

“FREEDOM OF THE SEAS”

HISTORICAL

I

INTRODUCTORY

THE appropriation of the formula, the “Freedom of the Seas,” by our late enemy necessitates an historical examination of its use by the enemies of Great Britain, and a renewed assertion of its true meaning. The enemy has adopted it as a comprehensive term, to deny the right of a belligerent to interfere with his free use of the sea in time of war.

For a belligerent to claim free navigation and commerce at the hands of his enemy, to assert that he is entitled to use the sea as freely in war as in peace, is to ignore the circumstances of war and practically to deny the right to fight upon the sea.

But when the neutral makes this claim, the question assumes a very different and a more serious aspect; for *his* assertion appears at first sight to be unanswerable. He is unconcerned with the war; *a priori*, therefore, he should not be affected by it, and should be allowed to continue in peaceful exercise of his rights of free navigation and commerce upon the sea. Yet this also ignores the circumstances and conditions of war; for, obviously, free navigation and free commerce would carry with it free intercourse with the enemy and raise the question how far this is consistent with neutrality.

In the historic disputes in which England's attitude at sea has been challenged, the neutral has put forward his claim in this simple fashion; he has hardly disguised the fact that his aim has been to maintain free