Georges Martyn

[catalogue entries 61 & 62] “Jean Boutillier, La somme rural”
in: Evelien Hauwaerts, Evelien De Wilde & Ludo VANDAMME (eds.),
Colard Mansion. Incunabula, Prints and Manuscripts in Medieval Bruges,
[exh.cat. Bruges Groeningemuseum, 01.03.2018-03.06.2018]
Bruges, Musea Brugge & Openbare Bibliothek Brugge, Uitgeverij Snoeck,
2018, p. 146-147. 

[p. 146]

61 Jean Boutillier, La somme rural
Illuminated manuscript (fragment consisting of one folio)
[Amiens], 1459-1460, parchment
f. 15r in: Jean Boutillier, La somme rural, manuscript, paper, 406 ff.
Paris, Bibliothèque nationale de France, Ms. NAF 20023

62 Jean Boutillier, La somme rural
Incunable, paper
Bruges: Colard Mansion, 1479; 2°, ISTC ib01051000
Paris, Bibliothèque nationale de France, Rés. F-152
f. [bir] (old foliation: f. 1r)

61 Provenance: 1530, Frans Terlint; 1636, Lieven Vander Beke and Anna Heyns at Aardenburg; early 19th century, Joseph Barrois (no. 433); sold to Lord Ashburnham in 1849; 1901, acquisition BnF

62 Provenance: late 18th century, acquired by the BnF from the library of the abolished Benedictine monastery of Vlierbeek


A recent encyclopaedia situated the Somme rural in the canon of the most important works of Western law (Martyn 2016). The Bruges incunable is the editio princeps of a compilation that was written a century earlier, between 1385 and 1393, by Jean Boutillier. The book is close to Mansion’s French sphere of interest, but it is his only edition on law.
Boutillier (c. 1325/1345-1395) was a law practitioner in Tournai and the surrounding region. As city 'pensionary', he was charged with legal tasks, but he was also a royal official in Tournai, the Tournaisis jurisdiction, Mortagne and Saint-Amand, among other places. Whether he had actually studied law, as is claimed in Mansion’s incunable ('Licencié ès droits Canon et Civil', ill. 118), is not confirmed by other sources, with the exception of a manuscript from Lille dating from 1476. Was the impressive university title a selling point for Mansion?

Without using a university ‘method’, Boutillier nonetheless seems to have mastered the terminology and principles of learned law (van Dievoet 1951). This makes him important in the development of European law more generally. In his practice, Boutillier had to apply law that was based on unwritten customs. As a so-called coutumier, he organised the locally fragmented laws of his region in writing. ‘Somme’ (Lat. summa) stands for ‘summary’. ‘Rural’ [for: ‘rurale’] refers not so much to the countryside about which he wrote as to his intention to instruct the common man. He drew upon the pronouncements of local courts, but also upon those of the Parlement de Paris, the highest court in France, which held sway over his jurisdictions at the time. Boutillier also cited royal legislation and referred to Roman and canon law. In this way, he played an essential role in the ‘reception of learned law’. His compilation was a reference for the generations that followed. When it was decided by royal decree that all customary law had to be written down, the Somme was a source of inspiration (van Dievoet 2006, p. 3 and 7). Since Tournai and the surrounding region ultimately belonged to the Netherlands, Boutillier is partly responsible for the fact that northern France and the Netherlands had a similar legal tradition. Boutillier is considered one of France’s greatest jurists (Foviaux 2015, p. 166-168), but he is also a major legal scholar in the history of the Netherlands.

In the fifteenth century, the Somme had already gained fame in France and hence in Flanders as well, since it was possible there to appeal to the Parlement de Paris. Around a dozen fifteenth-century manuscripts have been preserved. The earliest, dated 1457-1458, is held in Mons (Mons, Bibliothèque centrale de l’Université, Ancien fonds de la Bibliothèque publique de la ville, Ms. 220-316). It is not clear which manuscript Mansion used for his edition. He may have drawn his source text from the library of Louis of Bruges, who owned at least one copy of the work (Paris, BnF, Ms. fr. 201-202). However, the book may also have been in the possession of (legally trained) inhabitants of Bruges, or perhaps in the city registry or an institution of the county. In all likelihood, Mansion’s original has been lost. The closest is a version of which only a single page has been preserved: a parchment folio in two columns from a manuscript that, according to the introduction, was written in 1459-1460 by a clerk of the bailiff of Amiens (cat. n. 61). The incunable reproduces the preserved fragment literally, apart from a few minor letter variations (van Dievoet 1951, p. 76-77; Brussels 1973, p. 225). The miniature was pasted into another, paper version. Moreover, of all the complete manuscripts that survive, the text of this second manuscript comes closest to the incunable. For example, both contain the (erroneously dated) testament of Boutillier.

Mansion published his edition of 1479 in his innovative, sober rotunda font (Hellenga and Hellenga 1966, I, p. 53). Among other things, he left blank pages for the addition of consanguinity schemes, as is typical for medieval legal manuscripts. Later, there followed a total of more than twenty-five printings in five ‘waves’ of editions (each time revised), of which the Paris edition of 1621 is the most common. In addition to the French versions, there are at least nine editions of the Dutch translation Somme ruyrael (Delft 1483 and Antwerp between 1500 and 1550, among others).
Literature (from p. 238-248 of the catalogue):


