

HUGO GROTIUS

Team: Orange Crush

Position: Mid wicket

Status: Escaped



THINKER
IN
BOXES

Hugo Grotius (1583–1645) was kind of like the action hero of theorists. He survived shipwrecks, escaped from a prison, and is very popular in Berkeley. He is one of the more prominently cited authors in many arguments about **natural law**, and much of his writing engages the ideals of natural law and how it applies to the realities of the world. Natural law is generally considered in terms of laws that are innate to either the nature of the world or the nature of humankind and are thus universally applicable. This is the source of ideas such as human rights, and it is the legal foundation of the U.S. Declaration of Independence, which holds certain truths to be self-evident. The idea of natural law is also seen in much of the U.S. Constitution and rugby. Or maybe rugby is natural selection.

Self-evident laws of human nature, society, and morality also provide an interesting foundation for arguments for an international law. Since there is no overarching global authority to legislate or enforce international laws, much of what we use for international law must then be natural law, or laws that become self-evident extensions of the condition of humankind. It is through this adaptation or application of natural law that Grotius became one of the first scholars of international law. His argument that all nations have the right to sail the high seas, a subject near and dear to the hearts of the Dutch trading empire that employed him, eventually became accepted as the principle of freedom of the seas. His argument that nations have the right to control coastal waters up to the distance they can effectively defend those waters with cannons eventually created a distinction between territorial and international waters. This was first embodied in the principle of a three-mile limit, which was later extended to twelve miles, and is now embodied in exclusive economic zones.

Prelaw majors should familiarize themselves with all four ways his name might be spelled.