

INDEX

- absolutism 197, 209, 241, 299
analysis 5, 7, 21ff., 33, 35, 39, 41f., 45f.,
48f., 52, 57, 62ff., 73, 90, 100, 106, 124,
134f., 137
Aquinas, St. Thomas 179, 256, 274, 276
Aristotle 29f., 72, 75, 82f., 105, 154, 156,
162, 179, 256, 259, 262, 272f., 289, 292
on law 264
on equity 242, 269-271
Articles of peace 66, 93f.
artificial 5, 7, 16f., 29ff., 60f., 71ff., 76, 78,
80ff., 100, 105f., 107, 117
Austin, John 254, 275
author 62, 76, 81, 92, 161, 207
authority 5, 8, 21, 50ff., 64, 67, 81, 85,
100f., 104ff., 135, 137, 150, 241, 257f., 263
authorization 62, 72, 82f., 92, 95, 171
Bacon, Francis 247f.
Baier, Kurt 294
Bailon, W.M. 247
balance of forces 160
Barry, Brian 176, 256
Behemoth 219
belief 234f.
Berkeley, George 101
Berlin, Isaiah 177
Bible 224-227
Bramhall, John 59
Brandt, Frithiof 127, 130
Calvin, John 224
Cassirer, Ernst 101
causality 4f., 12f., 17, 22, 25, 27ff., 34,
36ff., 53f., 57ff., 67, 74, 82f., 91, 99, 118,
124, 126f., 133f., 143, 146f., 219, 221
Cavendish, Sir Charles 131
character 8f., 18, 75, 80, 123f., 136f., 148
Charles II 222
Christ 231-235
Christianity 232
Cicero 156f., 262
civil state 31, 93f., 149
civil society 28, 89, 90-96, 111, 116f., 135,
144, 149, 194, 198, 221, 243, 258, 283, 288
civil war 11, 34ff., 39f., 48ff., 54, 149
Civil War, English 83, 118
class society 222
coercion 162, 169
Coke, Sir Edward 72f., 78, 84f., 248, 265,
268
command 254, 263f.
commercial ethic 221
commodious life 89, 91, 93, 95f.
community, membership in 287
compact 95, 144, 213
competition 9, 26, 57, 76f., 116, 140, 142f.,
146-148
conatus 3, 8f., 17, 123f., 127, 130ff., 134,
136f., 183, 196
conceptions 21, 24ff., 27, 30, 42, 44, 59f.,
94, 106, 125f., 135, 147ff.
conscience 31, 205, 207, 212, 235, 248, 250
liberty of, 232, 235
contract 12f., 18, 48, 51, 58f., 61f., 64ff.,
75, 79, 90f., 94, 191, 211, 228, 279f., 287f.,
292, 297
contract theory 90ff., 279, 287, 305
counsel 254, 263f.
covenant 4f., 9, 12f., 17f., 23, 31, 48, 62,
64, 72f., 76, 79, 81ff., 94f., 100, 158ff.,
171, 204, 218, 224ff., 243f., 263, 272, 305f.
Cromwell, Oliver 221f.
death 1, 5, 17, 50, 58, 63f., 90f., 139,
141ff., 156, 299
fear of, 189, 280; and see *timor mortis*
decision theory 279
De cive 5, 7, 10ff., 21f., 57ff., 63ff.,
111-116, 118, 124, 126, 130, 135, 144ff.,
172, 190, 220f.
De corpore 3, 5, 22, 24, 38, 57, 59ff., 67,
111ff., 124-127, 132, 134, 136, 220f.
De corpore politico 153, 155, 159
De homine 60, 99, 111, 123, 126, 135, 220f.
democracy 160, 211, 220
deontology 203, 279f., 287, 289-91 *passim*
Descartes, René 24f., 101, 127-133, 196
desire 5, 9, 11, 15, 58, 63f., 67, 89, 90-94,
99-102, 135, 142-147, 182, 184, 198
determinism 223
Dialogue of the Common Laws of
England 246-249 *passim*
disposition 46, 51, 57, 61, 67, 102, 123ff.,
134-137, 145, 150
duty 150, 304
education 51, 103, 144f., 150, 194, 237
egoism 8, 30, 58, 63, 93, 123, 137, 196, 218,
280f., 284, 289
Elements of Law 7, 11, 58, 111-116, 118,
124ff., 132, 135, 141, 163, 166, 172, 219
endeavor 80, 92, 124-127, 131, 133f., 141,
143, 147

- equal weight viewpoints 281, 283, 287
 equality 14f., 27, 57, 75, 115, 190f., 222,
 250, 255, 259, 271, 273, 289
 equity 3f., 11, 13f., 17f., 63, 72f., 78, 84ff.,
 241-276 passim
 courts of, 242, 247
 ethics 12, 14, 46, 101, 105, 107, 123, 125
 ethology 281
 Euclid 302
 evil 37, 63, 77f., 80, 83f., 93f., 100, 102,
 145, 148, 254, 257
 fairness 251, 271, 273; cf. 'equity'
 faith 156, 182, 193, 195, 228
 as bond of contracts, 187, 227
 fear 6, 12, 15, 17, 28, 50, 52, 57, 59, 64,
 90f., 93, 146, 150, 156, 182, 193, 195, 228
 federal theology 224; cf. 'foedus'
 felicity 89, 91ff., 141, 143
 Fichte, J.G. 159
 Ficino, Marsiglio 71f.
 First Philosophy 4, 7, 17, 23f., 26, 31, 59ff.,
 79, 124
 foedus 224, 226f., 230
 force 1, 27, 58, 63, 65, 96, 101, 103, 142,
 149f., 196
 form 24, 28f., 90, 95, 101, 111, 143
 free trade 220
 free riders 284
 freedom
 and obedience, 229
 Galilei, Galileo 24, 154, 293
 game theory 149, 279, 281f.,
 games
 cooperative 282
 non-cooperative 282
 Gauthier, David 294
 Germain, Christopher St. 256, 276
 generation 3f., 9ff., 21, 24, 27ff., 38f., 47,
 59ff., 72, 80f., 103, 111, 134f., 147
 generosity 195 passim, 199
 geometry 7, 12, 24, 30, 34ff., 45ff., 53,
 59ff., 106, 129, 221
 Gert, Bernard 123
 glory 57, 76f., 141, 146, 148, 150, 189ff.,
 passim
 God 227
 command of, 237
 injury to, 176
 power of, 176, 223, 230f., 292, 299
 sovereignty of, 176, 226
 Golden Rule 281
 Goldsmith, M.M. 172
 good 13f., 22, 37, 62ff., 71, 75, 77ff., 83f.,
 91, 93ff., 97, 100ff., 135, 140, 142ff., 146,
 148ff., 244f., 254, 262, 280, 282, 289f.
 gratitude 254f.
 Grotius, Hugo 161
 happiness 142
 Harsanyi, G. 279f., 282
 Hegel, G.W.F. 196, 199, 216
 history 28, 42, 111, 139, 148, 205, 215
 historicism 304
 honor 116f., 143, 173, 175, 265
 hope 58f., 91, 150
 human nature 154, 182, 301f.
 Hume, David 101, 103f., 106, 222
 imagination 28, 93, 114, 118, 125, 135,
 143f., 146
 weakness of, 284
imitatio Dei 71
 impartial spectator 289
 individual 15, 26, 33ff., 37, 40, 46ff., 75,
 77f., 85, 91ff., 95, 100, 103f., 107, 147-150,
 203
 individualism 155f., 162, 181, 306
in foro interno, externo 31, 157, 235, 282,
 292, 295, 303
 intention 303
 juridical positivism 162
 juris-lative power 161
 jurisprudence 219
jus civile 161f., 169f.
jus naturale 153-55, 162, 164, 167, 169, 182
 justice 3ff., 13ff., 17, 34f., 49ff., 61, 63, 65,
 73, 78, 81ff., 89, 90, 93-96, 106, 111f., 135,
 140, 163f., 226, 228, 241-76 passim
 commutative 272
 distributive 259, 272, 276
 economic 280
 natural 221, 304ff.
 "thin" theory of, 244, 254
 Justinian 266
 Kant, Immanuel 11, 15f., 24, 102, 161f.,
 165, 216, 283, 289, 295, 303f.
 knowledge 5, 7, 23, 30, 34ff., 45, 47, 57, 60,
 62ff., 67, 71, 83, 94, 96, 100, 103ff., 114,
 125, 143, 148, 193
 Lamprecht, S.P. 308
 language 3, 5, 7, 9f., 16, 41f., 59ff., 65, 67,
 99-102, 104-107, 111, 113, 147
 law 156f., 243, 253f., 257, 262, 264
 civil 204, 244, 250, 253, 262-264 passim,
 266, 299f.
 command theory of 263
 common 264ff., 268
 divine 157, 246, 264
 good 95
 interpretation of, 248ff., 256, 262, 266-269
 of natural law, 267f.
 making vs. devising, 267, 269
 positive 161, 164
 natural 156f., 164f., 168, 185ff., 204, 206,

- 208, 217ff., 223, 230, 237, 242, 244, 246, 254f., 262-64 passim, 273, 279, 285, 292, 297, 300f., 305, 308
- legal positivism 1, 13, 89
- legal reason 265f.
- legitimacy 11, 215f.
- Leviathan* 5ff., 22, 25, 29f., 38, 57, 59ff., 72ff., 81, 84, 91f., 99, 111-118, 135, 142, 150, 153, 155, 159, 172, 189f., 204, 211, 221f., 246, 292
- lex naturalis* Cf. law, natural
- liberty 5, 9f., 35, 58f., 61, 64ff., 156, 158, 162, 231, 234-36 passim, 251, 257f.
- life 4f., 17, 35, 37, 63f., 66, 79, 82ff., 90ff., 94, 96f., 102, 135, 141-144, 146, 148
- Locke, John 101, 161, 189f., 203, 205, 210
- logic 3, 5ff., 15ff., 44, 47, 59f., 73ff., 78, 81f., 85, 112-115, 118
- macroethics 297, 304f., 307
- Marx, Karl 210, 216
- mathematics 75, 79, 105, 112
- matter 28ff., 90, 101
- maximum principle 280
- McNeilly, F.S. 8, 33f., 123
- means-ends 280, 286, 294
- mechanistics science 11, 23ff., 101, 206
- Mersenne, Marin 130f., 154, 220
- method 5, 7, 24f., 27, 33f., 39ff., 45, 48, 53, 59f., 111-115, 127, 137, 302
- miracles 234
- models 279, 290, 292ff.
- monarchy 203, 211
- model
 - obligation 203, 205ff., 212-214 passim, 216, 221, 223
 - philosophy 199, 245, 272
 - rules 206, 282
 - theory 279f.
 - virtues 63, 102, 182, 195, 220, 272-74 passim
- morality 28, 94, 96, 100, 102f., 169, 219, 242, 244f., 254, 280, 282, 291, 301 and law, 251
- more geometrico* 228f., 233f.
- motivation 65, 77, 91, 96, 123, 142, 144, 287f.
- motive 58, 76, 90, 142, 146, 288, 295, 303
 - explanation, 285, 287
 - principle of sufficient, 287f.
- myth 139, 148, 150
- Nash, Ogden 290
- natural condition 73, 154, 182, 190, 198; cf. state of nature
- natural justice, science of 2ff., 7, 11, 13ff., 71, 73, 75f., 78, 85f., 130, 197, 219, 257, 297
- natural law 1, 9f., 13f., 32, 62, 66, 92, 94, 96, 103
- natural reason 74f., 78ff.
- natural right 3, 8, 10, 17, 38, 64, 66, 78, 89, 92
- nature, law of 29ff., 58, 61, 63, 65ff., 77, 79f., 94, 102, 115f., 136
- nature, state of See 'state of nature'
- nature 3ff., 8f., 11, 16f., 21, 23, 25ff., 29, 33, 35, 37, 47f., 51, 53, 59, 62, 64, 71f., 74, 76f., 80, 84, 89, 91f., 94, 102, 115, 118, 126, 134f., 137, 139-146, 148, 150, 193, 230
- necessity 4, 9, 22, 31, 33, 35, 37, 43ff., 58f., 73, 99, 135, 145, 150
- norms 223
- Newcastle, Earl of [William Cavendish] 112, 219
- Nürnberg Trials 307
- obedience 37, 78, 80, 94f., 191, 229, 263, 266
- obligation 5, 11f., 15, 48, 57ff., 62, 64ff., 93, 164, 218f., 285f., 291f., 299f., 303, 305
 - legal 221, 292
 - theory of, 280f., 287
 - cf. moral obligation
 - obligatoriness 163
- Ockham, William of 154, 221f.
- optics 221
- pactum* 226
- Paul, St. 157, 235
- passion(s) 22, 26, 28, 31, 40, 48ff., 54, 57ff., 61ff., 66, 73, 76ff., 81ff., 85f., 91f., 94f., 103, 106, 112ff., 117, 135, 137, 142, 148f., 173, 182f., 193, 204, 264
- peace 4ff., 10, 15, 17, 29, 35ff., 52, 58f., 61, 63, 66, 74, 77, 79f., 84ff., 89f., 94ff., 99f., 102, 113, 139f., 142ff., 149f., 232, 263
- Hobbes's theory of, 297, 301, 306-308 passim
- persons
 - artificials 243
 - natural 243
- Peters, R. 100f.
- philosophy 4ff., 9ff., 15, 17, 22ff., 29, 33ff., 38ff., 46f., 52, 57, 59ff., 63, 67, 73, 75f., 80ff., 85, 89f., 96, 101f., 125, 135, 140, 192f., 196f., 215
- political 5, 22ff., 29, 31ff., 60f., 89f., 97, 106, 111, 140, 150, 298
- Physicalism 280
- physics 149
- physiological theory 36, 101, 106, 117
- Plato 29, 35, 74f., 82, 193, 196f., 215, 259, 262, 270f.
- Polin, R. 100, 157
- political science 22, 30, 58, 89, 144
- power 1, 9, 11, 23, 26ff., 30f., 33, 50f., 54, 58, 63f., 83f., 90, 92f., 95, 113, 116, 126f.,

- 136, 142-146, 148f., 195, 228f., 243, 299
 preservation 58
 of man in general, 229, 301, 307
 of one's self, 250
 prisoner's dilemma 282, 294
 property 14, 49ff., 96, 136f., 161f., 170, 210,
 258-261 passim
 prophet 225
 prudence 52, 73ff., 93f., 107, 143, 251, 301,
 308
 maxims of, 221
 punishment 261-63 passim, 268
 Puffendorf, S. 161
 race 141f., 144
 Ramist 71, 75, 87n, 113
 ransom 96, 213ff.
 rationality 15, 31f., 51f., 75, 78, 80, 103,
 146, 172
 Rawls, John 203, 279f., 287, 290, 294f.
 reason 6, 9ff., 14f., 28, 30, 37, 48f., 51,
 57ff., 71f., 74, 76ff., 86, 89f., 92ff., 97,
 103, 111-115, 118, 141, 145, 148, 193, 195,
 230, 233, 246, 263f.
 reasonableness 281
 rebellion 217, 221, 300f.
 religion 190ff., 224ff., 232, 234, 299
 Christian 191
 representative 211
Res publica 153, 158, 162
 resistance 64, 132f., 150, 236
 revenge 189, 255, 288
 revolution 205, 209-11 passim, 214, 216
 rhetoric 2ff., 7, 16, 22f., 112ff., 115, 117f.,
 141, 144
 right
 and freedom 177f.
 and rationality 172ff., 177f.
 natural 153ff., 166f., 184, 198, 220
 of nature 21, 30, 61, 64
 positive 162
 primary 167
 secondary 167, 177
 transfer of 159, 258, 285, 288
 right reason 60, 64, 72, 184, 198, 204, 265
 and right 172, 178
 Roberval, Gilles Personne de 220
 Rousseau, Jean Jacques 21, 23, 89, 91, 96,
 161f., 203, 205, 208, 210, 215
 safety of the people 86, 95, 241f., 245
 salvation 232, 235, 299
 scarcity 206
 science 5, 7f., 11, 13, 15ff., 22ff., 31, 33f.,
 36, 38f., 43ff., 47, 53f., 57ff., 62, 66f.,
 73f., 77f., 85, 94, 97, 99, 101, 103ff., 107,
 111f., 115, 117, 143, 192, 194, 215
 security 31, 206f., 251
 self-preservation 30, 63f., 79, 206, 258
 sense 24ff., 28, 31, 37f., 41f., 45f., 60, 62,
 73, 85f., 93f., 103f., 106f., 126ff., 132, 134,
 143, 145, 147f.
 sin 58, 208, 231, 265
 skepticism 62, 103f.
 Smith, Adam 221, 280, 305
 social contract 59, 94, 210f., 221, 228, 279f.,
 287f., 292, 297
 Socrates 257, 259
 Solon 266f.
 Sorbière, Samuel 112, 115, 137
 sovereign 33, 50, 52, 73ff., 82ff., 91-96, 100,
 107, 149f., 175f., 197, 204, 206, 208, 211,
 244, 254, 257, 259
 duties of, 176f., 236f., 241f., 245, 258,
 299
 power of, 188ff., 258, 266f., 292, 296, 299
 limits to, 251
 rights of 170f.
 Spinoza, Baruch 162
 state of nature 9ff., 21ff., 25ff., 50, 65, 90f.,
 93f., 96, 102, 104, 139, 146, 148f., 155,
 174f., 190, 203, 212ff., 216f., 228, 234,
 245, 279f., 282, 284, 294f., 298f.
 Strauss, Leo 165, 173, 177, 196
 strength 16, 48ff., 57, 143
 Suarez, Francisco 179
 Suez crisis 307
 taxation 256, 260f.
 Taylor, A.E. 28, 30, 96
 teleology 280, 289f.
 theology 3, 17, 39
 Thucydides 220
timor mortis 156
 Tönnies, F. 130
 transfer of rights 61, 65
 trust 82, 229, 233, 245
 truth 16, 22f., 37, 39, 42, 44f., 47, 59, 61,
 75, 100f., 103-105, 111-114, 233, 236, 238
 universalizability 283
 utilitarianism 279, 287, 289f.
 act 279, 291
 rule 279, 291
 Vietnamese War 292, 307
 voluntary actions 63, 65, 93, 126, 135,
 285-88 passim
 war 4, 6, 9f., 21, 27f., 31, 36, 50, 58, 61,
 63f., 67, 72, 76ff., 83, 85, 89-96, 102,
 116f., 136, 139f., 146, 156, 175, 183, 261
 Warrender, Howard 282, 286f., 292
 Watkins, J.W.N. 287
 wicked 23, 51, 136, 140, 145f., 148
 words 63ff., 75f., 78f., 82, 85, 99, 102-106,
 147ff.
 worship 235f.