

NATURAL LAW AND
ENLIGHTENMENT CLASSICS



*The Rights of
War and Peace*

BOOK II

Hugo Grotius

Edited and with an Introduction
by Richard Tuck

Knud Haakonssen, General Editor

Rights Of War Peace Vol2

Viorel Panaite



Rights Of War Peace Vol2:

Political Theology of International Order William Bain, 2020-04-09 Is contemporary international order truly a secular arrangement Theorists of international relations typically adhere to a narrative that portrays the modern states system as the product of a gradual process of secularization that transcended the religiosity of medieval Christendom William Bain challenges this narrative by arguing that modern theories of international order reflect ideas that originate in medieval theology They are in other words worldly applications of a theological pattern This ground breaking book makes two key contributions to scholarship on international order First it provides a thorough intellectual history of medieval and early modern traditions of thought and the way in which they shape modern thinking about international order It explores the ideas of Augustine Thomas Aquinas William of Ockham Martin Luther and other theologians to rise above the sharp differentiation of medieval and modern that underpins most international thought Uncovering this theological inheritance invites a fundamental reassessment of canonical figures such as Hugo Grotius and Thomas Hobbes and their contribution to theorizing international order Second this book shows how theological ideas continue to shape modern theories of international order by structuring the questions theorists ask as well as the answer they provide It argues that the dominant vocabulary of international order system and society anarchy balance of power and constitutionalism is mediated by the intellectual commitments of nominalist theology It concludes by exploring the implications of thinking in terms of this theological inheritance albeit in a world where God is only one of several possibilities that can be called upon to secure the regularity of order

A Delicate Choreography David Sabeen, 2023-10-24 The origins of the incest taboo have puzzled many of the most influential minds of the West from Plutarch to St Augustine St Thomas Aquinas Martin Luther David Hume Lewis Henry Morgan Sigmund Freud Emile Durkheim Edward Westermarck and Claude Lévi Strauss This book puts the discussion of incest on a new foundation It is the first attempt to thoroughly examine the rich literature from philosophical theological and legal treatises to psychological and biological genetic studies to a wide variety of popular cultural media over a long period of time The book offers a detailed examination of discursive and figurative representations of incest during five selected periods from 1600 to the present The incest discussion for each period is complemented with a presentation of dominant kinship structures and changes without arguing for causal relations Part I deals with the legacy of ecclesiastical marriage prohibitions of the Middle Ages Historians dealing with the Reformation have wondered about the political and social implications of theological debates about the incest rules the Enlightenment opted for sociological considerations of the household and a new anthropology based on the passions Baroque discourse focused upon sexual relations among kin by marriage while Enlightenment and Romantic discussions worried the intimacy of siblings The first section of Part II deals with the six decades around 1900 during which European and American cultures obsessed about the sexuality of women Almost everyone concurred in the idea that mother made the family what it was that she configured the household kept the

lines of kinship vibrant and stood at the threshold as stern gatekeeper and many thought that she managed these tasks through her sexuality and an eroticized relationship with sons Another story line taken up in the section Intermezzo this one about the physical and mental consequences of inbreeding appeared after 1850 To what extent do close kin marriages pose risks for progeny At its center lay the incest problematic now restated Is avoidance of kin genetically programmed Do all cultures know about risks of consanguinity As for the twenty first century evolutionary and genetic assumptions are challenged by a living world population containing roughly one billion offspring of cousin marriages Part III deals with one of the perhaps most remarkable reconfigurations of Western kinship in the aftermath of World War I The shift from an endogamous to an exogamous alliance system centered on the nuclear family An historical anomaly this family form began to dissolve almost as soon as it came together and in the process shifted the focus of incest concerns to a new pairing father and daughter By the 1970s when the father daughter problematic swept all other considerations of incest aside that relationship had come to be modeled for the most part around power and its abusive potential As for incest its representations in the last three decades of the twentieth century no longer focused on biologically damaged progeny but rather on power abuses in the nuclear family sexual abuse By the mid 1990s Western culture at least partly redirected its gaze away from father and daughter towards siblings especially towards brothers and sisters and the sexual boundaries and erotics of their relationships Correspondingly siblings became a model organism for psychotherapy evolutionary biology and the science of genetics

The Rights of War and Peace Hugo Grotius, 1814 **The Just War Tradition: Applying Old Ethics to New Problems** Davis Brown, 2017-07-05 This collection examines the role of the just war tradition and its criteria in solving pressing present day challenges In particular it deals with three types of challenges to world public order One is anticipatory self defense in which one state attacks another to pre empt or prevent an attack on itself as the United States claimed in relation to Iraq in 2003 The second challenge is humanitarian intervention in which one state attacks another to stop gross large scale violations of human rights as NATO claimed to be doing on behalf of Kosovo in 1999 Both practices may erode world public order given the normative strength of Article 2 4 of the UN Charter prohibiting the threat or use of force against other states However both practices pose dilemmas in that they also preserve world public order by not allowing impunity for human rights abusers or the misuse of international law to the advantage of genuine aggressors The third challenge is the execution of warfare in a new geopolitical environment characterized by new technologies and asymmetry of belligerents The chapters in this book written from a variety of disciplinary perspectives turn to the just war tradition to attempt to resolve these tensions This book was based on a special issue of the Journal of Military Ethics

Hobbes and the Law of Nature Perez Zagorin, 2009-11-16 This is the first major work in English to explore at length the meaning context aims and vital importance of Thomas Hobbes s concepts of the law of nature and the right of nature Hobbes remains one of the most challenging and controversial of early modern philosophers and debates persist about the

interpretation of many of his ideas particularly his views about natural law and natural right In this book Perez Zagorin argues that these two concepts are the twin foundations of the entire structure of Hobbes's moral and political thought Zagorin clears up numerous misconceptions about Hobbes and his relation to earlier natural law thinkers in particular Hugo Grotius and he reasserts the often overlooked role of the Hobbesian law of nature as a moral standard from which even sovereign power is not immune Because Hobbes is commonly thought to be primarily a theorist of sovereignty political absolutism and unitary state power the significance of his moral philosophy is often underestimated and widely assumed to depend entirely on individual self interest Zagorin reveals Hobbes's originality as a moral philosopher and his importance as a thinker who subverted and transformed the idea of natural law Hobbes and the Law of Nature is a major contribution to our understanding of Hobbes's moral legal and political philosophy and a book rich in interpretive and critical insights into Hobbes's writing and thought

Finding List of Text-books, 1899 Indiana. Supreme Court. Law Library, 1899

War and Peace in the Western Political Imagination Roger Manning, 2016-03-10 The study of war in all periods of prehistory and recorded history has always commanded the attention of historians dramatists poets and artists The study of peace has however not yet gained a comparable readership and the subject is attracting an increasing amount of scholarly research This volume presents the first work of academic research to tackle this imbalance head on It looks at war and peace through the ages from the Classical world through to the 18th century It considers the nature and advocacy of war and peace both from an historical perspective but also a philosophical one particularly looking at how universal peace which began as a personal philosophy became over the centuries a political philosophy that underpins much of modern society's attitudes towards warfare and militarism Roger Manning begins his journey through history by looking at the Greek martial ethos and philosophical concepts of peace and war in the ancient world moving through the Roman empire's military advances he explores the concepts of war and peace in the medieval world and the Renaissance with the writing of Machiavelli and Erasmus finally his account of the search for a science of peace in the 17th and 18th centuries brings the book to its conclusion

War for Peace Murad Idris, 2019 Peace is a universal ideal but its political life is a great paradox peace is the opposite of war but it also enables war If peace is the elimination of war then what does it mean to wage war for the sake of peace What does peace mean when some say that they are committed to it but that their enemies do not value it Why is it that associating peace with other ideals like justice friendship security and law does little to distance peace from war Although political theory has dealt extensively with most major concepts that today define the political it has paid relatively scant critical attention to peace the very concept that is often said to be the major aim and ideal of humanity In War for Peace Murad Idris looks at the ways that peace has been treated across the writings of ten thinkers from ancient and modern political thought from Plato to Immanuel Kant and Sayyid Qutb to produce an original and striking account of what peace means and how it works Idris argues that peace is parasitical in that the addition of other ideals into peace such as law

security and friendship reduces it to consensus and actually facilitates war it is provincial in that its universalized content reflects particularistic desires and fears constructions of difference and hierarchies within humanity and it is polemical in that its idealization is not only the product of antagonisms but also enables hostility War for Peace uncovers the basis of peace s moralities and the political functions of its idealizations historically and into the present This bold and ambitious book confronts readers with the impurity of peace as an ideal and the pressing need to think beyond universal peace [Use of Force · War and Neutrality Peace Treaties \(A-M\)](#) Rudolf Bernhardt,2014-05-12 Encyclopedia of Public International Law 3 Use of Force War and Neutrality Peace Treaties A M focuses on hostile inter State relations and associated questions including the use of force war neutrality and peace treaties The publication first elaborates on the Munich Agreement mines militias military reconnaissance objectives necessity government and forces abroad mercenaries liberation movements land warfare intervention international military force indiscriminate attack and the Kellogg Briand Pact 1928 The text then ponders on humanitarian law and armed conflict flags and uniform in wars enemies and enemy subjects disarming of belligerents by neutrals demarcation line deserters economic warfare combatants contributions and contraband The book examines collective punishment measures security and self defense boundary settlements between Germany and her western neighbor states after World War II bombardment armistice arms control Asama Maru incident air warfare and alliance The text is a vital source of data for researchers interested in the use of force war and neutrality peace treaties [Criminal law between war and peace](#) Stefano Manacorda,Adán Nieto Martín,2009 If subjecting war to law is one of the most important legal achievements of the 20th century progressing further in that direction is one of the most important challenges for the 21st century The problems it poses are many the term war has formally fallen into disuse and we talk about peacekeeping armies are today the product of cooperation between states and international organizations private contractors increasingly participate in warlike activities as the case of the Iraq war demonstrates and the lines between war and very serious forms of crime terrorism organized crime are increasingly blurred This volume compiles the contributions presented at XVth International Congress on Social Defence and tackle the criminal legal issues raised by these new scenarios It constitutes an innovative volume gathering together the work of both academic and military authors who have drawn on their theoretical and practical experience **Liberalism** Domenico Losurdo,2014-03-11 One of Europe s leading intellectual historians deconstructs the dark side of liberalism sifting through 3 centuries of liberal writings by John Locke Alexis de Tocqueville and others In this definitive historical investigation Italian author and philosopher Domenico Losurdo argues that from the outset liberalism as a philosophical position and ideology has been bound up with the most illiberal of policies slavery colonialism genocide racism and snobbery Narrating an intellectual history running from the 18th through to the 20th centuries Losurdo examines the thought of preeminent liberal writers such as Locke Burke Tocqueville Constant Bentham and Siey s revealing the inner contradictions of an intellectual position that has exercised a formative influence on today s

politics Among the dominant strains of liberalism he discerns the counter currents of more radical positions lost in the constitution of the modern world order

Ottoman Law of War and Peace Viorel Panaite,2019-07-29 Making use of legal and historical sources Viorel Panaite analyzes the status of tribute payers from the north of the Danube with reference to Ottoman law of peace and war He deals with the impact of Ottoman holy war and the way conquest in Southeast Europe took place the role of temporary covenants imperial diplomas and customary norms in outlining the rights and duties of the tributary princes the power relations between the Ottoman Empire and the tributary protected principalities of Wallachia Moldavia and Transylvania He also focuses on the legal and political methods applied to extend the pax ottomanica system in the area rather than on the elements that set these territories apart from the rest of the Ottoman Empire War, Law and Humanity James Crossland,2018-06-28 War Law and Humanity tells the story of the transatlantic campaign to either mitigate the destructive forces of the battlefield or prevent wars from being waged altogether in the decades prior to the disastrous summer of 1914 Starting with the Crimean War of the 1850s James Crossland traces this campaign to control warfare from the scandalous barracks of Scutari to the shambolic hospitals of the American Civil War from the bloody sieges of Paris and Erzurum to the combative conference halls of Geneva and The Hague uncovering the intertwined histories of a generation of humanitarians surgeons pacifists and utopians who were shocked into action by the barbarism and depravities of war By examining the fascinating personal accounts of these figures Crossland illuminates the complex motivations and influential actions of those committed to the campaign to control war demonstrating how their labours built the foundation for the ideas enshrined in our own times as international norms that soldiers need caring for weapons need restricting and wars need rules Use of Force · War and Neutrality Peace Treaties (N-Z) Rudolf Bernhardt,2014-05-12 Encyclopedia of Public International Law 4 Use of Force War and Neutrality Peace Treaties N Z focuses on hostile inter State relations and associated questions as well as the use of force war neutrality and peace treaties The publication first elaborates on warships wars of national liberation war materials laws of war war correspondent war and environment Versailles Peace Treaty 1919 use of force United Nations peacekeeping system United Nations forces and unfriendly act The text then ponders on trading with the enemy suspension of hostilities surrender submarine warfare sequestration self preservation self defense sea warfare safety zones safe conduct and safe passage resistance movements requisitions and reparations after World War II The book examines relief actions recognition of insurgency and belligerency prisoners of war threat to peace peace treaties means to safeguard peace pacifism occupation after armistice nuclear tests non aggression pacts and neutrality in air warfare land warfare and sea warfare The text is a vital source of information for researchers interested in the use of force war and neutrality peace treaties **Peace Through Law** Hans Kelsen,2000 *War, Peace and International Order?* Maartje Abbenhuis,2017-02-24 Chapter 9 The Hague as a framework for British and American newspapers public presentations of the First World War Notes Chapter 10 Norway s legalistic approach to peace in the aftermath of the First

World War The Scandinavian proposal for an international judicial organisation Drafting the Permanent Court of International Justice s statute The establishment of the Permanent Court of International Justice Conclusion Notes Chapter 11 Against the Hague Conventions Promoting new rules for neutrality in the Cold War The communist re discovery of neutrality Attempts at reshaping neutrality in the Cold War era New rules for neutrals Conclusion Notes Chapter 12 The neutrals and Spanish neutrality A legal approach to international peace in constitutional texts A commitment to peace Redefining neutrality in a system of collective security in the League of Nations era The law of war in an age of democracy Conclusions Notes Index

Just War Or Just Peace? Simon Chesterman, 2002 This book asks whether states have the right to intervene in foreign civil conflicts for humanitarian reasons The UN Charter prohibits state aggression but many argue that such a right exists as an exception to this rule Offering a thorough analysis of this issue the book puts NATO s action in Kosovo in its proper legal perspective

Hunger in War and Peace Mary Elisabeth Cox, 2019-05-09 At the outbreak of the First World War Great Britain quickly took steps to initiate a naval blockade against Germany In addition to military goods and other contraband foodstuffs and fertilizer were also added to the list of forbidden exports to Germany As the grip of the Blockade strengthened Germans complained that civilians particularly women and children were going hungry because of it The impact of the blockade on non combatants was especially fraught during the eight month period of the Armistice when the blockade remained in force Even though fighting had stopped German civilians wondered how they would go through another winter of hunger The issue became internationalised as civic leaders across the country wrote books pamphlets and articles about their distress and begged for someone to step in and relieve German women and children with food aid Their pleas were answered with an outpouring of generosity from across the world Some have argued then and since that these outcries were based on gross exaggerations based more on political need rather than actual want This book examines what the actual nutritional statuses of women and children in Germany were during and following the War Mary Cox uses detailed height and weight data for over 600 000 German children to show the true measure of overall deprivation and to gauge infant recovery

International Security, Peace, Development and Environment - Volume II Ursula Oswald Spring, 2009-08-30 International Security Peace Development and Environment is a component of Encyclopedia of Institutional and Infrastructural Resources in the global Encyclopedia of Life Support Systems EOLSS which is an integrated compendium of twenty one Encyclopedias The Theme on International Security Peace Development and Environment deals in seven parts and two volumes with a myriad of issues of great relevance to our world such as human social gender and environmental security the transition in earth history from the holocene to the anthropocene potentially causing disasters and increasing resource scarcity limits to growth use of natural resources sustainable livelihood and productive system through technology rise of conflicts due to scarce and polluted resources and the concentration of humans in limited spaces of big cities the gender violence peace education and peace teaching as mechanisms to strengthen citizenship and to improve

the understanding of cultural diversity mechanisms to strengthen the resistance against monopolist interests in the present global world and whistle blowing as a phenomenon to protect social peace and civil resistance The presentation culminates with a discussion on the means of active nonviolence to reinforce democratic behavior and to reduce tensions and violent outcomes in a complex world These two volumes are aimed at the following five major target audiences University and College students Educators Professional practitioners Research personnel and Policy analysts managers and decision makers and NGOs

International Crimes: Law and Practice Guénaél Mettraux, 2020-05-27 Judge Mettraux's four volume compendium International Crimes Law and Practice will provide the most detailed and authoritative account to date of the law of international crimes It is a scholarly tour de force providing a unique blend of academic rigour and an insight into the practice of international criminal law The compendium is unrivalled in its breadth and depth covering almost a century of legal practice dozens of jurisdictions national and international thousands of decisions and judgments and hundreds of cases This second volume discusses in detail crimes against humanity

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