

PREFACE

IN writing the following book my aim has been, after defining my subject, distinguishing it from allied topics and indicating the sources of the law of contraband, to trace the origin and development of the fundamental principles of that law and impartially to set forth the rules of which it consists as exemplified from time to time in the practice of the chief naval powers. I have endeavoured to avoid all discussion of what the law ought to be. No attempt has been made, for example, to discuss such questions as whether the non-prohibition of the export of arms from a neutral country is consistent with the restrictions imposed upon the building and equipping of warships for belligerents within neutral territory, or whether it would not be more consistent with the principle of non-intervention for the neutral government to abstain in both cases from all interference with the merely commercial activities of its subjects.

Whichever way the law was settled, it would be almost certain, in the special circumstances of a particular case, to benefit one side more than the other. But the sole duty of a neutral state is impartially to observe the established rules and not to attempt in any way to equalize the inequality which the accident of the case works out. The actually existing rules which govern the relations of belligerents and neutrals are in effect the result of a compromise between conflicting interests, and can only be determined by deduction, in the light of the circumstances of the times and the special conditions of the war, from the usages, through a period of