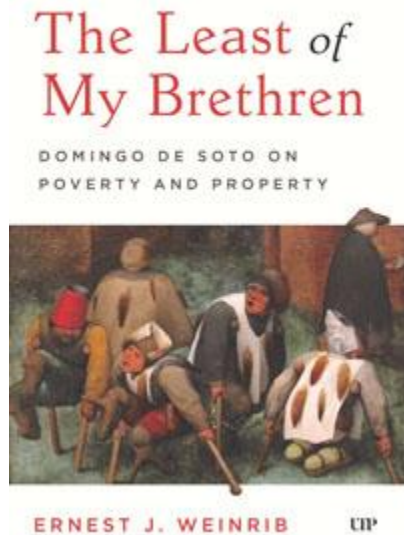


The Least of My Brethren: Domingo de Soto on Poverty and Property

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[Ernest J. Weinrib](#)



Description

As pauperism and begging dramatically increased throughout Europe in the sixteenth century, poverty began to be treated as the object of governmental regulation rather than of individual benevolence. The new approach – which has been viewed as the early glimmering of the modern welfare state – aroused much controversy. This book presents translations of Domingo de Soto's intervention in the controversy (*In Causa Pauperum Deliberatio*), as well as of his treatments of poverty and property in his magisterial *De Iustitia et Iure* and elsewhere.

Accompanying the translations is an extensive introductory essay that analyses the juridical significance of Soto's reflections on rights, poverty, and property. Among other matters, the introductory essay elucidates Soto's notion of the right to beg, as well as the different ways to conceptualize the relationship between extreme necessity and private property. Throughout, Soto's views are presented in the light of other scholastic thinkers from whom he drew, or with whom he disagreed, or who explicated his ideas. The essay also notes connections to the thought of the great Dutch jurist of the next century, Hugo Grotius.

Legal theorist and classicist Ernest Weinrib brings together the disciplines to illuminate Soto's role in the intellectual history of poverty and of its relation to private property.

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De Dominio 1–8 (1535) (ownership and use)

De Dominio 19–23 (1535) (the origin of private property)

De Iustitia et Iure, III, q. 1, a. 1 (1553) (*ius* as the object of justice)

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Note on the Texts Translated

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