

THE BEST OF THE OLL #56

Hugo Grotius “The Preliminary Discourse Concerning the Certainty of Right” (1625)
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“Right, properly so called, to which belongs the Abstaining from that which is another’s, and the Restitution of what we have of another’s, or of the Profit we have made by it.”



Hugo Grotius (1583-1645)

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[September, 2013]

Editor's Introduction

Hugo Grotius (1583-1645) was a Dutch scholar and jurist whose legal masterpiece, *De Jure Belli ac Pacis* (The Rights of War and Peace) (1625), contributed significantly to the formation of international law as a distinct discipline. In addition to that work, Grotius wrote a number of literary pieces of lasting merit, including *Sacra* (a collection of Latin poems) and the drama *Christus Patiens*. Like Erasmus, Grotius sought to end the religious schism and urged the papacy to reconcile with the Protestant faiths.

Grotius wrote *The Rights of War and Peace* while he was serving life imprisonment in Loevestein castle for his role in the ecclesiastical politics of the Netherlands. His wife assisted him in making a daring escape and he went to Paris where the book was eventually published in 1625. Since the Thirty Years War (1618-48) was underway it is not surprising that Grotius sought to codify and rationalize the laws of war and peace in the hope that he could mitigate some of the worst atrocities which were committed by both sides in the war. It is in Book III of his work that he attempts to establish what can and cannot be done by belligerents in wartime, thus laying the foundation for our modern understanding of "the laws of war."

Introducing the book is a short "Prolegomena" (Introductory Essay) in which Grotius states his own views about natural rights and natural laws and the current state of the literature on the topic. This excerpt comes from the first part of the "Prolegomena." He believed that human beings were by nature sociable creatures and that the purpose of natural rights, especially the right of property, was to enable them to live together in peace and prosperity. Humans could use their "light of human understanding" to come to the realisation that their own and society's existence depended upon the recognition of certain natural rights. As he put it: "This Sociability ... is the Fountain of Right ... to which belongs the Abstaining from that which is another's and the Restitution of what we have of another's."

Just as humans recognized the natural rights which governed their activities within their society, so too there existed certain "laws of nations" which governed how individual nations interacted with each other. From this foundation he developed his theory of the rights of war and peace.

“For Man is indeed an Animal, but one of a very high Order, and that excells all the other Species of Animals much more than they differ from one another; as the many Actions proper only to Mankind sufficiently demonstrate. Now amongst the Things peculiar to Man, is his Desire of Society, that is, a certain Inclination to live with those of his own Kind, not in any Manner whatever, but peaceably, and in a Community regulated according to the best of his Understanding... This Sociability, which we have now described in general, or this Care of maintaining Society in a Manner conformable to the Light of human Understanding, is the Fountain of Right, properly so called; to which belongs the Abstaining from that which is another's, and the Restitution of what we have of another's, or of the Profit we have made by it.”

The Preliminary Discourse Concerning the Certainty of Right (1625)¹

I. The Civil Law, whether that of the Romans, or of any other People, many have undertaken, either to explain by Commentaries, or to draw up into short Abridgments: But that Law, which is common to many Nations or Rulers of Nations, whether derived from Nature, or instituted by Divine Commands, or introduced by Custom and tacit Consent, few have touched upon, and none hitherto treated of universally and methodically; tho' it is the Interest of Mankind that it should be done.

II. Cicero rightly commended the Excellence of this Science, in the Business of Alliances, Treaties, Conventions between States, Princes, and foreign Nations, and in short, in all Affairs that regard the Rights of War and Peace. And Euripides prefers this Science before the Knowledge of all other Things, whether Divine or Human, when he makes Helen say thus to Theonoe:

'Twould be a base Reproach

*To you, who know th' Affairs present and future
Of Men and Gods, not to know what Justice is.*

III. And indeed this Work is the more necessary, since we find some, both in this and in former Ages, so far despising this Sort of Right, as if it were nothing but an empty Name. The Saying of Euphemus in Thucydides is almost in every ones Mouth, To a King or Sovereign City, <xiv> nothing is unjust that is profitable. Not unlike to which is this, That amongst the Great the stronger is the juster Side; and, That no State can be governed without Injustice. Besides, the Disputes that happen between Nations or Princes, are commonly decided at the Point of the Sword. Now, it is not only the Opinion of the Vulgar, that War is a Stranger to all Justice, but many Sayings uttered by Men of Wisdom and Learning, give Strength to such an Opinion. And indeed, nothing is more frequent than the mentioning of Right and Arms, as opposite to one another. Thus Ennius,

They have recourse to Force of Arms, not Law.

And Horace thus describes the Fierceness of Achilles:

*Laws as not made for him he proudly scorns,
And every Thing demands by Force of Arms.*

Another Latin Poet introduces another Conqueror, who entering upon War, speaks in this Manner,

Now, Peace and Law, I bid you both farewell.

Antigonus, though old, laughed at the Man, who presented him with a Treatise concerning Justice, at the very Time he was besieging his Enemies Cities. And Marius said he could not hear the Voice of the Laws for the clashing of Arms. Even the modest bashful Pompey could have the Face to say, Can I think of Laws, who am in Arms?

“this Work is the more necessary, since we find some, both in this and in former Ages, so far despising this Sort of Right, as if it were nothing but an empty Name.”

IV. Among Christian Writers we find many Sayings of the same kind; let that of Tertullian suffice for all; Fraud, Cruelty, Injustice, are the proper Business of War. Now they that are of this Opinion, will undoubtedly object against me that of the Comedian,

You that attempt to fix by certain Rules

Things so uncertain, may with like Success

Strive to run mad, and yet preserve your Reason.

V. But since it would be a vain Undertaking to treat of Right, if there is really no such thing; it will be necessary, in order to shew the Usefulness of our Work, and to establish it on solid Foundations, to confute here in a few Words so dangerous an Error. And that we may not engage with a Multitude at once, let us assign the man Advocate. And who more proper for this Purpose than Carneades, who arrived to such a Degree of Perfection, (the utmost his Sect aimed at,) that he could argue for or against Truth, with the same Force of Eloquence? This Man having undertaken to dispute against Justice, that kind of it, especially, which is the

¹ This is the first part of “The Preliminary Discourse “ in Hugo Grotius, *The Rights of War and Peace, edited and with an Introduction by Richard Tuck, from the Edition by Jean Barbeyrac* (Indianapolis: Liberty Fund, 2005). Vol. 1. The Preliminary Discourse Concerning the Certainty of Right in general; and the Design of this Work in particular. <<http://oll.libertyfund.org/title/1425/138591>>. The very lengthy footnotes and distracting marginalia have been removed for this version of the essay. Original page numbers are shown as <xvi>.

Subject of this Treatise, found no Argument stronger than this. Laws (says he) were instituted by Men <xv> for the sake of Interest; and hence it is that they are different, not only in different Countries, according to the Diversity of their Manners, but often in the same Country, according to the Times. As to that which is called Natural Right, it is a mere Chimera. Nature prompts all Men, and in general all Animals, to seek their own particular Advantage: So that either there is no Justice at all, or if there is any, it is extreme Folly, because it engages us to procure the Good of others, to our own Prejudice.

“For Man is indeed an Animal, but one of a very high Order, and that excells all the other Species of Animals much more than they differ from one another; as the many Actions proper only to Mankind sufficiently demonstrate. Now amongst the Things peculiar to Man, is his Desire of Society, that is, a certain Inclination to live with those of his own Kind, not in any Manner whatever, but peaceably, and in a Community regulated according to the best of his Understanding”

VI. But what is here said by the Philosopher, and by the Poet after him,

*By naked Nature ne'er was understood
What's Just and Right. [Creech.]*

must by no Means be admitted. For Man is indeed an Animal, but one of a very high Order, and that excells all the other Species of Animals much more than they differ from one another; as the many Actions proper only to Mankind sufficiently demonstrate. Now amongst the Things peculiar to Man, is his Desire of Society, that is, a certain Inclination to live with those of his own Kind, not in any Manner whatever, but peaceably, and in a Community regulated according to the best of his Understanding; which Disposition the

Stoicks termed Ὀικείωσιν. Therefore the <xvi> Saying, that every Creature is led by Nature to seek its own private Advantage, expressed thus universally, must not be granted.

VII. For even of the other Animals there are some that forget a little the Care of their own Interest, in Favour either of their young ones, or those of their own Kind. Which, in my Opinion, proceeds from some extrinsick intelligent Principle, because they do not shew the same Dispositions in other Matters, that are not more difficult than these. The same may be said of Infants, in whom is to be seen a Propensity to do Good to others, before they are capable of Instruction, as Plutarch well observes; and Compassion likewise discovers itself upon every Occasion in that tender Age. But it must be owned that a Man grown up, being capable of acting <xvii> in the same Manner with respect to Things that are alike, has, besides an exquisite Desire of Society, for the Satisfaction of which he alone of all Animals has received from Nature a peculiar Instrument, viz. the Use of Speech; I say, that he has, besides that, a Faculty of knowing and acting, according to some general Principles; so that what relates to this Faculty is not common to all Animals, but properly and peculiarly agrees to Mankind.

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VIII. This Sociability, which we have now described in general, or this Care of maintaining Society in a Manner conformable to the Light of human

Understanding, is the Fountain of Right, properly so called; to which belongs the Abstaining from that which is another's, and <xviii> the Restitution of what we have of another's, or of the Profit we have made by it, the Obligation of fulfilling Promises, the Reparation of a Damage done through our own Default, and the Merit of Punishment among Men.

“This Sociability, which we have now described in general, or this Care of maintaining Society in a Manner conformable to the Light of human Understanding, is the Fountain of Right, properly so called; to which belongs the Abstaining from that which is another's, and the Restitution of what we have of another's, or of the Profit we have made by it.”

IX. From this Signification of Right arose another of larger Extent. For by reason that Man above all other Creatures is endued not only with this Social Faculty of which we have spoken, but likewise with Judgment to discern Things pleasant or hurtful, and those not only present but future, and such as may prove to be so in their Consequences; it must therefore be agreeable to human Nature, that according to the Measure of our Understanding we should in these Things follow the Dictates of a right and sound Judgment, and not be corrupted either by Fear, or the Allurements of present Pleasure, nor be carried away violently by blind Passion. And whatsoever is contrary to such a Judgment is likewise understood to be contrary to Natural Right, that is, the Laws of our Nature.

X. And to this belongs a prudent Management in the gratuitous Distribution of Things that properly belong to each particular Person or Society, so as to prefer sometimes one of greater before one of less Merit, a Relation before a Stranger, a poor Man before one that is rich, and that according as each Man's Actions, and the Nature of the Thing require; which many both of the Ancients and Moderns take to be a

part of Right properly and strictly so called; when notwithstanding that Right, properly speaking, has a quite different Nature, since it consists in leaving others in quiet Possession of what is already their own, or in doing for them what in Strictness they may demand. <xix>

“Right properly and strictly so called ... has a quite different Nature, since it consists in leaving others in quiet Possession of what is already their own”

XI. And indeed, all we have now said would take place, though we should even grant, what without the greatest Wickedness cannot be granted, that there is no God, or that he takes no Care of human Affairs. The contrary of which appearing to us, partly from Reason, partly from a perpetual Tradition, which many Arguments and Miracles, attested by all Ages, fully confirm; it hence follows, that God, as being our Creator, and to whom we owe our Being, and all that we have, ought to be obeyed by us in all Things without Exception, especially since he has so many Ways shewn his infinite Goodness and Almighty Power; whence we have Room to conclude that he is able to bestow, upon those that obey him, the greatest Rewards, and those eternal too, since he himself is eternal; and that he is willing so to do ought even to be believed, especially if he has in express Words promised it; as we Christians, convinced by undoubted Testimonies, believe he has.

XII. And this now is another Original of Right, besides that of Nature, being that which proceeds from the free Will of God, to which our Understanding infallibly assures us, we ought to be subject: And even the Law of Nature itself, whether it be that which consists in the Maintenance of Society, or that which in a looser Sense is so called, though it flows from the internal Principles of Man, may notwithstanding be justly ascribed to God, because it was his Pleasure that these Principles should be in us. And in this Sense Chrysippus and the Stoicks said, that the Original of Right is to be derived from no other than Jupiter himself; from which Word Jupiter it is probable the Latins gave it the Name Jus.

XIII. There is yet this farther Reason for ascribing it to God, that God by the Laws which he has given, has made these very Principles more clear and evident, even to those who are less capable of strict Reasoning, and has forbid us to give way to those impetuous Passions, which, <xx> contrary to our own Interest, and that of others, divert us from following the Rules of Reason and Nature; for as they are exceeding unruly, it was necessary to keep a strict Hand over them, and to confine them within certain narrow Bounds.

XIV. Add to this, that sacred History, besides the Precepts it contains to this Purpose, affords no inconsiderable Motive to social Affection, since it teaches us that all Men are descended from the same first Parents. So that in this Respect also may be truly affirmed, what Florentinus said in another Sense, That Nature has made us all akin: Whence it follows, that it is a Crime for one Man to act to the Prejudice of another.

XV. Amongst Men, Parents are as so many Gods in regard to their Children: Therefore the latter owe them an Obedience, not indeed unlimited, but as extensive as that Relation requires, and as great as the Dependence of both upon a common Superior permits.

XVI. Again, since the fulfilling of Covenants belongs to the Law of Nature, (for it was necessary there should be some Means of obliging Men among themselves, and we cannot conceive any other more conformable to Nature) from this very Foundation Civil Laws were derived. For those who had incorporated themselves into any Society, or subjected themselves to any one Man, or Number of Men, had either expressly, or from the Nature of the Thing must be understood to have tacitly promised, that they would submit to whatever either the greater part of the Society, or those on whom the Sovereign Power had been conferred, had ordained.

XVII. Therefore the Saying, not of Carneades only, but of others,

Interest, that Spring of Just and Right. [Creech.]

if we speak accurately, is not true; for the Mother of Natural Law is human Nature itself, which, though even the Necessity of our Circumstances should not require it, would of itself create in us a mutual Desire of Society: And the Mother of Civil Law is that very Obligation which arises from Consent, which deriving its Force from the Law of Nature, Nature may be called as it were, the Great Grandmother of this Law

also. But to the Law of Nature Profit is annexed: For the Author of Nature was pleased, that every Man in particular should be weak of himself, and in Want of many Things necessary for living commodiously, to the End we might more eagerly affect Society: Whereas of the Civil Law Profit was the Occasion; for that entering into Society, or that Subjection which we spoke of, began first for the Sake of some Advantage. And besides, those who prescribe Laws to others, usually have, or ought to have, Regard to some Profit therein.

“the Mother of Natural Law is human Nature itself, which, though even the Necessity of our Circumstances should not require it, would of itself create in us a mutual Desire of Society: And the Mother of Civil Law is that very Obligation which arises from Consent, which deriving its Force from the Law of Nature, Nature may be called as it were, the Great Grandmother of this Law also.”

XVIII. But as the Laws of each State respect the Benefit of that State; so amongst all or most States there might be, and in Fact there are, some Laws agreed on by common Consent, which respect the Advantage not of one Body in particular, but of all in general. And this is what is called the Law of Nations, when used in Distinction to the Law of Nature. This <xxi> Part of Law Carneades omitted, in the Division he made of all Law into Natural and Civil of each People or State; when notwithstanding, since he was to treat of the Law which is between Nations (for he added a Discourse concerning Wars and Things got by War) he ought by all means to have mentioned this Law.

XIX. But it is absurd in him to traduce Justice with the Name of Folly. For as, according to his own Confession, that Citizen is no Fool, who obeys the Law of his Country, though out of Reverence to that Law he must and ought to pass by some Things that might

be advantageous to himself in particular: So neither is that People or Nation foolish, who for the Sake of their own particular Advantage, will not break in upon the Laws common to all Nations; for the same Reason holds good in both. For as he that violates the Laws of his Country for the Sake of some present Advantage to himself, thereby saps the Foundation of his own perpetual Interest, and at the same Time that of his Posterity: So that People which violate the Laws of Nature and Nations, break down the Bulwarks of their future Happiness and Tranquillity. But besides, though there were no Profit to be expected from the Observation of Right, yet it would be a Point of Wisdom, not of Folly, to obey the Impulse and Direction of our own Nature.

XX. Therefore neither is this Saying universally true,

'Twas Fear of Wrong that made us make our Laws.

[Crech.]

which one in Plato expresses thus, The Fear of receiving Injury occasioned the Invention of Laws, and it was Force that obliged Men to practice Justice. For this Saying is applicable only to those Constitutions and Laws which were made for the better Execution of Justice: Thus many, finding themselves weak when taken singly and apart, did, for fear of being oppressed by those that were stronger, unite together to establish, and with their joint Forces to defend Courts of Judicature, to the End they might be an Overmatch for those whom singly they were unable to deal with. And now in this Sense only may be fitly taken what is said, That Law is that which the stronger pleases to impose; by which we are to understand, that Right has not its Effect externally, unless it be supported by Force. Thus Solon did great Things, as he himself boasted,

By linking Force in the same Yoke with Law.

XXI. Yet neither does Right lose all its Effect, by being destitute of the Assistance of Force. For Justice brings Peace to the Conscience; Injustice, Racks and Torments, such as Plato describes in the Breasts of Tyrants. Justice is approved of, Injustice condemned by the Consent of all good Men. But that which is greatest of all, to this God is an Enemy, to the other a Patron, who does not so wholly reserve his Judgments for a future Life, but that he often makes the Rigour of them to be perceived in this, as Histories teach us by many Examples. <xxii>

XXII. But whereas many that require Justice in private Citizens, make no Account of it in a whole

Nation or its Ruler; the Cause of this Error is, first, that they regard nothing in Right but the Profit arising from the Practice of its Rules, a Thing which is visible with Respect to Citizens, who, taken singly, are unable to defend themselves. But great States, that seem to have within themselves all things necessary for their Defence and Wellbeing, do not seem to them to stand in need of that Virtue which respects the Benefit of others, and is called Justice.

“Thus many, finding themselves weak when taken singly and apart, did, for fear of being oppressed by those that were stronger, unite together to establish, and with their joint Forces to defend Courts of Judicature, to the End they might be an Overmatch for those whom singly they were unable to deal with.”

XXIII. But, not to repeat what has been already said, namely, that Right has not Interest merely for its End; there is no State so strong or well provided, but what may sometimes stand in need of Foreign Assistance, either in the Business of Commerce, or to repel the joint Forces of several Foreign Nations Confederate against it. For which Reason we see Alliances desired by the most powerful Nations and Princes, the whole Force of which is destroyed by those that confine Right within the Limits of each State. So true is it, that the Moment we recede from Right, we can depend upon nothing.

XXIV. If there is no Community which can be preserved without some Sort of Right, as Aristotle proved by that remarkable Instance of Robbers, certainly the Society of Mankind, or of several Nations, cannot be without it; which was observed by him who said, That a base Thing ought not to be done, even for the Sake of ones Country. Aristotle inveighs severely <xxiii> against those, who, though they would not have any to govern amongst themselves, but he that has a Right to it, yet in regard to Foreigners are not concerned whether their Actions be just or unjust.

XXV. A Spartan King having said, That is the most happy Commonwealth, whose Bounds were determined by Spear and Sword; the same Pompey, whom we lately mentioned on the contrary Side, correcting that Maxim said, That is happy indeed, which has Justice for its Boundaries. For which he might have used the Authority of another Spartan King, who preferred Justice before military Fortitude, for this Reason, that Fortitude ought to be regulated by some sort of Justice: And that if all Men were Just, they would have no Occasion for that Fortitude. The Stoicks defined Fortitude itself to be the Virtue that contends for Justice. Themistius, in his Oration to Valens, says very elegantly, that Kings, who conduct themselves by the Rules of Wisdom, take Care, not only of the Nation whose Government they are entrusted with, but of all Mankind; and are, as he expresses himself, not φιλομακέδονες Friends to the Macedonians only, or φιλοῤωμαίοι to the Romans, but φιλόανθρωποι to all Men without Exception. Nothing else made the Name of Minos odious to Posterity, but his confining Equity within the Limits of his own Empire.

“no War ought to be so much as undertaken but for the obtaining of Right; nor when undertaken, ought it to be carried on beyond the Bounds of Justice and Fidelity. ... to render Wars just, they are to be waged with no less Care and Integrity, than judicial Proceedings are usually carried on.”

XXVI. But so far must we be from admitting the Conceit of some, that the Obligation of all Right ceases in War; that on the contrary, no War ought to be so much as undertaken but for the obtaining of Right; nor when undertaken, ought it to be carried on beyond the Bounds of Justice and Fidelity. Demosthenes said well, that War is made against those who cannot be restrained in a judicial Way. For judicial Proceedings are of Force against those who are sensible of their Inability to oppose them; but against those who are or think themselves of equal Strength, Wars are undertaken; but yet certainly, to render Wars just, they

are to be waged with no less Care and Integrity, than judicial Proceedings are usually carried on.

XXVII. Let it be granted then, that Laws must be silent in the midst of Arms, provided they are only those Laws that are Civil and Judicial, and proper for Times of Peace; but not <xxiv> those that are of perpetual Obligation, and are equally suited to all Times. For it was very well said of Dion Prusaecensis, That between Enemies, Written, that is, Civil Laws, are of no Force, but Unwritten are, that is, those which Nature dictates, or the Consent of Nations has instituted. This we are taught by that ancient Form of the Romans, These Things I think must be recovered by a pure and just War. The same ancient Romans, as Varro observed, were very slow and far from all Licentiousness in entering upon War, because they thought that no War but such as is lawful and accompanied with Moderation, ought to be carried on. It was the Saying of Camillus, That Wars ought to be managed with as much Justice as Valour: And of Scipio Africanus, That the Romans both begin and finish their Wars with Justice. An Author maintains, There are Laws of War, as there are of Peace. Another admires Fabricius for a very great Man, and remarkable for a Virtue which is extremely difficult, Innocence in War; and who believed that there are some Things, which it would be unlawful to practise even against an Enemy.

XXVIII. Of how great Force in Wars is the Consciousness of the Justice of the Cause, Historians every where shew, who often ascribe the Victory chiefly to this Reason. Hence the <xxv> Proverbial Sayings, A Soldier's Courage rises or falls according to the Merit of his Cause; seldom does he return safely, who took up Arms unjustly; Hope is the Companion of a good Cause; and others to the same Purpose. Nor ought any one to be moved at the prosperous Successes of unjust Attempts; for it is sufficient that the Equity of the Cause has of itself a certain, and that very great Force towards Action, though that Force, as it happens in all human Affairs, is often hindered of its Effect, by the Opposition of other Causes. The Opinion that a War is not rashly and unjustly begun, nor dishonourably carried on, is likewise very prevalent towards procuring Friendships; which Nations, as well as private Persons, stand in need of upon many Occasions. For no Man readily associates with those, who, he thinks, have Justice, Equity and Fidelity in Contempt.

XXIX. Now for my Part, being fully assured, by the Reasons I have already given, that there is some Right common to all Nations, which takes Place both in the Preparations and in the Course of War, I had many and weighty Reasons inducing me to write a Treatise upon it. I observed throughout the Christian World a Licentiousness in regard to War, which even barbarous Nations ought to be ashamed of: a Running to Arms upon very frivolous or rather no Occasions; which being once taken up, there remained no longer any Reverence for Right, either Divine or Human, just as if from that Time Men were authorized and firmly resolved to commit all manner of Crimes without Restraint.

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XXX. The Spectacle of which monstrous Barbarity worked many, and those in no wise bad Men, up into an Opinion, that a Christian, whose Duty consists principally in loving all Men without Exception, ought not at all to bear Arms; with whom seem to agree sometimes Johannes Ferus and our Countryman Erasmus, Men that were great Lovers of Peace both Ecclesiastical and Civil; but, I suppose, they had the same View, as those have who in order to make Things that are crooked straight, usually bend them as much the other Way. But this very Endeavour of inclining too much to the opposite Extreme, is so far from doing Good, that it often does Hurt, because Men readily discovering Things that are urged too far by them, are

apt to slight their Authority in other Matters, which perhaps are more reasonable. A Cure therefore was to be applied to both these, as well to prevent believing that Nothing, as that all Things are lawful.

XXXI. At the same Time I was likewise willing to promote, by my private Studies, the Profession of Law, which I formerly practised in publick Employments with all possible Integrity; this being the only Thing that was left for me to do, being unworthily banished my Native Country, which I have honoured with so many of my Labours. Many have before this designed <xxvi> to reduce it into a System; but none has accomplished it; nor indeed can it be done, unless those things (which has not been yet sufficiently taken Care of,) that are established by the Will of Men, be duly distinguished from those which are founded on Nature. For the Laws of Nature being always the same, may be easily collected into an Art; but those which proceed from Human Institution being often changed, and different in different Places, are no more susceptible of a methodical System, than other Ideas of particular Things are.

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[Sections XXXII to LXII in which Grotius discusses the state of the literature on this topic and the sources he used to write it have been omitted for reasons of space.]

Further Information

SOURCE

The edition used for this extract: Hugo Grotius, *The Rights of War and Peace*, edited and with an Introduction by Richard Tuck, from the Edition by Jean Barbeyrac (Indianapolis: Liberty Fund, 2005). Vol. 1. The Preliminary Discourse Concerning the Certainty of Right in general; and the Design of this Work in particular. <<http://oll.libertyfund.org/title/1425/138591>>.

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Collection: Natural Law and Enlightenment Series <<http://oll.libertyfund.org/collection/59>>

Subject Area: War and Peace <<http://oll.libertyfund.org/collection/57>>

“The distinctive principle of Western social philosophy is individualism. It aims at the creation of a sphere in which the individual is free to think, to choose, and to act without being restrained by the interference of the social apparatus of coercion and oppression, the State.”
[Ludwig von Mises, “Liberty and Property” (1958)]



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