

of the nation, or of its constitutional governors, but because, by the positive consent of all mankind, the nation, though it consists of many individuals, is considered as one collective person; and in consequence of this general consent, all the members of this collective body are deemed parties in any injury which the body does, as far as this injury produces a claim to reparation of damages in those against whom it is committed. If a nation makes war to recover reparation of any damages that have been done to it, this claim to such goods as are taken in the war, takes place from the beginning of the war, to the extent of these damages. But if the enemy begins a war causelessly, and the nation which defends itself has suffered no injury from the enemy before the war began, this claim does not take place from the beginning, because the nation can have no right to an equivalent, where it has sustained no damage. However this claim, though it did not begin with the war, will arise in the progress of it: for the war itself is an injury; and consequently the nation, against which it is made, will have a right to reparation for all the damages which are done to it in the war.

“ Secondly, a nation has a right to be paid the expences that it makes in a just war. These expences are indeed so many additional damages; for whatever the nation is forced to expend in recovering its right, is a loss, which is occasioned by the fault of the enemy, who withholds that right.

“ As the nation therefore acquires property in the goods which it takes from the enemy, to the amount of the original damages that occasion the war, and of the fresh damages that are done in the war; so, upon the same principle, it acquires property in what it
takes,