

THE
LEGAL NEWS.

VOL. XVI.

AUGUST 15, 1893.

No. 16.

THE BEHRING SEA ARBITRATION.

The result of the Behring Sea dispute is worthy of the means employed to settle it. It is based upon the soundest principles of international law, and is in accordance with the views expressed by all competent authorities on the subject. Establishing, as it does, 'the freedom of the sea,' it places the comity of nations upon a firmer and broader foundation and it constitutes another historic precedent for the settlement of international questions by rational and peaceful means. 'Full, perfect, and final'—to quote the words of the treaty—the award of the arbitrators may not be, inasmuch as circumstances are almost certain to arise which will render it necessary for some judicial interpretation to be placed upon the rules which have been framed with the object of preventing the extinction of the seal and of enabling Indians 'not in the employment of other persons' to carry on their fishing operations in the way hitherto practised by them; but this want of perfection in the regulations does not affect the extremely satisfactory character of the decision of the arbitrators on the broad issues of the case. The chief claim of Great Britain, made not only in her own interests but in those of other nations, has been fully recognised, the essence of the award being an embodiment of 'the great principle lying at the root of the matter—the freedom of the sea'—to use the words in which the Attorney-General summed up the matter. The simple origin of the dispute, concerning which so much erudition and ingenuity have been expended, was the seizure by the United States of a British ship engaged in fur-seal fishing seventy miles from the shore, the United States contending that they possessed exclusive