

The Law of Nations

The Law of Nations: Or, Principles of the Law of Nature Applied to the Conduct and Affairs of Nations and Sovereigns^[note 1] is a legal treatise on international law by Emerich de Vattel, published in 1758.^[1]

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Synopsis

The Law of Nations has been said to have modernized the entire practice of international law.

Influence

Centuries after his death it was found that United States President George Washington had a number of overdue library books dating back over 221 years. One of them was *The Law of Nations*.^{[2][3]}

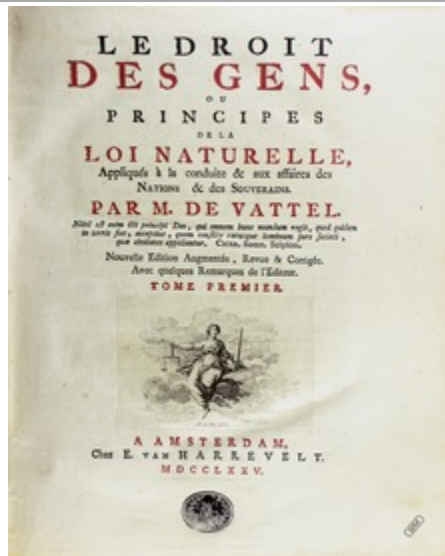
Swiss editor Charles W.F. Dumas sent Benjamin Franklin three original French copies of the book in the 1770s. Franklin received them May 18, June 30, and July 8 by two couriers: Alexandre Pochard (Dumas' friend^[4] and later companion to Fleury Mesplet^[5]) and a man named Vaillant. Franklin kept one copy for himself, depositing the second in "our own public library here" (the Library Company of Philadelphia which Franklin founded in 1731) and sending the third to the "college of Massachusetts Bay" (Franklin used the original name from 1636, not acknowledging the 1639 rename to Harvard College in honor of John Harvard). On December 9, 1775, Franklin thanked Dumas:^{[6][7]}

It came to us in good season, when the circumstances of a rising State make it necessary to frequently consult the Law of Nations.

Franklin also said that this book by Vattel, "has been continually in the hands of the members of our Congress now sitting".^{[8][9]}

It provides at least a partial legal basis for modern conscription in the United States.^[10] In the *Selective Draft Law Cases* (1918), upholding the Selective Service Act of 1917, the court stated:

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Author	<u>Emerich de Vattel</u>
Country	<u>Switzerland</u>
Language	French
Genre	<u>International Law</u>
Publication date	1758
Published in English	1760 (1st) <div>1787 (2nd)</div> <div>1793 (3rd)</div> <div>1797 (4th)</div>

It may not be doubted that the very conception of a just government and its duty to the citizen includes the reciprocal obligation of the citizen to render military service in case of need, and the right to compel it. Vattel, *Law of Nations*, book III, cc. 1 and 2. To do more than state the proposition is absolutely unnecessary in view of the practical illustration afforded by the almost universal legislation to that effect now in force.

English editions

Vattel's *Law of Nations* was translated into English in 1760, based on the French original of 1758. A Dublin translation of 1787 does not include notes from the original nor posthumous notes added to the 1773 French edition. Several other English editions were based on the edition of 1760. However, an English edition from 1793 includes Vattel's later thoughts, as did the London 1797 edition. The 1797 edition has a detailed table of contents and margin titles for subsections.^[11]

Notes

1. **French:** *Le Droit des gens : Principes de la loi naturelle, appliqués à la conduite et aux affaires des Nations et des Souverains*

Footnotes

1. *Le droit des gens ou Principes de la loi naturelle appliqués à la conduite et aux affaires des nations et des souverains*. Tome 1 / par M. de Vattel, Londres : 1758 (<http://gallica.bnf.fr/ark:/12148/bpt6k865729.r=vattel.langEN>) via Gallica (<http://gallica.bnf.fr/?lang=EN>); *Le droit des gens ou Principes de la loi naturelle appliqués à la conduite et aux affaires des nations et des souverains*. Tome 2 / par M. de Vattel, Londres : 1758 (<http://gallica.bnf.fr/ark:/12148/bpt6k86573n.r=.langEN>) via Gallica (<http://gallica.bnf.fr/?lang=EN>)
2. Parker, Kathleen (21 April 2010). "Finally, a library for our first president" (<https://www.washingtonpost.com/wp-dyn/content/article/2010/04/20/AR2010042003527.html>). *Washington Post*. "the man who could not tell a lie failed to return a couple of volumes that were due on Nov. 2, 1789. That comes to more than 220 years late, or about \$300,000 in fines. Borrowed from the New York Society Library, the books were Emmerich de Vattel's "Law of Nations," dealing with international relations, and a collection of debates from Britain's House of Commons"
3. "George Washington's 221-year overdue library book: A timeline" (<http://theweek.com/article/index/203282/george-washingtons-221-year-overdue-library-book-a-timeline>). *The Week*. 21 May 2010. "Oct. 5, 1789: Five months after George Washington takes the oath of office at Federal Hall on Wall Street, the new president checks out two books from the New York Society Library. The library was located in the same building as the president's office, in what was then the nation's capital. In a ledger, next to the names of the books — The Law of Nations by Emmerich de Vattel and Vol. 12 of the Commons Debates, containing transcripts from Britain's House of Commons — the librarian writes, "President.""
4. Chiokoyhikoy; Donald; Grinde, Donald A.; Robert; Griffin, Robert (1997). *Apocalypse de Chiokoyhikoy, Chef des Iroquois* (<https://books.google.com/books?id=RJbG0t7WZKEC&pg=PA196>). p. 196. ISBN 9782763774497. "Alexandre Pochard, a friend of Dumas' and perhaps an abbe, was with Mesplet in Montreal"
5. Pocharde, Alexandre (1776). "L'Imprimeur M. Mesplet, ses ouvriers et moi avons ressenti les coups de la vengeance des Suppôts du Roi" (<https://franklinpapers.org/framedVolumes.jsp?vol=22&page=655a>) [The Printer M. Mesplet, his workers and I felt the blows of revenge from the King's Suppots] (in French). Letter to Benjamin Franklin.
6. Emer de Vattel (1916). Charles Ghequiere Fenwick (ed.). *Le droit des gens* (<https://archive.org/details/ledroitdesgenso00laprgoog>). Carnegie Institution of Washington. p. xxx. "Le droit des gens Library Company of Philadelphia."

7. "Benjamin Franklin to To: Charles William Frederic Dumas" (<https://web.archive.org/web/20130905195359/http://etext.virginia.edu/etcbin/toccer-new2?id=DeIVol02.xml&images=images/modeng&data=/texts/english/modeng/parsed&tag=public&part=459&division=div1>). *Virginia.edu*. Archived from the original (<http://etext.virginia.edu/etcbin/toccer-new2?id=DeIVol02.xml&images=images/modeng&data=/texts/english/modeng/parsed&tag=public&part=459&division=div1>) on 5 September 2013. "I received your several favours, of May 18, June 30, and July 8, by Messrs. Vaillant and Pochard; whom, if I could serve upon your recommendation, it would give me great pleasure. Their total want of English is at present an obstruction to their getting any employment among us; but I hope they will soon obtain some knowledge of it. This is a good country for artificers or farmers, but gentlemen, of mere science in les belles lettres, cannot so easily subsist here, there being little demand for their assistance among an industrious people, who, as yet, have not much leisure for studies of that kind. I am much obliged by the kind present you have made us of your edition of Vattel. It came to us in good season, when the circumstances of a rising state make it necessary frequently to consult the law of nations. Accordingly, that copy which I kept, (after depositing one in our own public library here, and sending the other to the college of Massachusetts Bay, as you directed)"
8. *U.S. Steel Corp. v. Multistate Tax Comm'n.* (<http://laws.findlaw.com/us/434/452.html>), 434 U.S. 452, 462 (1977).
9. http://memory.loc.gov/cgi-bin/ampage?collId=lldc&fileName=001/lldc001.db&recNum=635&itemLink=D?hlaw:21:/temp/~ammem_hjCR::%230010636&linkText=1
10. Leach, Jack Franklin (1952). *Conscription in the United States: Historical Background*. Rutland, Vt.: C.E. Tuttle Pub. Co. p. vi. OCLC 1727243 (<https://www.worldcat.org/oclc/1727243>).
11. Emer de Vattel (1844). *The Law of Nations, Or the Principles of Law of Nature Applied to the Conduct and the Affairs of Nations and Sovereigns with Three Early Essays on the Origin and Nature of Natural Law and on Luxury* (http://www.loc.gov/rr/frd/Military_Law/Lieber_Collection/pdf/DeVattel_LawOfNations.pdf) (PDF). Philadelphia: T. & J. W. Johnson – via [Library of Congress](#).

External links

<http://kingdom-hawaii.org/lawintro.html>

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