

they may be legal. The same higher tone is taken in a letter from Mr. Steed, which we print elsewhere, and on this we have nothing to add. But inasmuch as we said, in first criticising the occurrence, that such reprisals were forbidden by international law, we are naturally interested in Professor Holland's statement that they are not. "Objections," he writes, "might, of course, be made to them as unlikely to produce their hoped-for effect, or as repugnant to our feelings of humanity or honour. They are not illegal." Well, that depends on what we are entitled to treat as international law. The Hague Conventions are silent as to reprisals, and it may be admitted that there is no express authoritative declaration on the subject. That reprisals are, speaking generally, permissible is clear enough. Our Order in Council of March, 1915, for instance, by which the Blockade of Germany was set up, was stated to be by way of reprisal. But the objections to such procedure are so great that "belligerents are universally considered to be bound not to resort to reprisals except under the pressure of absolute necessity, and then not by way of revenge, but only in cases and to the extent by which an enemy may be deterred from a repetition of his offence:" Hall's *International Law*, 6th ed., p. 411. The question, indeed, is not as to the lawfulness of reprisals in general—that is, the meeting of one violation of the laws of war by another—but as to the limits which must be placed on them; and when we said that the air raid at Freiburg was forbidden by international law, we meant that it exceeded the limits which may now be regarded as recognized by international lawyers. These limits are founded on the gradual amelioration which has taken place—except with the Germans in the Franco-Prussian War and the present war—in the barbarities of war, and on the rule laid down by the Institute of International Law at Oxford, in 1881, that reprisals must in every case respect the laws of humanity and morality (*Annuaire de L'Institut de Droit International*, 5th year, p. 174). Air raids on undefended towns, which the aviators know will have as their natural—and therefore intended—result the deaths of women and children, exceed the limits, and in that sense are unlawful.—*Solicitors' Journal*