

A Legal Miscellanea Autumn 2004



SPECIAL COLLECTIONS FOCUS: NEW ACQUISITIONS
The Editor's Guide (2004)

Through a series of antiquarian bookellers in Amsterdam, the Law Library has acquired a copy of the very same first edition of Cesare Beccaria's *Dei Delitti e delle Pene* (On Crimes and Punishments, London 1764). This is a milestone in the history of the modern penal system. With the well-known work of 178 pages, Beccaria influenced heads of state and lawmakers worldwide in terms of a rational justice, and a constitutionally influenced among his countrymen.

Beccaria, through communication with his law teacher, the first Beccaria, founded an international Beccaria society. Presidents of the Society of which was the reform of the criminal justice system. The publication of Beccaria's work with this group was the Editor's Guide. Beccaria originally published anonymously due to Beccaria's fear of political oppression, subsequently after the Beccaria's acceptance by European governments as well as by individuals, the work has become a main and went through the editions in English, French, and was translated into several other languages.

In 1764 Beccaria wrote that government is for the use of citizens and is essentially in need of reform, leading to be considered as did not the ancient authors principles of an unprincipled people's justice. The civil and criminal systems, as part of the government, were originally in need of correction. Beccaria's influence on European and American governments was profound. His ideas on punishment, on the one hand, and his ideas on the rights of the individual, on the other, were revolutionary. Laws should be made by the people and should be promulgated by the government, and punishment should be thought to be their responsibility.

THE "FATHER OF INTERNATIONAL LAW" IS WELL-REPRESENTED AT THE JACOB BURNS LAW LIBRARY

Mark Semers, Foreign International Law Librarian

The original work of Vattel, *Le Droit de la Guerre* (1758), is regarded as the "father of international law" in recognition of the considerable influence on the development of the law of nations. His most prominent contribution to the modern field of international law, *Le Droit de la Guerre* (The Law of War and Peace) and *Le Droit de la Paix* (The Law of Peace) stand as seminal treatises on the rights and duties of nations in their relations with other states.



Emer de Vattel, *Le Droit de la Guerre* (1758). Printed in the year 1758, the work is the first to present a systematic and comprehensive account of international law. It is a landmark work in the history of international law.

Although Emer de Vattel is still a young man, it remained in greatest part unpublished until a Dutch publisher discovered the manuscript in 1806 and had it printed in The Hague. Vattel's treatise on the law of public war and peace is the basis of the Dutch East India Company to the capture of the Portuguese island of Timor in 1601. The publisher's note in the introduction explains in four chapters 1/4 of the work was issued separately and anonymously in 1689 in Amsterdam (The Hague). In that chapter, Vattel argues that the state could not be represented by any one nation, but were free and open to all nations as they pursued their lawful rights to trade with others. Indeed, it is probable that Vattel was the first to articulate the concept of the state as the "bearing of mankind" which found its ultimate expression in the 1948 United Nations Convention on the Law of the Sea.

Without question, Vattel's permanent historical achievement came with the publication of his 1689 treatise upon the law of war and peace entitled by Jean Barbicou in Paris, considered a ground-breaking work of international law by legal scholars. Written in response to the

continuation book.

LIBRARY EXHIBIT COMMEMORATES 200TH ANNIVERSARY OF THE CODE CIVIL

Opening in mid October, the Law Library celebrated the 200th anniversary of the Code Civil with an exhibit commemorating the agreement in 1804 of the Napoleonic Code which led to the first civil code in France. The Code Civil is the first civil code in France, and is considered the first of its kind. It is a landmark work in the history of law, and is the basis of the modern civil law system. The Code Civil is the first of its kind, and is the basis of the modern civil law system. It is a landmark work in the history of law, and is the basis of the modern civil law system.

emphasized the need to create a new legal system that would be based on the principles of the Code Civil. The Code Civil is the first of its kind, and is the basis of the modern civil law system. It is a landmark work in the history of law, and is the basis of the modern civil law system. It is a landmark work in the history of law, and is the basis of the modern civil law system.

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