

ENGLISH TRANSLATIONS OF HUGO GROTIUS'
De Jure Belli ac Pacis AND
RELATED WORKS

November 12, 2015



Early English Translations of *De Jure Belli ac Pacis*

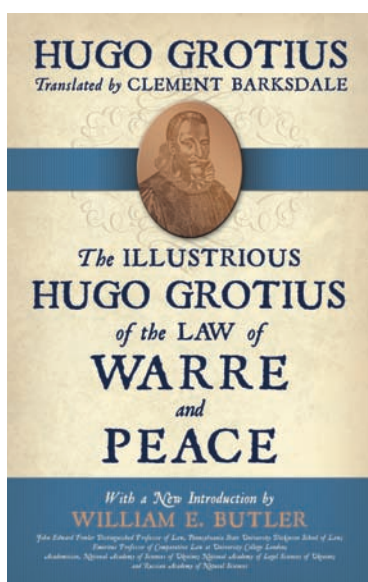
First published in Paris in 1625, this landmark work established the framework of modern public international law. It describes situations in which war is a valid tool of law enforcement and outlines principles for the use of force. Though based on Christian natural law, Grotius advances the novel argument that his system would still be valid if it lacked a divine basis. In this regard he pointed to the future by moving international law in a secular direction.

The six English translations offered here, five with original context-setting introductions by William E. Butler,* illuminate the course of its reception in the English-speaking world from the seventeenth to nineteenth centuries.

HUGO GROTIUS [1583-1645] a pre-eminent contributor to international legal doctrine, was an influential Dutch jurist, philosopher, and theologian.

“No legal work ever enjoyed a more widely extended reputation, and none ever exercised such a wonderful influence over the public morals of Europe.”

J. G. Marvin, *Legal Bibliography* 353



Hardcover 2013
ISBN 978-1-61619-279-2
\$65.

Reprint of the first English translation of *De Jure Belli ac Pacis* (1625). Barksdale's translation, the first in English, includes an original biographical sketch of Grotius. This edition "is perceived to be part of a larger movement in England aimed partly at setting out an ideological alternative to reformation proposals under discussion and to clarifying the relations between civil and ecclesiastical authority in England" (Butler, xii).

The Illustrious Hugo Grotius of the Law of War and Peace

Hugo Grotius

*Clement Barksdale,
Translator*

Originally published: London:
Printed by T. Warren, for William
Lee..., 1655
xiv (v-xiv new Introduction), [lxxv],
660, [xc] pp.

With a New Introduction by
WILLIAM E. BUTLER

The Rights of War and Peace In Three Books. Wherein are Explained... Translated into English ... Notes of Mr. J. Barbeyrac

Hugo Grotius

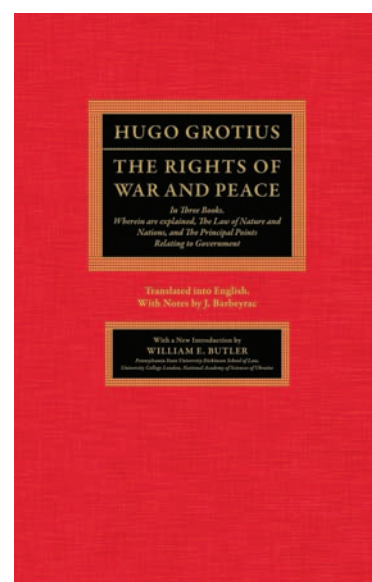
*J. Barbeyrac,
Translator*

Originally published: London:
Printed for W. Innys [et al.], 1738
xvi (iii-xvi new introduction), xxxvi,
817 pp.

With a New Introduction by
WILLIAM E. BUTLER

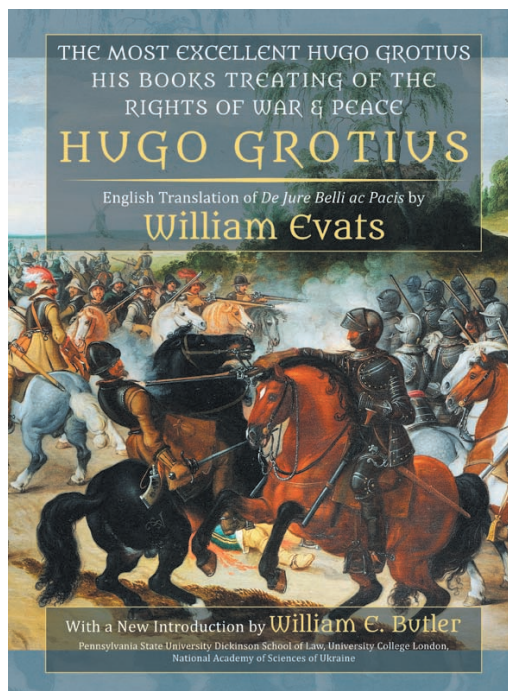
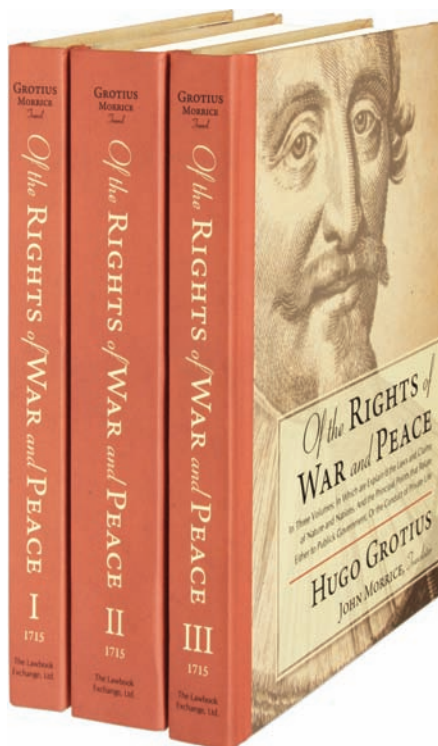
This is considered to be the "best edition." (Lowndes, *Bibliographer's Manual of English Literature*, Rev. ed. III, 950). First published in Paris in 1625, This edition features the notes of J. Barbeyrac described by Marvin as desirable.

In his research William E. Butler has determined, "In the absence of evidence to the contrary, on the balance of probabilities it seems plausible that the entire 1738 version, including the Barbeyrac notes, may be attributed to John Morrice alone, inclusive of any adjustments he may have made to the original contributions of his associates to the 1715 version." (Introduction, iii) With index.



9" x 14" Hardcover 2004, 2015
ISBN 978-1-58477-386-3
\$195.

* John Edward Fowler Distinguished Professor of Law, Pennsylvania State University; Emeritus Professor of Comparative Law at University College London; Academician, National Academy of Sciences of Ukraine; National Academy of Legal Sciences of Ukraine; and Russian Academy of Natural Sciences



Of the Rights of War and Peace In Three Volumes; In Which are Explain'd the Laws and Claims of Nature and Nations, And the Principal Points that Relate Either to Publick Government, Or the Conduct of Private Life

Hugo Grotius

John Morrice, Translator and Editor

Originally published: London: Printed for D. Brown, T. Ward and W. Meares, 1715
3 volumes. xxx (iii-xxx new Introduction), [14], civ, 212; 648; 356, [48] pp.

With a New Introduction by WILLIAM E. BUTLER

Reprint of third English-language edition.

The first English translation, by C. Barksdale, was published in 1654 and reissued the following year. The second, by W. Evats, was published in 1682. This 1715 edition was translated and edited by John Morrice with the assistance of Edward Littlehales (1690-1724) and John Spavan (1685-1718).

JOHN MORRICE [1685-1740], an English divine, translated and/or edited a number of works on law, history, and theology between 1712 and 1738.

Three vols. Hardcover 2014
ISBN 978-1-61619-374-4
\$150.

The Most Excellent Hugo Grotius, His Books Treating of the Rights of War & Peace

Hugo Grotius

William Evats, Translator

Originally published: London: Printed by M.W. for Thomas Basset..., 1682
XIII (V-XIII new Introduction), xxi, [7], 220, 361-572, [32] pp.

With a New Introduction by WILLIAM E. BUTLER

The second English translation, by William Evats [c.1606-1677], was published in London in 1682. As William E. Butler points out in his introduction to this reprint: "The early English translations of the works of Hugo Grotius on the law of nations are not the product of legal scholars or legal scholarship. We are indebted primarily to theologians for their appearance, either because Grotius figured prominently in theological discourse at various periods after his death or because his legal writings were espoused by dons dedicated to the cause of peace who considered the Grotian contributions to the law of nations to be a constructive step in the direction of a more peaceful world community."— William E. Butler, X.

8-1/2" x 11" Hardcover 2013
ISBN 978-1-61619-317-1
\$49.95



Three vols.
Hardcover 2011
ISBN 978-1-61619-208-2
\$165.

De Jure Belli et Pacis, Libri Tres

Accompanied by an Abridged Translation. With the Notes of the Author, Barbeyrac and Others. Edited for the Syndics of the University Press

Hugo Grotius

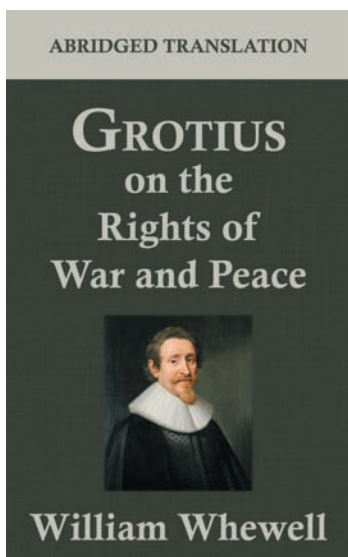
William Whewell, Translator

Originally published: Cambridge: John W. Parker, 1853.
3 volumes. xxiii (iii-xxiii new Introduction), lxxix, 416; [vi], 457; [iv], 445, [1] pp.

With a new introduction, "The Whewell Translation of Hugo Grotius"
by WILLIAM E. BUTLER

Whewell's translation was abridged by removing most of the quotations, which are identified in the side-notes of the main text. (The notes by Grotius, Barbeyrac and others are not translated.) Reprint of the sole edition. Ter Meulen and Diermanse, *Bibliographie de Grotius* 638.

WILLIAM WHEWELL [1794-1866] was the Knightbridge Professor of Moral Philosophy at Trinity College Cambridge and a remarkable polymath who made notable contributions to the fields of science, architecture, economics, mathematics, philosophy, translation, poetry, education, theology, jurisprudence and engineering. The Whewell Chair of International Law at Cambridge University is named in his honor.



Hardcover 2009 ISBN 978-1-58477-942-1
\$39.95

Paperback 2011 ISBN 978-1-61619-151-1
\$28.95

Grotius on the Rights of War and Peace

An Abridged Translation

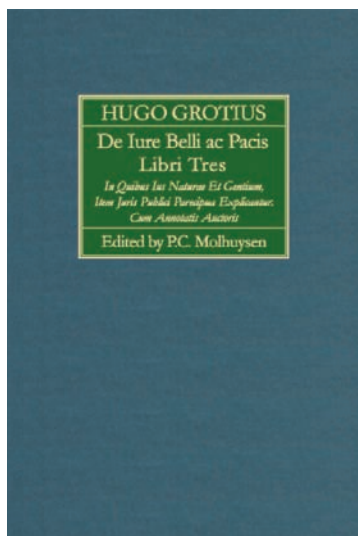
Hugo Grotius

William Whewell, Translator

Originally published: Cambridge: John W. Parker, 1853
xxxix, 485 pp.

This edition was abridged by removing most of the quotations from "ancient historians, orators, philosophers, and poets," which are identified in footnotes. As Whewell states in the preface, they tended to "confuse the subject, obscure the reasoning, and weary the reader." By removing them he enhanced clarity and reduced the bulk of the work by "more than a half" (vi).

Related Titles



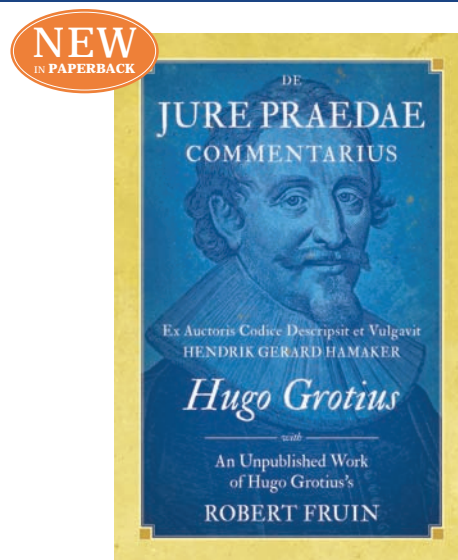
De Iure Belli ac Pacis Libri Tres *In Quibus Ius Naturae Et Gentium, Item Juris Publici Praecipua Explicantur. Cum Annotatis Auctoris* Edited by P.C. Molhuysen Preface by C. Van Vollenhoven

Hugo Grotius

Originally published: Leiden: A.W. Sijthoff. 1919
xv, 752 pp.

Reprint of the standard critical Latin edition of Grotius's magnum opus of 1625, *De Jure Belli ac Pacis*, which established the framework of modern international law. Grotius describes the situations in which war is a valid tool of law enforcement and outlines the principles of armed combat. Though based on Christian natural law, Grotius advanced the novel argument that his system would still be valid if it lacked a divine basis. In this regard he pointed to the future by moving international law in a secular direction. A work of painstaking philological research, this edition is based on the final version edited by the author, which issued posthumously in 1646. Differences between this edition and those of 1632 and 1642 are noted and the author of each text quotation is identified with reference to modern editions. A list of Grotius's citations is also included. "Others wrote upon the law of nations before him, but Grotius was the first to attempt a systematic treatise. . . . In his *De Jure Belli ac Pacis*, first published in 1625, there is precedent or inspiration for most of the important doctrines elaborated by later writers." Edwin D. Dickinson, 26 *Am. J. Int'l L.* 239 (1932).

Hardcover 2009
ISBN 978-1-58477-539-3
\$49.95



De Jure Praedae Commentarius *Ex Auctoris Codice Descripsit et Vulgavit Hendrik Gerard Hamaker*

Hugo Grotius

Originally published: The Hague: Apud Martinum Nijhoff, 1868
xvi, 359 pp.

[With]

An Unpublished Work of Hugo Grotius's *In Bibliotheca Visseriana: Dissertationum Ius Internationale Illustrantium*, edited by Rijksuniversiteit te Leiden

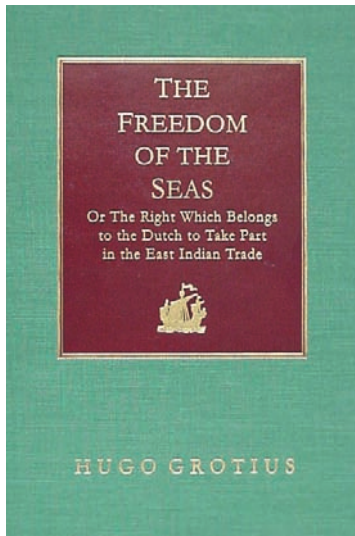
Robert J. Fruin

Originally published: Leiden: E.J. Brill, 1925
74 pp.

Reprint of the first edition. Written between 1604 and 1605, *De Jure Praedae* [*On the Law of Prize*], which remained in manuscript until 1868, is the earliest significant legal work by Hugo Grotius. His discussion of prize is not restricted to issues of legality; he seeks to determine also whether the capture of enemy material is honorable or expedient. He pursues these issues through an elegant argument based on natural law. Remarkable for its intellectual finesse and literary quality, *De Jure Praedae* is equally significant as the source of two of his most important writings. *Mare Liberum* (1609) is based on one of its chapters. It also contains an early version of *De Jure Belli ac Pacis* (1625). In this regard, the book offers a valuable introduction to the issues explored in these later works.

Appended to this reprint is Robert J. Fruin's valuable essay "An Unpublished Work of Hugo Grotius's." Written in 1868 and later republished in English in 1925, it remains the principal study of this work.

Paperback 2015 ISBN 978-1-61619-110-8
\$24.95



The Freedom of the Seas

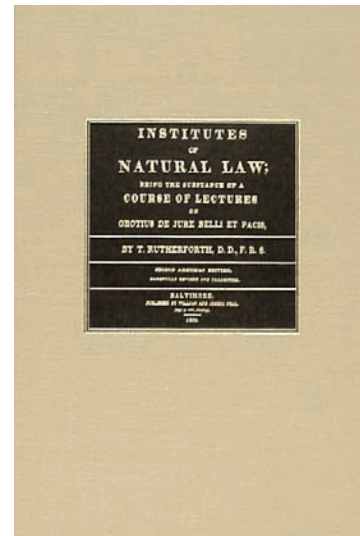
Translated with a Revision of the Latin Text of 1633
by Ralph van Deman Magoffin
Edited with an Introductory Note by James Brown Scott

Hugo Grotius

Originally published: New York: Oxford University Press, 1916
xv, (xiv-xv, 79 pp. paged in duplicate (158 pp.)), 81-83 pp.

A classic treatise on international maritime law. Translation of Grotius' work, *Mare Liberum*, with Latin and English on facing pages. Grotius calls for open rights of all countries and dominions to sail the seas without appropriation by any country, which was undoubtedly an attempt to offset the attempts of Spain, Portugal and England to claim sovereignty of the seas. This controversial viewpoint was opposed by John Selden in defense of the British Empire, in *Mare Clausum*.

Hardcover 2001
ISBN 978-1-58477-182-1
\$35.



Institutes of Natural Law

Being the Substance of a Course of Lectures
on Grotius de Jure Belli et Pacis,
Read in St. John's College Cambridge.
Carefully Revised and Corrected

Thomas Rutherford

Originally published: Baltimore: Published by William and Joseph Neal, 1832
x, 596 pp.

Reprint of the second American edition. First published in England in 1754-1756, this exposition of natural law and *De Jure Belli ac Pacis* was one of the most important English treatises of the period.

Reprinted in America in 1799, it was a standard text here for several decades. As late as 1847, Marvin observed that Rutherford [1712-1771] was still "considered one of the ablest commentators upon Grotius" because "[h]is work is clearly and logically written, and exhibits great acuteness, sound argument, and learning.": *Legal Bibliography* (1847) 625.

Hardcover 2004
ISBN 978-1-58477-457-0
\$29.95

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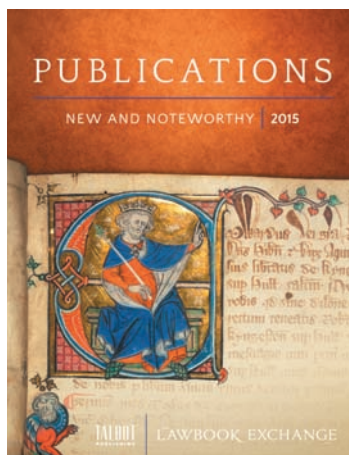
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