3, 283–4, 295
- Inter Caetera* (1493), 80–2, 113–15, 125, 148–9
- Intercursus Magnus* (1496), 130
- International Court of Justice (ICJ), 489
- interposition, 349–52
- IOUs, 273, 296, 298, 653

Index

- Irenic doctrine, 347
 Isabella, Archduchess of Austria, 311
 Isabella I, Queen of Castile, 148, 321
 Isidore of Seville, 35, 46, 48–9
 Islamic law, 358–61, 365, 368, 720, 727
 isolated arbitration, 690–2
 Italy, 3, 5, 9–11, 62
 diplomacy, 303, 306–8, 664
 dispute settlement, 329–30
 Italian Wars (1494–1559), 198–9, 331–2
 neutrality in war, 536
 peacemaking, 249, 253, 259, 595
 Roman law, 15–16
 territory and jurisdiction, 394, 448–54
 trade, 266, 272–3, 276–9, 298, 645
- James I, King of England
 just war, 152, 157, 163
 law of the sea, 118, 123–4, 130, 218–19
- James II, King of England, 383, 693–4, 704–5
- Janissaries, 711, 716, 731
- Jeannin, Pierre, 132
- Jenkins, Leoline, 585
- Jessup, Philip Caryl, 483, 585
- Jesuits, 43, 90, 733
- John II, King of Portugal, 114
- John II Casimir, King of Poland, 162
- John III Sobieski, King of Poland, 690–1, 713
- John V, King of Portugal, 458, 463
- Joseph I, Holy Roman Emperor, 444, 449
- Joseph II, Holy Roman Emperor, 389, 423–4,
 431, 661
- Joseph Clemens, Archbishop of Cologne,
 444
- Joyous Entry (1356), 439
- judge-conservators, 645–6
- judicium parium* (judgment by peers), 14
- Junta de Comercio* (Spain), 635
- jura belli* (rights of war), 173, 180, 240–1, 245
- juridictions consulaires* (France), 266–7, 270,
 298
- juris et de jure*, 78
- jurisdiction and territory. *See* territory and
 jurisdiction
- ius ad bellum* (conditions for war), 173,
 178–80, 528–9
- ius civile* (domestic law), 46, 312–13, 325, 414
- ius commune*, 16, 26, 36, 69, 408
 diplomacy, 313, 320–2
 and humanism, 39–40
 territory and jurisdiction, 71–2, 78
 trade, 285, 289–90
- ius gentium*. *See* law of nations
- jus in bello* (warfare law), 139–40, 175–84, 526,
 530, 601
 booty and plunder, 609
 conduct of armed conflict, 184–93
 and formal war, 528–9
 humanitarian law, 166, 193–9
 and just war, 173
- jus inter gentes* (law between nations), 45, 110
- jus legationis* (right of legation), 312
- jus post bellum* (post-war law), 166, 173, 178–9,
 599–600, 604–5, 617
- jus proprium* (local law), 14, 41, 285
- just war, 64–7, 100–1, 143–5, 172–4
 bilateral justice, 179–84
 and colonialism, 82–8, 145–51
 in diplomatic practice, 508–15
 and formal war, 499–508
 justifications examined, 156–68
 and law of the sea, 121–2
 natural justice and positive law, 500–7
 and peacemaking, 238–43, 336–7, 600–2
 theory and practice, 151–6
- Justinian I, Byzantine Emperor, *Corpus Juris
 Civilis*, 19, 35–6
- and humanism, 40–1
- law of the sea, 466
- peacemaking, 237
- private law, 43, 502
- study of, 15–16, 408
- war, 172, 241
- Kadens, Emily, 293
- Kalmar Union, 165
- kanun* (Ottoman state law), 360, 368, 727
- Kaser, Max, 466
- Keith, Robert Murray, 658
- Kent, Heinz, 490
- Kestner, Heinrich Ernst, 476
- Keyser Octavianus* (ship), 373–5
- Kidd, William, 565
- Killigrew, Thomas, 664
- Kirchner, Herrmann, 310–12
- Koller, Alexander, 706–7
- Kołodziejczyk, Dariusz, 365
- Königliche Seehandlung* (Prussian state bank),
 650
- Köprülü Mehmed Pasha, 711–12
- Köprülüzade Numan Pasha, 712
- Koskenniemi, Martti, xvii–xviii, 637
- La Mothe Le Vayer, Félix de, 305–6, 309
- La Noue, François de, 199
- land warfare. *See* warfare on land

Index

- Langeac, Jean de, 319
 Las Casas, Bartolomé de, 83–4, 292
 Laudensis, Martinus Garatus, 238
 Laufs, Markus, 698–9
 Law, John, 648–50
 law of nations (Old Regime Europe)
 functions of, 410–16
 and natural law, 410–19, 672–7
 Peace of Utrecht (1713–15), 381–7, 385
 society of princes, 393–405, 435
 Westphalian myth, 387–93
 law of nations (Renaissance Europe)
 abdication of Charles V, 3–13
 composite and transactional states, 26–33
 crisis of Christian Commonwealth, 20–6
 and diplomacy, 312–13, 343
 as distinct body of law, 45–55, 110
 emergence as scholarly discipline, 33–44
 and law of the sea, 116, 120–1, 131
 medieval Christian Commonwealth, 13–20
 territory and jurisdiction, 71, 84–7, 99
 and trade, 285–91
 and war, 142–3, 177–8, 186–7
 humanitarian law, 193–6
 just war, 151–6, 158, 160–3, 165
 law of the sea (Old Regime Europe), 466–8,
 See also maritime warfare; trade
 cannon-shot rule problems, 482–90
 eighteenth-century doctrines on *dominium maris*, 474–82
 saluting the flag, 468–70
 seventeenth-century doctrines on *dominium maris*, 471–4
 law of the sea (Renaissance Europe), 107–11,
 See also maritime warfare; trade
 defence of the free sea, 116–19
 Mare liberum (1609)
 arguments and their origin, 119–22
 reactions to, 122–6
 maritime interests, 127–31
 Spain and Portugal's division of oceans, 113–16
 territorial sea
 in legal practice, 131–2
 in medieval practice, 111–13
 Lazzarini, Isabella, 330
 League of Cognac, 10
 learned opinions. *See consilia*
 Legnano, Giovanni da, 176, 179
 Leibniz, Gottfried Wilhelm, 349, 415, 449, 678–9
 Léonard, Frédéric, 678–9
- Leopold I, Holy Roman Emperor, 333, 429–30, 441, 702
 conflict with France, 382, 443–4, 446, 536, 690–1
 territory and jurisdiction, 448–9
 Leszczyński, Stanisław, 427
 Letter of Majesty (1609), 347
 letters of marque, 116, 277, 563–4, 581, 624–5
 annulment of, 609–10, 612
 letters of reprisal, 609–10, 624–5
lettres de saufconduite (France), 275
lettres de sauvegarde (France), 275
 Levant Company, 645, 732
lex mercatoria (law merchant), 288–90, 292, 294, 407
Liber Extra (1234), 18, 237
Libri feudorum (*Book of Fiefs*), 16, 19, 237
 limited liability, 273, 279–80
 Liselotte of the Palatinate, 690
 Little Ice Age, 137–8
 Locke, John, 86, 91, 98, 100
 logical systematisation, 43–5
 Lombard, Peter, 38
 Long War (1684–1719), 713
 López, Gregorio, 101
 Lords Seventeen, 281
 Louis XI, King of France, 303, 346
 Louis XII, King of France, 303, 321, 340, 342–3
 Louis XIII, King of France, 152, 156
 Louis XIV, King of France, 333, 381–3, 404, 446–8, 593
 arbitration, 687–8, 690, 693–4
 diplomacy, 327, 659–60, 664
 law of the sea, 469
 territory and jurisdiction, 423, 457–9, 463
 trade, 274
 universal monarchy concept, 162, 348–9
 war, 548, 625, 702–3
 conduct in, 543
 French army, 397, 519
 maritime warfare, 553, 566
 neutrality in, 536
 Louis XV, King of France, 427, 439, 451, 688
 Lowe, Vaughan, 483
 Ludwig, Peter von, 497
 Luis de la Cerda, 113
 Luther, Martin, 21, 38, 347, 354
 Lutheranism, 6, 21, 38, 145, 661
 Mabillon, Jean, 678–9
 Mably, Gabriel Bonnot de, 405, 407, 594, 678–9

Index

- Machiavelli, Niccolò, 163, 199
 Maggi, Ottaviano, 338
Magnus Intercursus (1496), 275
 Magoffin, Ralph Van Deman, 484
 Mahmud I, Ottoman Sultan, 718–19
 Maissen, Thomas, 355
 Malta, 371
 Maluku Islands, 115
 Malynes, Gerald, 288–92, 294, 633
 Mamluks, 233–4, 362, 367
 manifestos of war. *See* war manifestos
 Mansfield, William Murray, Earl of, 290
 Manuel I, King of Portugal, 115
 Marcianus, 466
 Margaret of Austria, 7
 Maria Theresia, Holy Roman Empress, 389, 427, 495, 498
 Habsburg hereditary lands, 445–6
 partitioning of Poland, 437–8
Marine royale, 566–7
 maritime belt concept, 483–90
 maritime warfare (Old Regime Europe), 551–2
 admiralty courts and prize law, 582–6
 developments in naval warfare, 552–8
 nature of laws, 558–63
 neutrality, 571–82, 630–2
 persons and use of weapons, 567–71
 public and private methods, 563–7
 maritime warfare (Renaissance Europe), 204–5
 blockades, 221–3
 changing historiographic narratives, 205–10
 contraband, 223–5
 legal scholarship, 212–17
 neutrality, 225–6
 piracy, 226–9
 private and public, 217–21, 217
 state formation and navies, 210–11
 market courts, 269, 293–4
 Marlborough, John Churchill, Duke of, 517
 Marquisate of Saluzzo, 351
 marriage, dynastic, 20, 163, 259, 399–400, 708
 Martens, Georg-Friedrich von, 416–17, 491, 660–1, 677, 679–80
 Mary I, Queen of England, 21
 Mattingly, Garrett, 110, 116–17, 233, 302–3
 Matveev, Andrei Artyemonovich, 666
 Maurepas, Jean-Frédéric Phélypeaux, Count of, 552
 Maurice, Count of Saxony, 439, 525, 537
 Maximilian I, Holy Roman Emperor, 5–21, 142, 234, 339–40
 trade, 268, 277
 war manifesto, 150, 155
 Maximilian II, Holy Roman Emperor, 4
 Maximilian II Emanuel, Elector of Bavaria, 444
 Mazarin, Jules, 333
 Mecklenburg, 454–5
 mediation
 armed mediation, 701–5
 in diplomatic and political practice, 322–4, 349–53, 698–701, 706–7
 in learned and diplomatic literature, 685–6, 696–8
 Medici, Alessandro de', 323, 351
 Medici, Gian Gastone de', 451
 medieval period, 34–6, 205
 Christian Commonwealth, 13–20
 civil law, 7–8, 212
 diplomacy, 308, 313, 324
 law of nations and natural law, 46–9
 peacemaking, 237–8
 sovereignty concept, 26
 territorial sea concept, 111–13, 467
 Spain and Portugal's division of oceans, 113–16
 territory and jurisdiction
 acquisition of, 62–75, 91, 97
 conservation of, 75–9
 war, 172–3, 191, 239–41, 508–9, 610
 Mehmed II, Ottoman Sultan, 233
 Mehmed IV, Ottoman Sultan, 711
 Meijers, Eduard, 112
 Mejer, Elardus, 686
 Mendoza, Bernardino de, 117, 325
 Mercado, Tomás de, 287
 mercantile agreements, 273, 293–4, 296, 298
 mercantilism concept, 632–8
mercanzia (Italy), 266
 mercenaries, 198–9, 397
 merchant courts, 265, 267
 merchant guilds. *See* guilds
 merchant manuals, 297–8
 Meron, Theodor, 198
 Merzifonlu Kara Mustafa Pasha, 712, 733
 Mesmes, Claude de, Count of Avaux, 348
 Mesmes, Jean-Antoine de, Count of Avaux, 447
 Methuen Treaty (1703), 629–30
 Micronesia, 107–8, 133
 Milan, 342–3, 448, 452
 Military Revolution, 23–4, 171, 246, 518–19

Index

- Milles, Thomas, 633
- Milton, John, 154, 160
- mirrors for princes, 163, 176
- Misselden, Edward, 633
- missionaries, 87, 95, 463, 733–4
- Mississippi Company (*Compagnie d'Occident*), 649
- Moldavia, 717, 734
- Mongols, 147, 359, 362
- Montesquieu, Charles de Secondat de, 412, 527–8, 531–2, 637–8, 652
- Morean War (1684–99), 556
- Moser, Johann Jakob, 478–9, 526, 541, 679–80, 701
- most-favoured-nation (MFN) clause, 615–16, 626–7, 629–30
- Mun, Thomas, 633
- Muscovy Company, 130–1, 280
- Mustafa II, Ottoman Sultan, 715–16
- Napoléon Bonaparte, 349
- nationes* (Bruges), 267–8
- natural justice, 41–4, 54, 499–507
- natural law, 27, 35–6, 43, 147, 333
 - diplomacy, 661, 671–8
 - free sea concept, 120–1
 - and humanism, 44
 - and law of nations, 45–50, 410–19
 - territory and jurisdiction, 67–9, 71, 84–5, 89–90
 - trade, 288, 291
 - war, 136–7, 140
- naval salutes. *See* saluting the flag
- naval warfare. *See* maritime warfare
- Navarre invasion (1512–28), 101
- Navigation Act (1651), 623–5, 628, 632, 634
- navigation rights, 476–7, 480–2, 612–16, *See also* trade
- Neff, Stephen, 574, 579, 583, 678
- negotiations of diplomats, 320–2, 337–8, 349–50
- neo-scholastic theologians, 37–9, 46, 51, 54–5, 197
- Netherlands (Habsburg), 3, 5
 - French invasion of, 625
 - law of the sea, 132
 - maritime relations, 211
 - peacemaking, 232–3, 249
 - Protestantism, 21
 - territory and jurisdiction, 422
 - War of the Spanish Succession (1701–14), 383, 385
- Neuchâtel, 439–40
- neutrality in war, 191–3, 225–6, 532–6, 571–82, 630–2
- New Amsterdam, 104
- New Cyneas (Crucé), 349
- New World discoveries, 24–6, 80, 113–14, 148, 332–3, *See also* colonialism
- law of the sea, 108
- rights by discovery, 96
- Nine Years War (1688–97), 382–3, 523, 536
 - dispute settlement, 690
 - maritime warfare, 571–2, 576, 578–9
- non-combatants, 140, 196–8, 541–3
- Noordsche Compagnie, 130–1
- nuncios, 316–18, 323, 351
- Nys, Ernest, 34
- oath-taking, 340
- Odofredus de Denariis, 238
- offensive alliance treaties, 512–13
- Olier, Charles, 733
- Ompteda, Dietrich Heinrich Ludwig von, 33–4
- open sea concept, 477–81
- Oppenheim, Lassa, 482–3
- Order of Saint John, 209
- ōrf (Ottoman customary law), 360, 368, 727–30
- Orthodox Christians, 146, 437, 733
- Otto the Great, Holy Roman Emperor, 3
- Ottoman Empire, 149, 233–4, 357–61, 711–13
 - captives, 368–72
 - diplomacy, 303, 730–5
 - consuls and justice, 366–8, 724–7
 - legal status of Westerners, 365–8, 720–4
 - dispute settlement, 692–3, 700–1, 713–16, 727–30
 - equity and customary law, 727–30
 - Habsburg conflict with, 5–6, 12, 32
 - interregional trade, 372–5
 - just war, 100, 153
 - maritime warfare, 205, 209, 554, 556
 - peacemaking, 361–5, 403
 - and Russia's rise, 716–20
- Oudendijk, J. K., 485, 492
- Oviedo, Fernández de, 84
- Pace, Giulio, 126
- Palacios Rubios, Juan López de, 101
- Palatinate, 496, 523, 548, 690
- panegyric literature, 687
- papal bulls, 81, 100, 155, 234–6
 - Inter Caetera* (1493), 80–2, 113–15, 125, 148–9, 322

Index

- papal powers, 17–20, 22, 141, *See also* papal bulls
 dispute settlement, 322–4, 350–3, 692, 698
 just war, 173, 183
 papal legates and nuncios, 316–18, 323, 351
pareres (merchant opinions), 295
 Parlement of Paris, 381–2, 447–8
 Partitions of Poland (1772–95), 409, 437–8,
 519, 705
 partnerships, trade, 278–81
 Paschal, Charles, 310
 Patent of Toleration (1781), 661
Pax Constantiae (1183), 237–8
 peace, ideal of, 142–3, 164–5, 232–6, 689
 peacemaking (Old Regime Europe). *See also*
 diplomacy; dispute settlement
 formal war concept, 599–605
 networking peace treaties, 594–9
 private rights and public interest, 588–94
 restoration of the state of peace, 611–16,
 626–7
 termination of the state of war, 605–11
 Westphalian myth, 387–93
 peacemaking (Renaissance Europe), 331–5,
 See also diplomacy; dispute settlement
 art of concluding treaties, 338–44
 conceptions of war and peace, 236–45,
 335–8
 discourses on peace, 344–9
 ideal of Christian peace, 142–3, 232–6
 mediation and other strategies, 349–55
 Ottoman Empire, 361–5
 spatial extension of peace, 251–7
 temporal extension of peace, 249–51
 territorial disputes, 257–9
 treaties and the Christian Commonwealth,
 259–61
 treaties, lore, and laws, 245–9
 Peace of Augsburg (1555), 4, 347
 Peace of Utrecht (1713–15), 389, 446–7,
 699–700
 amnesty clauses, 607
 balance of power, 385, 592–3
 most-favoured-nation (MFN) clause, 616
 networking peace treaties, 597
 peace and commerce treaties, 613–15,
 629–30
 prisoners of war, 610–11
 public order of Europe, 381–7, 409–10
 territory and jurisdiction, 430
 Peace of Westphalia (1648), 33, 58, 142, 333
 Christian ideal of peace, 251–2, 260
 and diplomats, 305, 311, 323
 dispute settlement, 350–5, 688, 698–9
 guarantee clause, 596
 Holy Roman Empire, 28–9, 141, 342–3
 justification of force, 169
 networking peace treaties, 248
 and religion, 348, 404
 Westphalian myth, 387–93
 Pecquet, Antoine, 657
 Pellegrini, Marco Antonio, 228
 penitential books (*libri poenitentiales*), 17
 Penn, William, 638
Per Venerabilem (1202), 7
 Pérez, Gonzalo, 307
 perpetual peace, 251, 590–1, 606
 Persia, 718
 personal extraterritoriality, 324–6
 Peru, 90
 Peter I, Tsar of Russia, 542, 547, 554, 716–17,
 720
 Petty, William, 633–4
 Philip II, King of Spain, 3–4, 157, 255, 307
 law of the sea, 132
 peacemaking, 12
 School of Salamanca, 145, 151–2
 Philip IV, King of Spain, 160, 311–12, 446, 660
 Philip V, King of Spain, 381–5, 446–7
 peacemaking, 593, 704
 territory and jurisdiction, 451, 463
 use of titles, 427
 Philip the Fair, Duke of Burgundy, 130, 275,
 321
 Philippe I, Duke of Orléans, 690
 Philippe II, Duke of Orléans, 345, 381–2, 385,
 648
 Philippines, 115
 Physiocrats, 633, 638
 piedpowder courts, 269
 Pinto, Isaac de, 651
 piracy, 226–9, 372, 564, 569
 Pisan, Christine de, 179–80
 poison, as weapon, 187, 543
 Poland
 diplomacy, 305
 dispute settlement, 690–1, 714–15
 mixed government of, 435–8
 Ottoman encounters, 363, 365–6, 369
 partitions of, 409, 437–8, 519, 705
 peacemaking, 333, 396
 and Russia, 717–18
 war with Sweden, 716
 Pole, Reginald, 317
 Pope Alexander III, 237
 Pope Alexander VI, 114, 148, 322

Index

- Pope Alexander VII, 351
- Pope Clement VI, 113
- Pope Clement VII, 316
- Pope Clement VIII, 318, 323, 351
- Pope Gregory VII, 17
- Pope Gregory XIII, 317
- Pope Innocent III, 7, 18
- Pope Innocent IV, 18–19
- Pope Innocent VIII, 303
- Pope Innocent X, 351
- Pope Innocent XII, 430
- Pope Julius II, 115, 322
- Pope Leo X, 6, 233–4
- Pope Martin V, 303
- Pope Paul III, 90, 317, 322
- Pope Pius II, 303
- Pope Sixtus V, 318
- Porter, James, 732
- Portugal, 62, 76–7, 85, 91
 - colonialism, 147–9, 255, 463–4
 - territory and jurisdiction, 82, 87–8, 92, 104, 461–2
 - diplomacy, 667–8
 - law of the sea, 113–16, 118, 120–1, 467–8
 - maritime warfare, 209, 224–5
 - peacemaking, 597, 702
 - secession (1640–68), 28
 - trade, 614, 645–6
- positive law, 45–6, 49, 53, 411–19, 500–7, 677–80
- possession-taking, 69–72
- Postel, Guillaume, 348
- postlapsarian traditions, 49
- Pragmatic Sanction, 400, 496
- prescription (passage of time), 73–4, 77–9, 102, 424–6, 433–5
 - Holy Roman Empire, 448–9
 - imperial expansion, 93–4, 93, 99
- presumption, 75
- Prince-Bishopric of Liège, 536
- prisoner-exchange cartels, 539–40
- prisoners of war, 526, 537–41, 610–11
 - humanitarian law, 193–6
 - maritime warfare, 569–70
 - Ottoman Empire, 368, 715
- private law, 43, 285, 408, 502, 541
 - doctrinal language of sovereignty, 424–6
 - letters of reprisal, 624
- privateering, 218–21, 488, 555–6, 558, 563–7, 624–5
 - conflation with piracy, 569
 - and navy recruitment, 568
 - Ottoman Empire, 370–4, 723
- Privy Council (England), 635
- prize law, 220–1, 559, 563, 565, 582–6
- probabilism, 38
- prohibited goods, 216
- proof of possession, 75–6
- propaganda, 118–19, 122, 153, 164, 510
- Protestantism, 6, 21, 430
 - Counter-Reformation, 38
 - diplomacy, 660–1, 663
 - in Germany, 11–12
 - just war, 145
 - natural law, 51, 410–12
 - Roman law, 42
 - War of the Spanish Succession (1701–14), 383
- Prussia, 666, 725
 - conduct in warfare, 522–3
 - financial markets, 650
 - invasions by, 495–500, 548–9, 591, 705
 - maritime warfare, 579
 - occupation of enemy territory, 548–9
 - prisoners of war, 540
 - territory and jurisdiction, 423–4, 426, 436, 456
- Pufendorf, Samuel
 - dispute settlement, 696–7
 - law of the sea, 472–3
 - natural law, 411–15, 672–3
 - territory and jurisdiction, 442, 450
 - war, 528, 531, 546, 580
- Qara 'ali, Bulus, 729–30
- Quadra, Álvaro de, 665
- Quadruple Alliance, 385, 409, 452–3, 703–4
- quarter, right of, 657, 661–4
- Quesnay, François, 638
- Rachel, Samuel, 432, 527, 671–2, 678
- Raestad, Arnold, 484, 489
- Raiš, Yusuf, 228
- ransoming, 365–71, 538–40, 610–11
- Rantzau, Heinrich, 213
- rape, 140, 173–97
- rational systematisation, 43–5
- Raumer, Kurt von, 707
- Réal de Curban, Gaspard de, 416, 427–8, 658
 - prescription (passage of time), 424–6, 433–5, 461
- territory and jurisdiction, 440–2, 448–50
- war, 526, 534
 - bombardments and sieges, 543–5
 - maritime warfare, 559–61, 564, 569, 577
 - prisoners of war, 538–42
- real extraterritoriality, 326–7
- Rebuffe, Pierre, 285
- Reformation, xxi, 133, 141, 145, 261, 332, 354

Index

- Reinking, Theodor (Dietrich), 152, 441
relazioni (Venetian ambassador reports), 320
 religion. *See* Christianity; Islamic law; papal powers
 reprisals, 218, 221, 286, 584, 612, 625–6
Requerimiento (1510), 83–4, 149
 restitution clauses, 608–9
 Revol, Louis de, 307
 Rhode, Marcus, 686
 Richelieu Cardinal, 129, 152, 347
 collective security, 260, 345–6
 diplomacy, 301, 307
 Riksens Ständers (Bank of Sweden), 648
 Rincón, Antonio, 324
 Ripperda, Johan Willem, 663
 Roberts, Michael, 23
 Roe, Thomas, 151
 Roman law, 8, 14, 26
 diplomacy, 324
 humanism, 40–3
 just war, 64, 158
 law of the sea, 466–7
 maritime warfare, 220, 224
 medieval period, 18–19, 35–6
 study of, 15–16
 territory and jurisdiction, 67
 trade legislation, 274
 Rooke, George, 562
 Rosier, Bernard du, 337–8
 Rousseau, Jean-Jacques, 538, 671, 689
 Rousset de Missy, Jean, 426, 435–6, 438,
 441–2, 588–9
 Rouvier, Jean, 353
 Royal African Company, 639
 Royal Navy, 566–8, 580–1
 Rudolf II, King of Bohemia, 347
 Rufinus, 65
 Rule of 1756, 581, 631
 Russia, 393, 523
 conduct in warfare, 542, 547–8
 diplomacy, 603, 665–6
 dispute settlement, 694, 714–15
 invasion of Poland, 436–8, 705
 maritime warfare, 554, 556
 Ottoman encounters, 716–20, 725, 734–5
 Russo-Persian War (1722–3), 718
 Rymer, Thomas, 678–9
 Sá e Menezes, Dom Pataleone de, 667–8
 Sack of Magdeburg (1631), 544
 Sacramento, 104, 463
 Safavids, 334, 362
 Sailmaker, Isaac, 555
 Saint-Pierre, Charles-Irénée Castel, Abbé de,
 590, 638, 689
 salt production, 476–7
 saluting the flag, 129–30, 468–70
 Sandraz, Gatién de Courtils de, 441
 Sangallo, Giuliano da, 189
 Santa Catarina (ship), 118, 121, 129
 Santarém, Pedro de, 284–5
 Sarpi, Paolo, 126
 Savage, Thomas, 727–8
 Savary, Jacques, 295
 Savoy, 426, 631
 dispute settlement, 323, 351
 peacemaking, 252, 385, 597
 Saxony, 436, 496–7, 499, 549, 591, 716
 Scanian War (1675–9), 552–3
 Schelzer, Johann Friedrich, 665
 Schmalkaldic League of German Protestants,
 12
 Schmauss, Johann Jacob, 405
 Schnakenbourg, Éric, 572
 School of Salamanca, 34, 36–9, 54, 145, 151
 just war, 84–5, 151–67, 182
 law of the sea, 116
 trade, 286–7
 Schroeder, Paul, 438
 Scotland, 130, 132
 Scott, James Brown, *The Classics of International Law*, xvii, 25, 34, 410, 483
 sea, law of the. *See* law of the sea
 Segreteria di Stato (Holy See), 318
 seizure of property. *See* confiscation of property
 Selden, John, 109, 124–6, 152, 469, 480–1
 Selim I, Ottoman Sultan, 5, 369
 Selve, Jean de, 434
 Servin, Louis, 226
 Seven Years War (1756–63), 405, 548, 555
 aftermath of, 392, 580–1, 621, 646
 financial markets, 651
 French arbitration, 688
 law of the sea, 488
 prisoners of war, 540
 territory and jurisdiction, 460
 shares, 278, 281–2, 639, 647, 649–50
 al-Shaybani, 358
 shipbuilding, 277–8, 553
 Shovell, Cloudesley, 551
 Siam, 457
 Siege of Bergen op Zoom (1747), 545
 Siege of Bonn (1703), 517–18

Index

- Siege of Havana (1762), 557
 Siege of Vienna (1683), 713
 siege warfare, 189–90, 197, 517–18, 520–2,
 543–5
Siete Partidas, 69, 72
 Sigismund I, King of Poland, 369
 Silesia, 445, 495–500, 548–9
 Sinzendorf, Ludwig Philipp Graf, 444
 slavery, 195–6, 368–71, 538–9, 620
 Smith, Adam, 412, 632–4, 647
 smuggling, 615, 620, 631, 654, 664
 sociability, duty of, 414–15
 society of princes, 168, 339, 344, 393–405
 solemn war, 242, 502–3, *See also* formal war
 Solórzano Pereira, Juan de, 90, 92, 93, 101,
 115
 Somdet Phra Narai, King of Siam, 457
 Soto, Domingo de, 39, 84–5, 89–90, 101,
 144–5, 182
 South Sea Company, 650–1
Sovereign of the Seas (ship), 129
 sovereign states, 20, 24
 concept of sovereignty, 26–33
 diplomacy, 309–13
 and humanism, 44
 law of nations, xviii, 45–6, 50, 419
 Peace of Utrecht (1713–15), 386–7
 society of princes, 393–405
 territory and jurisdiction, 58–9, 73, 75,
 94–5, 421–4
 diversity in political organisation,
 432–40
 doctrinal language of sovereignty,
 424–6
 emperor and princes of the empire,
 440–4
 emperor in eighteenth-century Italy,
 448–54
 internationalised controversies in the
 empire, 454–6
 overseas territories, 102, 456–64
 restrictions contracted by treaty, 430–2
 rights conceded by treaty, 430
 succession rules and international
 recognition, 444–8
 titles and legal consequences, 426–9
 war, 141, 158–9
 just war, 180–1, 183–4, 244–5, 505–7,
 600–2
 maritime warfare, 204
 mercenary forces, 199
 neutrality in, 191–2
 Westphalian myth, 387–93
- Spain, 28, 62, 331
 colonial slavery, 195
 diplomacy, 305, 307, 311–12, 321
 papal legates and nuncios, 316, 323
 personal privileges, 665, 670
 precedence, 658–60
 right to send ambassadors, 308–9
 territorial privileges, 327, 663–4
 dispute settlement, 333, 692–3
 mediation, 350–2, 699, 701–4
 early imperial expansion, 5, 80–4, 92–3,
 113–16, 147–9
 law of the sea, 113–16, 127–8, 467–8
 free sea concept, 116–17
 maritime warfare, 209, 211–12, 218–19,
 224, 553–5, 568
 peacemaking, 234–5, 365
 peace and commercial treaties, 614–15
 Peace of Utrecht (1713–15), 381–6,
 592–3, 597
 treaties with France, 249, 252, 254–9
 succession rules and international
 recognition, 446–8
 territory and jurisdiction, 76–7, 402, 430–2,
 461
 eighteenth-century Italy, 450–3
 overseas territories, 80–4, 87–8, 92–3,
 96, 100, 103–4, 463–4
 trade, 273–4, 298, 645–6
 colonial trade, 620–3, 627–8, 630–2
 consulados, 265–6, 271
 mercantilism concept, 635
 Spanheim, Ezechiel, 660
 Spanish Company, 280
 Spark, William, 670
 Spinoza, Baruch, 674–5
 spiritual sphere, 13–14, 17–18, 37–9, 240, *See also* divine law
 Springer, Christopher, 663
 Stanislaus II Augustus, King of Poland, 437
status quo post bellum, 257–8
 Statute of the Staple (1353), 289
 Steiger, Heinhard, 154, 457–8
 Sticke, Christopher, 669
 stock exchange trading. *See* shares
 Stockholm Company, 645
 Stolleis, Michael, 353
 Stracca, Benvenuto, 208, 285–6
 Stratmann, Theodor Heinrich von, 706
 Strauch, Johann, 471–2
 Suárez, Francisco, 34, 36, 52–3, 144–5, 287,
 333
 succession, dynastic, 399–403, 438–40

Index

- Suleiman the Magnificent, Ottoman Sultan, 5
 Sully, Maximilien de Béthune, Duke of, 349, 707
 Surland, Johann Julius, 468–9, 478
 Swarztrauber, Sayre, 487–8
 Sweden, 141, 716–18
 conduct in warfare, 542, 547–8
 diplomacy, 125, 663, 666
 dispute settlement, 699
 just war, 152–3, 157, 159
 maritime warfare, 210, 552–4, 556
 neutral trade, 222, 578–9, 581
 mixed government, 438
 Ottoman encounters, 725
 peacemaking, 333, 396, 616, 627
 Peace of Westphalia (1648), 389–90, 392
 trade, 282–3, 643, 645
 Swiss Confederacy, 29, 355, 536
 Syria, 643
 Tasso, Torquato, 306
 taxation, 274–5, 277, 723
 tax farming, 31, 399
 territorial sea concept, 131–2, 467–8
 cannon-shot rule problems, 482–90
 eighteenth-century doctrines, 474–82
 in medieval practice, 111–13
 saluting the flag, 468–70
 seventeenth-century doctrines, 471–4
 Spain and Portugal's division of oceans, 113–16
 territory and jurisdiction (Old Regime Europe), 402, 421–4
 diversity in political organisation, 432–40
 doctrinal language of sovereignty, 424–6
 emperor and princes of the empire, 440–4
 emperor in eighteenth-century Italy, 448–54
 internationalised controversies in the empire, 454–6
 overseas territories, 456–64
 restrictions contracted by treaty, 430–2
 rights conceded by treaty, 430, 602
 succession rules and international recognition, 444–8
 titles and legal consequences, 426–9
 territory and jurisdiction (Renaissance Europe), 58–62
 acquisition of, 62–75
 European expansion, 80–102
 conservation of, 75–9
 European expansion, 102–4
 disputes and peace treaties, 257–9
 Textor, Johann Wolfgang, 474, 671–2, 678
 war, 529, 535, 538, 541, 545–7
 Theodor, Karl, Elector of the Palatinate, 423
 theology. *See* divine law; spiritual sphere
 Theunissen, Hans, 364
 third power guarantees, 596
 Thirty Years War (1618–48), 20–1, 28, 138–9
 global dimension of, 332
 ideal of peace, 142–3, 347
 justifications of, 152–3, 156–8, 164
 Thomasius, Christian, 415
 Thomist theory, 8, 38–9, 47–8, 53–4
 three-mile limit rule, 483, 487–93
tombó registries, 77
 Torcy, Jean-Baptiste Colbert de, 447, 659
 Tourville, Anne-Hilarion de Costentin, Count of, 562
 trade (Old Regime Europe)
 banks, debt and financial markets, 646–53
 colonial trade, 620–32
 economic theory, 633–5
 organisation of, 638–46
 and dispute settlement, 694
 and maritime warfare, 562, 572–82
 mercantilism concept, 632–8
 rights by treaty, 430, 612–16
 trade (Renaissance Europe), 263–5
 and diplomacy, 333–4
 increased government control, 265–77
 lex mercatoria, ius gentium and custom, 284–98
 and maritime warfare, 191–2, 208–9,
 215–17, 222–6
 organisation of maritime trade, 277–84
 Ottoman Empire, 357–8, 364–6, 372–5
 transactional state concept, 30–1
 Transylvania, 361, 711–12
 Treaties of Nijmegen (1678–9), 391, 422, 427,
 616, 626–7, 698–9
 Treaties of Rastatt and Baden (1714), 391,
 444, 450
 treaty collections, 406–7, 409, 416, 594, 678–9
 treaty-making procedures, 22, 31–2
 Treaty of Aachen (1668), 625
 Treaty of Aachen (1748), 391, 410, 428, 597,
 599
 Treaty of Adrianople (1713), 718
 Treaty of Aix-la-Chapelle (1748). *See* Treaty of Aachen (1748)
 Treaty of Alcáçovas (1479), 113–14
 Treaty of Barcelona (1529), 10–11
 Treaty of Belgrade (1739), 700
 Treaty of Blois (1504), 341, 343

Index

- Treaty of Breda (1667), 469, 606, 613, 625
 Treaty of Bruges (1521), 232
 Treaty of Cambrai (1529), 10–11, 249, 259
 Treaty of Cateau-Cambrésis (1559), 12,
 116–17, 248–9, 255, 259, 331
 Treaty of Constantinople (1700), 716
 Treaty of Constantinople (1724), 718
 Treaty of Crépy (1544), 11–12, 127, 249,
 255–6, 259
 Treaty of Eden (1786), 630
 Treaty of Étaples (1492), 331
 Treaty of Friendship and Commerce (1663),
 574–5
 Treaty of Karlowitz (1699), 363, 692–3, 700–1,
 708, 713–16
 Treaty of Küçük Kainarca (1774), 437, 734–5
 Treaty of Lodi (1454), 308
 Treaty of London (1518), 6, 33, 233–5, 259
 Treaty of London (1718), 451–3
 Treaty of Lübeck (1629), 354
 Treaty of Lyon (1601), 323
 Treaty of Madrid (1526), 10–11, 244–5, 249,
 344
 Treaty of Madrid (1630), 256–7
 Treaty of Madrid (1667), 623
 Treaty of Madrid (1750), 461
 Treaty of Münster (1648), 249, 252, 257,
 311–12, 604
 Holy Roman Empire, 28–9, 340, 343,
 388–90
 Spanish-Dutch colonial agreements, 257,
 431, 606
 Treaty of Niş (1739), 719
 Treaty of Noyon (1516), 249, 259
 Treaty of Oliva (1660), 333, 391
 Treaty of Osnabrück (1648), 28–9, 252, 309,
 343, 347, 388–90
 Treaty of Paris (1763), 391, 460, 580, 597, 599,
 611
 Treaty of Passarowitz (1718), 403, 700–1,
 719
 Treaty of Peace and Friendship (1713), 458
 Treaty of Rijswijk (1697), 383, 391, 446, 690,
 699, 708
 Treaty of Roskilde (1658), 542
 Treaty of Saint Petersburg (1762), 694
 Treaty of San Ildefonso (1777), 463–4
 Treaty of Senlis (1493), 341
 Treaty of Somerset House (1604), 127–8, 214,
 256
 Treaty of Teschen (1779), 393
 Treaty of The Hague (1701), 383, 431
 Treaty of the Pruth (1711), 717–18
 Treaty of the Pyrenees (1659), 249, 259, 333,
 354, 388
 law of the sea, 487, 577
 territory and jurisdiction, 402
 trade, 615–16
 Treaty of Tordesillas (1494), 82, 113–15, 322
 Treaty of Trento (1501), 340
 Treaty of Versailles (1757), 507
 Treaty of Versailles (1783), 392
 Treaty of Vervins (1598), 249, 252, 323, 344,
 351
 Treaty of Vienna (1731), 455
 Treaty of Vienna (1738), 391, 452
 Treaty of Vossem (1673), 706
 Treaty of Westminster (1654), 248, 469, 606,
 624–5
 Treaty of Westminster (1674), 470, 606, 626,
 691–2
 Treaty of Zaragoza (1529), 113, 115
 Treaty of Zsitvatorok (1606), 365
Tresoir vande maten (1590), 297
 Triple Alliance, 701–3
 Tripoli, 357, 360, 371, 570, 723
 Truce of Vaucelles (1556), 255–6
 truces, nature of, 250–1
 Tunis, 357, 360, 371, 570, 643, 723
 Turhan Hatice Sultan, 711
 Turkey. *See* Ottoman Empire
 Twelve Years Truce (1609), 249, 256–7, 311,
 604
 Ulpian, 48, 123, 466
 Ulrika Eleonora, Queen of Sweden, 438
 United Provinces. *See* Dutch Republic
 universal monarchy, 7–13, 15, 161–2, 345,
 386, 687
 Uruguay, 104
 use of force. *See* force, use of
 Uskok privateers, 370–1
 Usselincx, William, 282, 291
 usury, 273, 279
usus modernus Pandectarum, 40, 42, 408
uti possidetis, 250, 257–8, 713–15, 719
 Valin, René-Josué, 481–2
 Valla, Lorenzo, 40, 113
 Van Brakel, Simon, 280
 Van Heemskerck, Jacob, 118
 Van Ittersum, Martine, 118, 121–2, 131
 Van Oldebarneveldt, Johan, 119
 Vattel, Emer de, 387, 417–19, 658, 675–6
 diplomacy, 661, 663, 672
 law of the sea, 469–70, 479–80

Index

- peacemaking, 595, 599–602, 606, 612
 territory and jurisdiction, 439–40
 war, 497, 499–500, 526–7, 530
 bombardments and sieges, 540–5
 civilian non-combatants, 541–2
 defensive alliance treaties, 513–15
 formal war, 181, 242, 528
 just war, 504–8, 591
 maritime warfare, 559, 563–4, 571, 576
 neutrality, 533–6
 occupation of enemy territory,
 547–8
 prisoners of war, 538–9, 541
 Vauban, Sébastien Le Prestre de, 544, 566
 Vázquez de Menchaca, Fernando, 39, 52, 91,
 116–17, 121–2
 Venice, 158, 209
 diplomacy, 304, 307, 320, 396
 papal nuncios, 316
 right of asylum, 327, 664
 dispute settlement, 351, 714–15
 law of the sea, 111, 126, 467
 maritime warfare, 217, 228, 554, 556
 Ottoman encounters, 303, 362–7, 369–70,
 373–4
 war, 155, 520, 711
 Vera y Zúñiga, Juan Antonio de, 314–15, 338
 Vicat, Béat-Philippe, 545, 560
 Victor Amadeus II, Duke of Savoy-Piedmont,
 450–1
 Vijgeboom, Marten Reylofsen, 373–4
 visit and search rights, 225–6, 559–61
 Vitoria, Francisco de, 34, 36, 39
 colonialism, 25, 332–3
 and just war, 84–5, 87
 law of the sea, 116
 territory and jurisdiction, 89–90, 93,
 96–7, 100
 conduct of armed conflict, 190
 just war, 100–1, 121–2, 144–5, 182, 239–40
 and colonialism, 84–5, 87
 law of nations, 49–50
 papal jurisdiction, 54
 peacemaking, 243
 trade, 286–7
 Vladimiri, Paulus, 336
 Voltaire, 518, 521
 voluntary law of nations, 418–19, 499–500,
 506, 530, 600–1
 Walker, Wyndham, 484–5, 489–90
 Wallachia, 361, 734
 Wallenstein, Albrecht von, 142
 war (Old Regime Europe), 517–24, *See also*
 maritime warfare
 army and civilian persons, 537–43
 conduct of armed conflict, 524–32
 enemy possessions and occupation, 545–9
 Frederick II's invasion of Silesia, 495–500
 justifying war in diplomatic practice,
 508–15, 600–2
 natural justice and positive law, 500–7
 rules of siege warfare and arms use, 543–5
 status in war and neutrality, 532–6
 war (Renaissance Europe), 136–7, 171–5, *See*
 also maritime warfare
 conduct of armed conflict, 184–93
 humanitarian law, 193–9
 jus in bello (warfare law), 175–84
 just war, 143–5, 172–4, 179–84
 global dimension, 145–51
 justifications examined, 156–68
 and peacemaking, 238–43, 336–7
 theory and practice, 151–6
 monopolisation of, 23–4, 27, 29, 172
 role of force, 137–43
 war manifestos, 137, 144, 150–1, 154–6, 159,
 244, 509–12
 Frederick II of Prussia's manifesto, 591
 Oliver Cromwell's manifesto, 160–1
 territorial claims in, 258
 War of Devolution (1667–8), 701–2, 708
 War of the Austrian Succession (1740–8), 399,
 496, 545, 632
 Battle of Fontenoy (1745), 521
 maritime warfare, 579
 peacemaking, 391
 territory and jurisdiction, 431, 445
 War of the Bavarian Succession (1778–9), 393,
 399
 War of the Polish Succession (1733–5),
 399
 War of the Reunions (1683–4), 570
 War of the Spanish Succession (1701–14),
 382–6, 399, 429, 445–8
 armed mediation, 703–4
 maritime warfare, 555
 peacemaking, 616
 Ward, John, 228
 warfare on land (Old Regime Europe),
 517–24
 army and civilian persons, 537–43
 conduct of armed conflict, 524–32
 enemy possessions and occupation, 545–9
 rules of siege warfare and arms use, 543–5
 status in war and neutrality, 532–6

Index

- warfare on land (Renaissance Europe), 171–5
conduct of armed conflict, 184–93
humanitarian law, 193–9
jus in bello (warfare law), 175–84
Warner, Levinus, 374–5
Wars of Religion (1562–98), 21, 347
Warszewicki, Krzysztof, 306
Welwod, William, 122–4, 126
Westphalian system, 683
whaling rights, 130–1
Whately, Thomas, 729–30
Wheaton, Henry, 492–3
Whitman, James, 498–9
Wicquefort, Abraham de, 326, 667–9, 697–8
Wijffels, Alain, 39–40
William I, Prince of Orange, 157, 159
William III, King of England, 382–3, 446, 456,
 575–6, 694, 704–5
- Wiseman, Robert, 585, 672
Wolf, Sarah, 483
Wolff, Christian, 412
 diplomacy, 672
 dispute settlement, 686
 law of nations, 411, 417–19, 673–4
 law of the sea, 477–8
 peacemaking, 595, 599–601, 606
 war, 514, 528, 530–1
 just war, 504–5
 maritime warfare, 564
 neutrality, 533, 535
 occupying forces, 547
Wolsey, Thomas, 6, 232–4
women, 197, 315, 362
Wrech, Baron de, 666
Wright, Quincy, 338–9
Zouche, Richard, 45, 541, 667