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Hugo Grotius's *De iure belli ac pacis*: A Report on the Worldwide Census of the Fifth Edition (1632, Blaeu)

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Abstract

This article provides new information on the printing and readership history of the fifth edition of *De iure belli ac pacis*. Building on our earlier research on the way that the dispute between Willem Janszoon Blaeu and Johannes Janssonius influenced the publication of the 1631 edition of the text, this article studies how Blaeu harnessed his position to make the 1632 edition more reputable than the earlier version published by his rival. The article considers how, over four centuries, readers have appreciated the quality of the production and three engaged with the text for radically different ends: Remigius Faesch, Baron von Boineburg, and Wendell Phillips. The article draws attention to the changes and continuities in reading and annotation patterns and

offers preliminary insights into the themes that these influential readers focused on. We hope that it will inspire readers to bring further copies to our attention.

Keywords

De iure belli ac pacis – 1632 Blaeu – census bibliography – book history

1 Introduction

Printers were to the Republic of Letters what *speculatores* were to the Roman Army. For all of their foresight, speculation, and practical and erudite knowledge, an early modern printer has been defined as someone who ‘caused the book to come into print and who supplied the money for the venture’, while the act of publishing has in turn been defined as the act of making a text public.¹ The information revolution was drafted on the paper and written with the ink that ran through the hands of these crafty correctors, audacious amanuenses and skilled sellers. Yet the chronology of challenges and opportunities known to the Republic of Letters, such as the growth of information overload, looked different to those printers who sought to profit from ‘infolust’: even as the recent literature on the history of knowledge has refined simple definitions of information, the ‘printer’s gaze’ is rarely considered.²

Defining information as a vehicle of compelling ideas, and splintering information into an objective or a subjective source of knowledge means that modern scholarship considers how authors broadened the range of sources used and the range of topics. However, it overlooks the language of printers, which featured its own characteristics, such as the hashtag, which was used

1 Sarah Werner, *Studying Early Printed Books, 1450–1800: A Practical Guide* (Hoboken: Wiley Blackwell, 2019), p. 8; Robert Darnton, *Pirating and Publishing: The Book Trade in the Age of Enlightenment* (Oxford: Oxford University Press, 2021). On the complexity of their craft, see Anthony Grafton, *Inky Fingers: The Making of Books in Early Modern Europe* (Cambridge MA: Harvard University Press, 2020), pp. 29–55.

2 This in turn impacts the way scholars study the relationship between printing and capitalism, see Paul M. Dover, *The Information Revolution in Early Modern Europe* (Cambridge: Cambridge University Press, 2021), p. 56. Ann Blair, Paul Duguid, Anja-Silvia Goeing and Anthony Grafton, ‘Introduction’, in *Information: A Historical Companion*, ed. by Ann Blair, Paul Duguid, Anja-Silvia Goeing and Anthony Grafton (Princeton: Princeton University Press, 2021), pp. i–xii, at p. X. On “infolust” see Ann Blair, *Too Much to Know: Managing Scholarly Information Before the Modern Age* (New Haven, CT: Yale University Press, 2010), p. 11. On relevant ways of gazing see Michel Foucault, *Discipline and Punish: The Birth of the Prison* (Fr. orig. 1975, tr. Alan Sheridan, London: Allen Lane, 1977).

to indicate a space.³ Learned writers would dissect books, but printers were in charge of compiling them, and if erudite ‘compilers of knowledge’ who developed encyclopaedic forms of knowledge relied on storing, sorting, selecting and summarising knowledge, printers relied instead on selling, stockpiling and scrutinising.⁴ Pliny’s dictum that no book was so bad that some good cannot be gained from it would have carried a very different meaning for these printers.⁵ No accurate reconstruction of the internal dynamics and working vocabulary of the print shop exists yet, and the story of how these men and women invented the art of advertising has only just begun to be told.⁶

Readers, as the reception of Blaeu’s 1632 edition of *De iure belli ac pacis* (IBP) demonstrates, understood the importance of a reputable printer. This report explores how an early modern publisher could grant prestige to, and amplify the commercial of appeal of, a book that he had published a year earlier, one which their main rival had undercut with a cheaper edition. Instead of relying on the economising logic of his rival, Blaeu emphasised the prestigious and reliable character of the edition that he published (TDM 569), adding to the then standard title: “EDITIO NOVA ab Auctore ipso recognita & correcta: de qua vide pagina sequenti”, a note stating the King of France and the Holy Roman Emperor had granted the printer the privilege to publish it, and most importantly a note from Grotius himself, written on 8 April 1632, declaring this to be the authoritative version of the text (fig. 1).

Yet monarchs and emperors had no jurisdiction in the Dutch Republic, and Grotius, who left Holland in May 1632, and presumably planned the edition

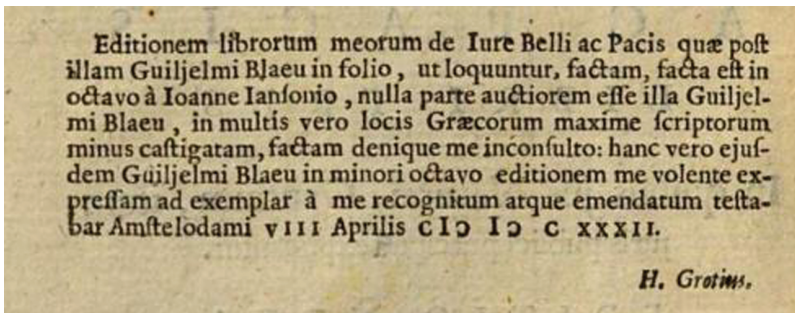


FIGURE 1 Grotius’s statement in support of Blaeu’s 1632 edition.

- 3 Blair, Duguid, Goeing, Grafton, ‘Introduction’, p. x; Blair, *Too Much to Know*, p. 13; Werner, *Studying Early Printed Books*, pp. 11–12, 15.
- 4 Grafton, *Inky Fingers*, p. 254; Blair, *Too Much to Know*, p. 3.
- 5 Blair, *Too Much to Know*, p. 13.
- 6 Andrew Pettegree and Arthur der Weduwen, *The Dutch Republic and the Birth of Modern Advertising* (Leiden: Brill, 2019), pp. 1–12. Dániel Margócsy, Mark Somos, and Stephen N. Joffe, ‘Sequencing Vesalius’s *De Humani Corporis Fabrica*’, in *Reassessing Epistemic Images*

with Blaeu in person, only had a limited control over the publication of the text.⁷ The strategies Blaeu employed were well understood by seventeenth-century readers and buyers of the text: an annotation added to a copy now in the Cambridge University Library (V/58) underscores at the head of the volume that 'the author reviewed and improved this rare edition'.⁸ Broer Jansz, one of the most Dutch prolific printers of news of his age, announced its publication in his influential newspaper, *Tijdinghen uyt verscheyde Quartieren*.⁹

Reputation was crucial to Blaeu: while he was fighting off Janssonius, Blaeu was competing for the post of official cartographer to the Dutch East India Company, a position held by Hessel Gerritsz (1581–1632) until his death. The position came with considerable prestige and monopolies over privileged information, including exclusive access to the Company's captains' and navigators' maps and notes, which gave the Blaeu printing house unmatched advantage in producing up-to-date maps and treatises; and a steady source of revenue from supplying maps, rutters, portolan charts and other navigational aids.¹⁰

In the course of their forty-year rivalry, Janssonius and Blaeu frequently brought out competing maps and charts, but their decision to invest in the production of rival editions of IBP was unusual. Throughout the seventeenth century, Dutch publishers left legal texts to Swiss, French and German publishers, with the Dutch proportion of legal publications hovering around 10%.¹¹ Part of the explanation lies in Blaeu's well-established connections to Grotius, and his willingness to publish the works of Remonstrant and Catholic authors more generally.¹² The events of 1632, however, also seem to confirm our thesis concerning the 1631 Blaeu edition, namely that Blaeu saw IBP as part of his own cartographic and maritime publishing profile, providing complementary laws that connected international spaces.¹³ Moreover, the Blaeu-Janssonius

in the Early Modern World, ed. by Ruth Sargent Noyes (Amsterdam: Amsterdam University Press, 2023), pp. 59–81, at pp. 59–61.

- 7 See Marius Buning, *Knowledge, Patents, Power: The Making of a Patent System in the Dutch Republic* (Leiden: Brill, 2022), pp. 68, 136–9, 151–2, 158, 163–6, 185, 192, 211, 215, 234–6, 245.
- 8 Cambridge University Library, J.6.51, 'Editionem hanc raram D. Author recognovit et emendavit' (unpaginated front matter).
- 9 USTC No. 1031874. *Tijdinghen uyt verscheyde Quartieren*, Reference: 36. 03.09.1639. We are grateful to Arthur Der Weduwen for his suggestions on this point.
- 10 Andrew Pettegree and Arthur der Weduwen, *The Bookshop of the World: Making and Trading Books in the Dutch Golden Age* (New Haven, CT: Yale University Press, 2019), pp. 98–102.
- 11 Pettegree and der Weduwen, *Bookshop*, p. 346.
- 12 For Blaeu and Grotius's relationship, see Henk Nellen, *Hugo Grotius: A Lifelong Struggle for Peace in Church and State, 1583–1645* (Leiden: Brill, 2015), pp. 368, 435, 587–90.
- 13 Edward Jones Corredera, Lara Muschel and Mark Somos, 'Hugo Grotius's *De iure belli ac pacis*: A Report on the Worldwide Census of the Third Edition (1631)', *Grotiana* 43:1 (2022), 246–72, at pp. 249, 257.

rivalry also brightly underscores the trend whereby major publishing enterprises moved from university towns to commercial centres.¹⁴

Next, this report shows how Blaeu's bet paid off in the long term: throughout the centuries many owners of his 1632 edition, such as the law professor Remigius Faesch (1595–1667), the statesman Baron von Boineburg (1622–1672) and the abolitionist campaigner Wendell Phillips (1811–1884), influenced the study of legal history and the law of nations in their respective contexts and were involved in high politics and the public sphere. Many of them even collated this edition with other versions, and strategically bound it with other works, including the 1633 *Mare liberum*. Yet the text's contemporary circulation was not solely restricted to prominent figures. Evidence that substantiates this point includes the way in which copies of Blaeu's 1632 edition, like others of Grotius's text, were presented as prize copies for school students.¹⁵ A standout example, in this respect, is a copy now held at the Leiden University Library (V/46). This volume is a typical example of a Dutch prize binding from the seventeenth century, bound in parchment with gold-tooling on the front and rear covers. It was given to the student Adrian van der Tocq by the Remonstrant rector of the Rotterdam Latin school, Hendrik Zwaerdecroon, to mark van der Tocq's accomplishments in progressing from the fourth to the third class in the autumn of 1638 (fig. 2).¹⁶

2 Preliminary Results of the Census

We have located ninety-four copies of this edition (Table 1). Due to pandemic restrictions, to date we have only been able to examine twenty-nine exemplars in person, eleven of which feature substantial marginalia.

Blaeu's 1632 edition was indelibly marked by the rivalry with Janssonius. This was nowhere more clear, as we have seen, than on the verso of the title page and its signed note by Grotius directly authorising this edition in preference to the Janssonius edition. Grotius's additional note had important consequences for the work's subsequent reception and reputation. As much as

14 Andrew Pettegree, *The Book in the Renaissance* (New Haven, CT: Yale University Press, 2010), pp. 48–9, 139.

15 On prize copies, see David Pearson, *Provenance Research in Book History: A Handbook* (new and revised ed., Oxford: Bodleian Library, 2019), pp. 144–6.

16 On Hendrik Zwaerdecroon, see Cornelis De Waard, s.v., in *Nieuw Nederlandsch Biografisch Woordenboek* (Leiden: A. W. Slijthoff, 1911–37), 5, pp. 1182–3 (online access: http://resources.huylgens.knaw.nl/retroboeken/nnbw/#page=0&accessor=accessor_index&view=homePane).

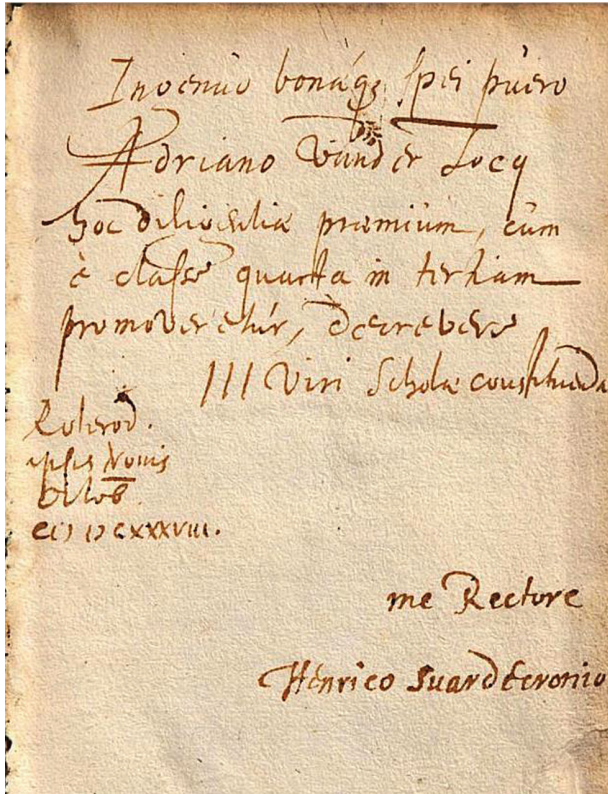


FIGURE 2 Leiden copy (V/46), unpaginated front matter

it confirmed and strengthened the impression that Janssonius's version could be given less authority – notably, as Grotius himself highlighted, in terms of its textual shortcomings and especially in terms of its printing of Greek – so too did it lend considerable status to Blaeu's new edition (see fig.1). The claim that this 'new edition' was 'revised and corrected' by the author reverberated into nineteenth- and twentieth-century scholarship, with Jacob Ter Meulen and P. C. Molhuysen taking it to mark the first major edition of the text since 1625.¹⁷ This impression was only corrected by Cornelis van Vollenhoven, who demonstrated that it was in fact the 1631 edition that included the majority of Grotius's authorial changes to the 1625 edition, including not only the largest

17 Philipp Christiaan Molhuysen, 'Prooemium editoris', in Hugo Grotius, *De iure belli ac pacis*, ed. by Philipp Christiaan Molhuysen (Leiden: A.W. Sijthoff, 1919), p. x; Jacob Ter Meulen, 'Liste bibliographique de 76 éditions et traductions du de iure belli ac pacis de Hugo Grotius', *Bibliotheca Visseriana* 5 (1925), 151–200, at p. 161.

TABLE 1 Preliminary census of the 1632 Blaeu edition

<i>AUSTRIA</i>	Salzburg	V/1	University of Salzburg Law Library	Hayek-Bibliothek/3.UG (3702) 4134
<i>BELGIUM</i>	Brussels	V/2	Royal Library of Belgium	LP 15.603 A
	Leuven	V/3	KU Leuven, Maurits Sabbe Library	2-009439/A
<i>CANADA</i>	Edmonton	V/4	University of Alberta, John A. Weir Memorial Law Library	KZ 2093 A3 J88 1632
	Toronto	V/5	University of Toronto, Thomas Fisher Rare Books Library	Knox 00063
<i>CZECH REPUBLIC</i>	Prague	V/6	National Library of Czech Republic	L 000109
	Prague	V/7	Knih. klášt. fran-tiškáňů Moravská Třebová	D-H.d.5
	Prague	V/8	National Library of Czech Republic	25 H 98
<i>FRANCE</i>	Bayeux	V/9	Les 7 lieux. Médiathèque intercommunale	CC 5/50 Fonds ancien
	Grenoble	V/10	Bibliothèque d'Étude et du Patrimoine	F.17736
	Montpellier	V/11	Université de Montpellier	Réserve HA 132959 RES
	Paris	V/12	Bibliothèque Nationale de Paris	E*-1613
	Paris	V/13	Bibliothèque Mazarine	8° 43619
	Paris	V/14	Bibliothèque Sainte-Geneviève	Magasin Réserve 8 F 65 INV 2150 RES

TABLE 1 Preliminary census of the 1632 Blaeu edition (*cont.*)

	Paris	V/15	Institut Catholique de Paris, Bibliothèque de Fels	70 069
	Valognes	V/16	Bibliothèque municipale Jullien de Laillier	C 4185
<i>GERMANY</i>	Amberg	V/17	OTH Amberg-Weiden / Provinzialbibliothek Amberg	Signatur: 999/ Jus civ. et crim. 570
	Berlin	V/18	Humboldt Universität Berlin Grimm Zentrum	UG / Raum 104 – Geschlossenes Magazin Rara 1 2017 A 935
	Erfurt	V/19	University of Erfurt Library	03 – R. 8° 01543bk (01)
	Halle	V/20	Universitäts und Landesbibliothek Sachsen Anhalt	Kt 198 a
	Hildesheim	V/21	Dombibliothek	4 Vh 0201
	Hildesheim	V/22	Stadtarchiv Hildesheim	6564.1
	Jena	V/23	Thüringer Universitäts- und Landesbibliothek Jena	8 Jur.III,10/1
	Mainz	V/24	Universität Mainz, Zentralbibliothek	RARA J 4460
	Marburg	V/25	Philip Universität	095 XIV C 976
	München	V/26	Bayerische Staatsbibliothek	Ph.pr. 557
	Oldenburg	V/27	Landesbibliothek Oldenburg	91-0165,1
	Wolfenbüttel	V/28	Herzog August Bibliothek	M: Rq 333
<i>IRELAND</i>	Dublin	V/29	Marsh Library	none
	Dublin	V/30	Trinity College Library	HH.nn.49
	Dublin	V/31	Trinity College Library	OLS Lecky B.2.62

TABLE 1 Preliminary census of the 1632 Blaeu edition (*cont.*)

<i>ITALY</i>	Naples	V/32	Biblioteca Nazionale Vittorio Emanuele III	B.Branc. 025A 26
	Pavia	V/33	Biblioteca del Collegio del Borromeo	ACB/LIBRI/ ANTICHI/Gabba 41
	Rome	V/34	Biblioteca Interdipartimentale di scienze giuridiche dell'Università degli Studi di Roma La Sapienza – sede Filosofia del diritto, Giorgio Del Vecchio	ST 6 46 A 9
	Rome	V/35	Biblioteca Interdipartimentale di scienze giuridiche dell'Università degli Studi di Roma La Sapienza – sede Storia del diritto italiano, Francesco Calasso	SRB 237
	Rome	V/36	Biblioteca Apostolica Vaticana	Mai.XI.PI.6
	Turin	V/37	Biblioteca del Seminario Arcivescovile	CTEOL . . [*34 1.31]
<i>JAPAN</i>	Fukuoka	V/38	Kyushu University Library	M 12/G/47
	Tokyo	V/39	Nihon University, College of Law Library	TER M/D 569
	Tokyo	V/40	Nihon University, College of Law Library	TER M/D 569&547
<i>THE NETHERLANDS</i>	Amsterdam	V/41	University of Amsterdam	OTM: O 63–8670
	The Hague	V/42	Peace Palace Library	TMD 569A

TABLE 1 Preliminary census of the 1632 Blaeu edition (*cont.*)

	The Hague	V/43	Peace Palace Library	TMD 569B
	The Hague	V/44	Peace Palace Library	TMD 569C
	Leiden	V/45	University Library	Maatschappij Nederlandse Letterkunde (M5) 1010 B 15: 1
	Leiden	V/46	University Library	Overvoorde, OVERV. 150
POLAND	Krakow	V/47	National Library of Poland	Magazyn Starych Druków SD XVII.2.9122
	Krakow	V/48	National Library of Poland	Magazyn Starych Druków SD XVII.2.9125
	Krakow	V/49	National Library of Poland	Magazyn Starych Druków SD XVII.2.7048 adl
ROMANIA	Cluj-Napoca	V/50	Lucian Blaga Central University Library	C. V. 1472
RUSSIA	Moscow	V/51	Russian State Library	MK IV-lat. 8 °
SOUTH AFRICA	Cape Town	V/52	National Library of South Africa	DESS.65(39)
	Cape Town	V/53	National Library of South Africa	Do2.e.39
SPAIN	Poio, Pontevedra	V/54	Biblioteca do Mosteiro de Poio	2-8-8
SWEDEN	Skokloster	V/55	Skokloster Castle Library	
SWITZERLAND	Basel	V/56	Universitätsbibliothek, Hauptbibliothek	UBH Na X 2
	Zurich	V/57	Universitätsbibliothek Rechtswissenschaften, Alte Juristische Bibliothek	G 74
UNITED KINGDOM	Cambridge	V/58	Cambridge University Library	J.6.51

TABLE 1 Preliminary census of the 1632 Blaeu edition (*cont.*)

	London	V/59	Senate House Library	[G. L.] 1632
	Manchester	V/60	John Rylands Research Institute and Library	R43414
	Oxford	V/61	All Souls College Library	3:SR.123.g
	Oxford	V/62	Jesus College, Fellows' Library	I.5.7A(1)
UNITED STATES OF AMERICA	Atlanta, GA	V/63	University of Georgia, Special Collections Library	Rare Bk JX2093. A1 1632
	Austin, TX	V/64	The University of Texas at Austin, Tarlton Law Library	KZ2093.A3 J88 1632
	Baton Rouge, LA	V/65	Louisiana State University, Law Library	JX2093.AL 1632
	Berkeley, CA	V/66	University of Berkeley, Bancroft Library	Z239.1 1632 B52 G7
	Berkeley, CA	V/67	University of Berkeley Law Library, Robbins Rare	KZ2093.A3 D4 1632
	Bethlehem, PA	V/68	Lehigh University	341 G88ij 1632
	Cambridge, MA	V/69	Harvard Law School Library	Rare C 65 26
	Cambridge, MA	V/70	Houghton Library	GEN Int 940.1.5*
	Chicago, IL	V/71	Northwestern University, Law Library	341 G88.b
	Denver, CO	V/72	University of Denver	JX2093.AL 1632
	Michigan, MI	V/73	University of Michigan, SCRC, Hatcher Library	JX 2093.A1 1632

TABLE 1 Preliminary census of the 1632 Blaeu edition (*cont.*)

East Lansing, MI	V/74	Michigan Library and Historical Center Rare Books Department	JX2093.A1 1632b
Lexington, VA	V/75	Washington and Lee University, Leyburn Library	JX2093.A1 1632
New Haven, CT	V/76	Yale Law School Library	Rare26 01-0495
New York, NY	V/77	Columbia University/ New York Public Library Offsite Shared Collection (NYPL)	XBD (Groot. De iure belli ac pacis, 1632)
New York, NY	V/78	Columbia Law School, Arthur W. Diamond Law Library	JX2093.A1 1632
New York, NY	V/79	Columbia Law School, Arthur W. Diamond Law Library	JX2093.A1 1632a
Princeton, NJ	V/80	Princeton University Library	PITN 014.41.112
Princeton, NJ	V/81	Princeton University Library	XBD (Groot. De iure belli ac pacis, 1632)
Providence, RI	V/82	Brown University John Hay Library	JX G91 1632
Sacramento, CA	V/83	California State Library	341.3 G88
Seattle, WA	V/84	Seattle University Law Library	KZ2093.A3J88 1632
Stanford, CA	V/85	Stanford University Library	JX2093.A1 1632
Tucson, AZ	V/86	University of Arizona	JX2093.A1 1632
Washington, DC	V/87	Library of Congress	JX2093.A1 1632 midi
Washington, DC	V/88	Library of Congress	JX2093.A1 1632 Pre-1801 Coll

TABLE 1 Preliminary census of the 1632 Blaeu edition (*cont.*)

	Washington, DC	V/89	George Washington University, Jacob Burns Law Library	KZ2093.A3 J88 1632
	Wellesley, MA	V/90	Wellesley College Library	341.3 G91a
	Williamstown, MA	V/91	Williams College	ZZ11 G8d 1632
AUCTIONS	Brussels, Belgium	V/92	Arenberg Auctions	Sale lot 1369, 17 October 2020
	Hamburg, Germany	V/93	Ketterer Kunst GmbH	Sale lot 360 in Wertvolle Bücher, 18/19 May 2015
	Munich, Germany	V/94	Zisska and Lacher	Sale lot 2771, 11 May 2012

total number of changes but also all those of considerable length.¹⁸ Blaeu's marketing and advertising, in this way, evidently went some way to achieving its purpose.

Van Vollenhoven's work was important not only for its comparative analysis of the different editions of the text prepared by Grotius, but also for the way in which it reconstructed aspects of the circumstances in which the 1632 text was edited. Most importantly, and in contrast with the six years Grotius had to consider or offer amendments to the 1625 text in preparation for the 1631 edition, Grotius had only a very short window of time while he was in Amsterdam in early 1632 in which to edit or alter the text.¹⁹

Our study of Blaeu's edition has made it possible to complement van Vollenhoven's analysis with an appraisal of some of the additional ways in which it was also marked by some signs of being printed in reasonable haste. In particular, in addition to some mispagination across all copies of the edition (page number 407 appears twice with the first in place of page 406), this edition stands out among the other editions of IBP for mistakenly labelling signatures, with sig. *4 (printed as a4), or omitting them entirely, as on pp. 73

18 Cornelis van Vollenhoven, 'L'édition de 1631 du De jure belli ac pacis de Grotius (1625)', *Mededeelingen der Koninklijke Akademie van Wetenschappen, Afdeling Letterkunde*, Series B, 66 (1928), 31–60, at pp. 31–40.

19 *Ibid.*, pp. 35–7.

(E5), 119 (H4), 249 (Q5) and 421 (2D3). In comparing different copies of the edition, meanwhile, we have thus far found little extensive evidence of alterations while the work was in press. The most considerable of such, for example, concern an 'n' out of alignment at the base of p. 169 in some copies, and, on p. 177, a shift in the marginalia with some copies having 'L. Princeps' on its own line, and others adding it to the final line at the base of the page under the signature M. This lack of changes, it should be noted, could as much be evidence of good print shop practice (and the reliable work of the correctors) as it is of any undue haste in printing the sheets. Their number is notably fewer than those to Janssonius's edition, and this, added to other evidence such as the quality of the paper and the amount of mispagination in Janssonius's edition, does broadly confirm the received impression of Blaeu's superiority and the relative merits of the two firms and their respective outputs.

3 Ways of Reading Blaeu's IBP

From the seventeenth to the twentieth century, many members of the European and North American elites were readers of Blaeu's edition of IBP. A copy was owned by the English bishop and theologian Edward Stillingfleet (1635–1699), who was influenced by the ideas of John Selden. Stillingfleet's collection was purchased by Narcissus Marsh (1638–1713), who founded Marsh's library, where the copy is stored (V/29). An annotated copy, now held at Berkeley (V/67), belonged to Franz Josef Graf von Plettenberg (1714–1779), a German aristocrat from Westphalia who studied law at Leiden. A copy presently in the National Library of Naples (V/32) belonged to the extensive collection Brancacciana. Originally established in Rome in the first half of the seventeenth century by the Italian Cardinal Francesco Maria Brancaccio (1592–1675), the collection was brought to his hometown, Naples, at his behest by heirs, and opened as the first public library in Naples in mid-1691. From 1724 it was entitled to receive a copy of each print made in the city and throughout the nineteenth century it was the beneficiary of important donations. In 1922 it was incorporated into the current institution.²⁰

At this early point of our investigation, three important readers who left traces of their ownership of the text and participated in the development of

20 Simona Pignalosà, 'L'Archivio Possessori della Biblioteca Nazionale di Napoli', *La Bibliofilia* 117 (2015), 344–50.

the legal and political debates of their age stand out: Remigius Faesch, Baron von Boineburg, and Wendell Philipps.

The first notable copy (V/56) was owned by Grotius's contemporary, Remigius Faesch. Jurist, art historian and collector, thrice Rector of the University of Basel and professor of law at Basel for almost four decades, Faesch served as counsel to the duke of Württemberg and the margrave of Baden-Durlach.²¹ Together with his copious surviving papers, Faesch's copy of the 1632 Blaeu IBP is now at the library of the University of Basel, which his donated book collection helped to form. Manuscript catalogues surviving among Faesch's papers suggest that he probably also owned a 1626 IBP and Blaeu's 1633 *Mare liberum*; however, we could not yet locate these.²²

Like other readers, Faesch used annotations as memory aids and keywords. He also carefully structured the text of IBP by paragraphs, and according to the elements of Grotius's argument. Other sets of marginalia correct typographical errors; unpack Grotius's references to other sources; or engage IBP via original insights. The very first paragraph of the first page of the Prolegomena illustrates multiple groups of annotations: Faesch numbers the paragraphs; identifies references, linking 'ipsa natura' to Dig. 1.8, Grotius's phrase, '[v]ere enim Cicero praestabilem hanc dixit scientiam' to *Pro Balbo* and Grotius's invocation of Euripides to *Helen*; adds to the Digest comment that *ius* can be either divine or human; and corrects 'Theoclymenem' as 'Theonoen' (fig. 3).

Though Faesch closely read and heavily annotated his 1632 Blaeu IBP, and owned other works by Grotius, there is no surviving evidence among his papers in Basel that he incorporated IBP in the courses he gave on law. This choice is in itself noteworthy and recalls Owen Gingerich's exciting reconstruction of the genesis of Paul Wittich's (c. 1546–1586) annotations in his copy of Copernicus's *De revolutionibus*, which remained completely unconnected to his teaching.²³

21 Theodor Bühler: 'Faesch, Remigius', in *Historisches Lexikon der Schweiz (HLS)*. Online: <https://hls-dhs-dss.ch/de/articles/015831/2004-11-10/>.

22 Universitätsbibliothek Basel, AR I 11, 'Katalog zu Remigius Faesch's Bibliothek. Faesch, Remigius. Basel, 1628- mind. 1683', at fol. 43r [42r]: 'Hugonis Grotii tr. de Iure Belli ac Pacis. A. 1632 in 8° Amsterodami'; fol. 83v [82v]: 'Hugo Grotius de Mari Libero et P. Merula de Maribus. Lugt. Bat. 1633 in 24°. UB Hauptbibliothek, UBH AR I 15, 'Aktenstücke betreffend die Familie Faesch und insbesondere das Museum des Remigius Faesch'. A 1626 IBP and a 1633 Blaeu *Mare liberum* survive in Basel but are unlikely to be Faesch's.

23 Owen Gingerich, *The Book Nobody Read: Chasing the Revolutions of Nicolaus Copernicus* (New York: Walker & Company, 2004), p. 173.

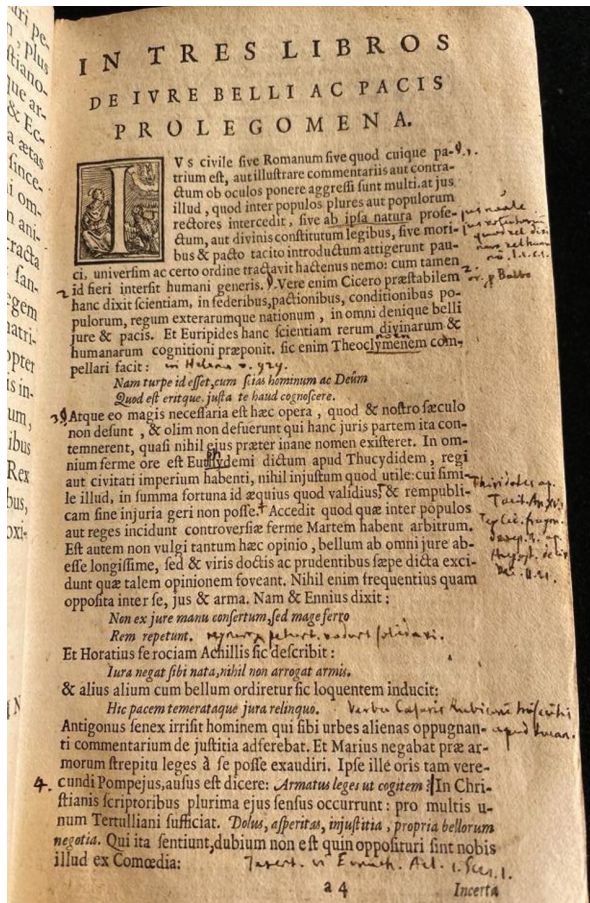


FIGURE 3 Annotations in Faesch’s copy at Basel, V/52

The second valuable copy (V/19) was owned by a paradigmatic ‘early Enlightenment’ figure, Baron von Boineburg. Known for having recognised the promise of Gottfried Wilhelm Leibniz and hiring him as his amanuensis, Boineburg was educated at the universities of Jena and Helmstedt, where his teachers notably included leading scholars and theologians such as Hermann Conring and Georg Calixt.²⁴ He thereafter pursued a prominent diplomatic career that – aided in part by his conversion to Catholicism in 1653 – ultimately

24 On Boineburg’s early life and career, see Eva Ultsch, *Johann Christian von Boineburg. Ein Beitrag zur Geistesgeschichte des 17. Jahrhunderts* (Würzburg: C. J. Becker, 1936); Margherita Palumbo, ‘Johann Christian von Boineburg’, *Il Bibliothecario* 23/24 (1990), 181–218, at pp. 182–6.

saw him rise to the position of Chief Minister in Mainz.²⁵ Following his conversion to Catholicism, he contributed to the establishment of the League of the Rhine. Arrested in 1664 for duplicity, he never fully recovered his political standing, even following his acquittal and release after a year in incarceration. Boineburg's political fall also irredeemably affected some of his ongoing intellectual projects, chief among them a universal jurisprudence based on Grotius's work. This project had been among Boineburg's main preoccupations in the period 1660–1663, for the pursuit of which he had coordinated the creation of a network of scholars, focused on Hermann Conring and Johann Heinrich Boecler but also encompassing Leibniz and Samuel Pufendorf, who could contribute to the task of crafting a 'Christian natural law' that transcended the divisions between different confessional groups.²⁶ Although these plans were never fully realised, especially in the way Boineburg himself intended, they did at least result in the publication of Boecler's commentary on Grotius's *IBP* (TMD 677).²⁷

For Boineburg, Grotius mattered as a figure whose jurisprudence was part of his broader encyclopedic contribution to law, ethics, politics, and theology.²⁸ His extensive library contained thirty-five of Grotius's publications, covering the whole spectrum of Grotius's output.²⁹ They included two copies of *IBP*, in

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- 25 For Boineburg's conversion and his period in Mainz, see Georg Denzler, *Die Propogandakongregation in Rom und die Kirche in Deutschland im ersten Jahrzehnt nach dem Westfälischen Frieden* (Paderborn: Bonifacius-Druckerei, 1969), pp. 74–5; Hans Peterse, 'Johann Christian von Boineburg und die Mainzer Irenik des 17. Jahrhunderts', in *Union – Konversion – Toleranz. Dimensionen der Annäherung zwischen den christlichen Konfessionen im 17. und 18. Jahrhundert*, ed. by Heinz Duchhardt and Gerhard May (Mainz: Verlag Philipp von Zabern, 2000), pp. 107–18.
- 26 Gábor Gángó, 'Johann Christian von Boineburg, Samuel Pufendorf, and the foundation myth of modern natural law', *History of European Ideas* (advance access: published online 14 June 2022 <https://doi.org/10.1080/01916599.2022.2099044> and accessed 20 July 2022), 1–20. This section is also informed by a presentation by Gábor Gángó, 'Marginalia at the centre: contrasting readings of Grotius, *De iure belli ac pacis*', 26 November 2019, Forschungszentrum Gotha. On Boineburg's notion of 'Christian natural law', see too Martin Mulsow, 'John Selden in Germany: Religion and Natural Law from Boecler to Buddeus (1665–1695)', in *For the Sake of Learning: Essays in Honor of Anthony Grafton*, ed. by Ann Blair and Anja-Silvia Goeing, 2 volumes (Leiden: Brill, 2016), 1, pp. 286–308, at pp. 288–93.
- 27 Johann Heinrich Boecler, *In Hugonis Grotii ius belli et pacis, ad illustrisimum Baronem Boineburgium commentatio* (Strasbourg: Simon Paul, 1663). See the discussion in Gángó, 'Johann Christian von Boineburg', pp. 2–10. See Tim Hochstrasser, *Natural Law Theories in the Early Enlightenment* (Cambridge: Cambridge University Press, 2000), pp. 40–71.
- 28 See the discussion in Ultsch, *Johann Christian von Boineburg*, pp. 71–5.
- 29 Kathrin Paasch, *Die Bibliothek des Johann Christian von Boineburg (1622–1672). Ein Beitrag zur Bibliotheksgeschichte des Polyhistorismus* (Berlin: Logos, 2005), p. 255.

the shape of the 1632 and 1667 Blaeu editions. Boineburg first received the 1632 copy while he was still a student in 1641, a gift from the Dresdener, Johannes Georgius Beyrer. Bound in plain parchment, the volume also includes Blaeu's 1633 edition of *Mare liberum*, although it is not definitively known whether this was also part of Beyrer's gift or whether it was Boineburg himself who subsequently had the two works bound together.

Boineburg's copy is replete with annotations. These begin at the head of the volume, as it is framed with an extensive note paying tribute to Grotius himself, whose erudition and judgement, the text detailed, put him at the head of the learned of his age, and whose work, IBP, was likewise acknowledged and praised by contemporaries. Boineburg legitimated these encomia by transcribing views of Grotius put forward in publications by other contemporary scholars. These included Grotius's great opponent in the debate concerning the freedom of the sea, John Selden, whose tribute to Grotius in *Mare clausum* (1635), 'virum ingentis eruditionis, & rerum humanarum divinarumque scientissimum', Boineburg copied out.³⁰ Boineburg would apparently also return to these notes at a later stage. In now-darker ink, and a slightly later hand, he added a series of additional pieces of contemporary testimony, including one taken from the preface of Gabriel Naudé's *Bibliographia Politica* (1633), which likewise attested to Grotius's pre-eminent reputation.³¹

The annotations made to the text of IBP substantiate Boineburg's keen admiration of Grotius and his application in studying and making use of his work. The copy is marked by the extensive amount of passages that are underlined. It can be difficult to decode the purpose of these marks. While they do sometimes involve single words or specific phrases or sentences that Boineburg evidently intended to highlight, their use is far from careful or selective, and it is frequently the case that the majority of lines in a page have at least some underlining. It might be suggested that they indicate two aspects of Boineburg's reading practice: his interest in a given passage or section and his intense concentration and active engagement applied to studying and understanding that part of the text. These conclusions follow in part from a comparative analysis. In the case of other works in his library, Boineburg was much more discriminating. His copy of Selden's *De iure naturali* (1640), for example,

30 For Boineburg's copy of Selden's work, see UB Erfurt, 03 – R. 8° 01503b: John Selden, *Mare clausum seu de dominio maris libri duo* (London: William Stansby for Richard Meighen [=Leiden: Bonaventure and Abraham Elzevier], 1636), with Selden's comments regarding Grotius, as Boineburg indicated, on p. 196.

31 Boineburg's copy of Naudé's work is today at UB Erfurt, 03 – Pol. 12° 00047 (01): Gabriel Naudé, *Bibliographia politica* (Wittenberg: Balthasar Mevius, 1641).

is sparingly annotated, with only a few chapters containing levels of underlining akin to those that fill the pages of Boineburg's IBP.³²

In addition to this use of underlining, Boineburg's copy is also full of marginalia. These can be classified into at least four broad categories. First, Boineburg added notes that contributed to organising the work further and making it more amenable to frequent consultation and assimilation. This was marked, for example, by adding numbers to illustrate the different parts of an argument or indicating passages where Grotius responded to potential detractors of his claims with the abbreviations 'obj.' and 'resp.'. In other instances, Boineburg briefly indicated whose work or claims Grotius was refuting, noting, for example, on p. 61, 'Guilielmi Barclaij opinio ab Authore refutata'. The second category of marginalia extended and complemented the first, shifting from additions that simply added new levels of organisation to Grotius's work to providing Boineburg's own pithy interpretive summaries of given sections or passages. These are for the most part in Latin, but on a few occasions Boineburg does use other languages, notably including a brief French *précis* of Grotius's comments regarding the operation of the Salic Law in France (p. 128). Many of these notes touched on issues of particular relevance for Boineburg's broader project regarding the construction of a Christian natural law, and he notably observed Grotius's comments regarding ancient Hebrew law. On p. 8, for example, Boineburg paid keen attention to Grotius's comments that the Hebrew law was no longer binding, underlining (in thick black ink) a swathe of the page while adding, in the margin, 'Leges Hebraeae nos *non* stringunt'. Third, other comments and marginalia, albeit less frequent than in the first two categories, directly evidence Boineburg's own thoughts or preoccupations with given passages. These range from points highlighted as of particular interest by use of the abbreviation 'NB' to other lengthier comments. Fourth, and finally, Boineburg also added other supplementary information to the text. Chief, in this respect, and common to his practice elsewhere, was the inclusion of lists of relevant books, and on the verso to the title page of *Mare liberum* he provided a list of other pertinent treatments of the subject.³³

Capturing a complete picture of Boineburg's reading of Grotius's IBP, and the place of this copy within his broader ambitious schemes and whether, and how, his view regarding IBP changed over time will require further research. It is clear that Boineburg returned to the text on a number of different occasions,

32 Mulsow, 'John Selden in Germany', pp. 289–90.

33 For an equivalent example of Boineburg's practice in this regard, see the extensive list of commentators on Grotius that Boineburg noted on the flyleaf of his copy of Boecler's commentary on IBP, printed in Mulsow, 'John Selden in Germany', p. 288.

and careful study (and comparison with examples of his hand elsewhere), may make it possible to discern when certain layers of annotation were added (and confirm that they are indeed all by Boineburg). It is possible, for example, that a first set of annotations were made by Boineburg as a teenager, and later ones with a thicker pen.³⁴ Further study will also reveal how this specific copy of IBP fits in the context of Boineburg's library, especially regarding his other copies of works by Grotius. What is not in doubt, however, is how vividly this copy evidences Boineburg's intense engagement with Grotius's work. In particular, its accretion of underlining and marginalia provides testimony regarding how one active reader, as part of a broader constellation of German scholars, sought to adapt and assimilate Grotius in a new setting. How Boineburg read his copy of IBP provides a glimpse into the ideas that encouraged him to gather many of the great legal minds of his generation to establish a universal approach to war and peace.³⁵

The third remarkable copy (V/34) was owned by the Boston Brahmin, Wendell Phillips.³⁶ Phillips was a seminal and prolific defender of the abolitionist cause in the United States. He was also a labour leader, and a Reconstruction Era activist who pursued the equal rights of women and Native Americans. Phillips attended Harvard Law School and then opened his own law practice. Upon witnessing an attempted lynching, Phillips converted to the abolitionist cause. His family reacted to this change by suggesting that he should be committed to a psychiatric hospital. He campaigned tirelessly for abolition: he delivered one of his orations over two thousand times, and donated most of his money to charities and philanthropic causes. In 1845, he championed the message of "No Union with Slaveholders" and criticised the Constitution's views on slavery, advocated in favour of Northern secession from the United States, and ran for Governor of Massachusetts.³⁷ He was a member of the International Working-men's Association, and he professed his support for the 1871 Paris Commune.³⁸

34 Gángó, 'Marginalia at the centre'.

35 A practice noted in Lisa Jardine and Anthony Grafton, "'Studied for Action": How Gabriel Harvey Read His Livy', *Past & Present* 129 (1990), 30–78.

36 We are grateful to Francesca Iurlaro for her contributions to this analysis of Phillips' copy.

37 See David F. Ericson, 'Wendell Phillips Liberty and Union', in Id., *The Debate Over Slavery Antislavery and Proslavery Liberalism in Antebellum America* (New York NY: New York University Press, 2000), pp. 62–90.

38 On Phillips's life, see Donald Yacovone, 'Introduction: Tribune to the People', in A.J. Aiséirithe and Donald Yacovone, *Wendell Phillips, Social Justice, and the Power of the Past* (Baton Rouge LA: Louisiana State University Press, 2016), pp. 1–26.

Phillips dated his inscription in his copy of the 1632 Blaeu IBP to 15 August 1842. Phillips noted that the numbering of arguments that appeared in the text were taken from his 1670 Blaeu copy (fig. 4), that was indeed the second edition in which the sub-paragraphs appear (TMD 580).

Phillips's annotations on the copy feature comments on Rousseau's views of Grotius and accompany far older annotations made in Hebrew and Greek by earlier readers. These deserve greater contextualisation, and we hope that by inspecting Phillips's exemplar and carrying out further archival research, we will be able to paint a clearer picture of the provenance and circulation of this copy. The same copy subsequently belonged to the personal collection of the Italian scholar Giorgio Del Vecchio (1878–1970), an influential professor of legal philosophy, founder of the scholarly journal *Rivista internazionale di Filosofia del diritto* (active since 1921) and the university institute of 'Filosofia del diritto' (1933), attached to the Law Faculty of then Royal University of Rome, to which he donated his vast library (ca. 40,000 volumes) in 1957–62.³⁹



FIGURE 4 Phillips's copy (V/34). The inscription reads: 'The subdivisions which I have here & elsewhere marked in the margins are copied from the edition by Johan Blaeu in 1670.'

39 Bruno Montanari, s.v. 'Del Vecchio, Giorgio' in *Dizionario Biografico dei Giuristi Italiani. XII-XX secolo* (Bologna: Il Mulino, 2013); *I filosofi del diritto alla 'Sapienza' tra le due guerre*, ed. by Gianpaolo Bartoli (Roma: Sapienza Università Editrice, 2017), on the donation: pp. 713–4.

The continuities in the reading and annotation styles of early modern and modern readers are worth noting: one of the most striking parallels between Boineburg's and Phillips's annotations on the text is how both readers transferred Grotius's own numbering of his arguments to the margins of their 1632 edition (fig. 5). Further comparative research could provide us with more details on how Phillips organised and connected the various arguments, while Boineburg provided more substantial comments on each section.

While the reading style may have remained similar, modern authors like Phillips harnessed text for radically different ends: Phillips may have used his copy to consider the relationship between Grotius's ideas on wills, enslavement, and captivity, to address the salient and contested issue of the right of fugitive slaves, as he made notes connecting the sections on pages 118 and 336, on a 'Will or Testament is a Kind of Alienation, and of natural Right' and 'Of the Right over Prisoners' (fig. 6).

Indeed, Phillips may have drawn on Grotius's insights when considering the terms of *Prigg v. Pennsylvania*, a famous Supreme Court case from 1842 where the Court argued that Congress was the sole authority that could legislate on

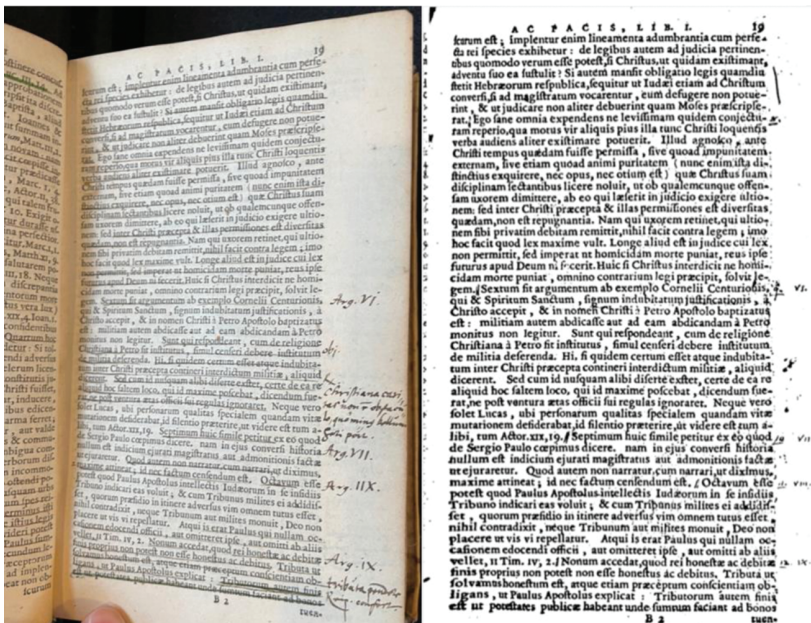


FIGURE 5 Boineburg's copy vs Phillips's one

the question of fugitive slaves, and held that the *Fugitive Slave Act* of 1793 precluded a Pennsylvania state law that prohibited the extraction of black peoples from the free state of Pennsylvania and into slavery.⁴⁰ This was one of a number of mid-nineteenth-century cases heard before the Court where abolitionist lawyers drew on the authority on the law of nations to bolster abolitionist arguments, including *Dred Scott v. Sandford*, where IBP was cited to demonstrate that in Europe slavery could ‘exist only within the territory where it is established; and that, if a slave escapes, or is carried beyond such territory, his master cannot reclaim him, unless by virtue of some express stipulation’.⁴¹ This tradition dated back to the 1772 *Somerset’s case*, often seen as the beginning of the formal abolishment of the slave trade in Britain, where IBP was cited to show that captivity in war was different from captivity by contract.⁴²

Phillips repeatedly drew on Grotius’s ideas to bolster his views on slavery in a range of texts, including his 1847 *Review of Lysander Spooner’s Essay on the*

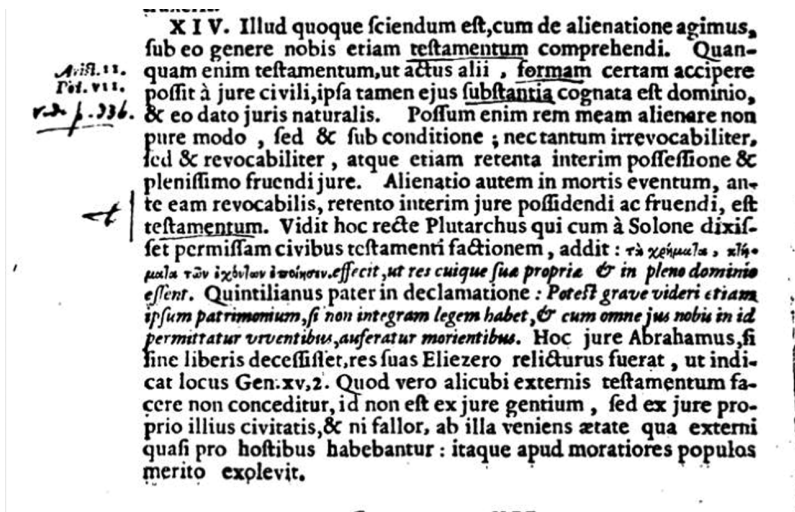


FIGURE 6 Annotation by Phillips on p. 118 of his copy (V/33).

40 See Lackland H. Bloom, ‘Prigg v. Pennsylvania’, in Id., *Do Great Cases Make Bad Law?* (Oxford: Oxford University Press, 2014), pp. 63–72.

41 *Dred Scott v. Sandford*, 60 US 393 – Supreme Court 1857.

42 *Somerset’s Case* 98 Eng. Rep. 499 (K.B., 1772). On the case, see David Worrall, ‘How Much Do We Really Know About Somerset v. Stewart (1772)? The Missing Evidence of Contemporary Newspapers’, *Slavery & Abolition* 43:3 (2022), 574–93. On how legislation surrounding abolition was harnessed to perpetuate forced labour see Padraic X. Scanlan, *Freedom’s Debtors British Antislavery in Sierra Leone in the Age of Revolution* (New Haven, CT: Yale University Press, 2017).

Unconstitutionality of Slavery, and his 1850 speech, 'Sims Anniversary', where he connected the rights of fugitive slaves to the principle 'that when government ceases to protect, the citizen ceases to owe allegiance'.⁴³ He identified the tolerant Christian spirit of Grotius and decades later, in a poem read at a gathering of the Phi Beta Kappa Society, his cousin, Oliver Wendell Holmes, would praise Wendell and connect his views to their family's Dutch roots; 'Both Grotius and Erasmus were countrymen of we'.⁴⁴

Yet Grotius's views on slavery could be interpreted for multiple intents and purposes. Phillips was involved in a famous case before the Massachusetts Supreme Judicial Court, *Edmund Jackson v. Wendell Phillips*.⁴⁵ The case addressed Francis Jackson's testament, which established a trust to propagate abolitionist principles. Slavery, however, was abolished soon after Jackson's death by the introduction of the Thirteenth Amendment, and thus the express purpose of the trust nullified. Jackson's heirs claiming that the object being vanished, the whole trust was to be considered void and its proceeds redirected to other non-charitable purposes. The court sided with Jackson's heirs and concluded that the 'object of putting an end to negro slavery in the United States was a particular object. It was not to educate, feed, clothe or transport slaves; but to free them'.⁴⁶ In this case, IBP was used to show that the law of nations at the time of the foundation of the Massachusetts Bay Colony considered descent to be 'first among the sources of slavery'.⁴⁷

4 Conclusion

By drawing attention to the printing history of this IBP edition, this report has traced some of the publishing strategies implemented by Blaeu in his competition with Janssonius: the procurement of a double printing privilege, both

43 Wendell Phillips, *Review of Lysander Spooner's Essay on the Unconstitutionality of Slavery* (Boston: Andrews & Prentiss, 1847), p. 65; Id. *Speeches, Lectures, and Letters*. Volume 1 (Boston: Lee & Shepard, 1872), pp. 87–8.

44 Oliver Wendell Holmes, 'Post-Prandial' in Id. *Before the Curfew, and Other Poems, Chiefly Occasional* (Boston and New York: Houghton and Mifflin Company, 1888), pp. 69–71, at p. 69.

45 *Edmund Jackson v. Wendell Phillips & others*, 96 Mass. 539 (1867), p. 561: 'Grotius de Jure Belli, lib. 2, c. 5, sects. 27, 29; lib. 3, c. 7'. A few years earlier, in the landmark *Dred Scott v. Sandford*, 60 U.S. (1857), Justice Campbell's concurring opinion also invoked IBP on slavery.

46 *Jackson v. Phillips*, p. 584.

47 Ibid.

from the King of France and the Emperor, and the authoritative recognition of his product. The early results of our investigation confirm the success of this strategy: Blaeu's copies were owned by relevant exponents of the ruling class, donated as prizes, and chosen for their quality. In particular, the finding of Blaeu IBP copies joined to the Blaeu edition of *Mare liberum*, while Janssonius's edition including both texts was on the market, is of considerable relevance. The study of reading practice, which we began to conduct on a few copies, revealed readers' attention to structuring Grotius's train of thought through the subdivision of paragraphs into sub-paragraphs (fig. 5). From this evidence derives the need to proceed in the study of annotations with great care, since the practice of the possession of several IBP editions by the same owner foster the phenomenon, already typical for the scholars, of cross-referencing between editions of IBP.⁴⁸

The contest between Janssonius and Blaeu, moreover, shaped how subsequent readers understood the significance of Blaeu's 1632 text. They frequently interpreted Grotius's statement regarding the authority of this edition, in contrast to Janssonius's, less as a discrete tactic in the context of a struggle between two publishers, and more as an indication that it constituted the superior edition of the text to all those hitherto published. It was this 1632 Blaeu edition that thereafter appears to have been particularly prized by leading contemporary figures, who, even in contrast to the 1631 edition, bought and annotated this version.

The work of historians such as Richard Tuck further contributed to the view that the 1631 edition featured changes that were more consequential than those featured in subsequent editions. In fact, Grotius's skills as a publicist, and his statement declaring his preference for the 1632 Blaeu edition, appealed to, and influenced, practical lawyers like Faesch, Boineburg, and Phillips, from the 'early Enlightenment' to the rise of civil rights in the United States.

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48 See also Djoek van Netten, *Koopman in kennis. De uitgever Willem Jansz Blaeu in de geleerde wereld (1571–1638)* (Zutphen: Walburg Pers, 2014). We thank Henk Nellen for his suggestions on this point.