

Book review

Gabriela A. Frei, *Great Britain, International Law, and the Evolution of Maritime Strategic Thought 1856-1914*. Oxford University Press, 2020, 256pp.

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When it comes to nineteenth-century British history, neutrality has long been neglected as a subject of enquiry. Gabriela Frei's new book focusses on the interconnectivity of British state practices, neutrality and international law in the second half of the 'long' nineteenth century. The monograph reminds historians that British maritime strategies in the period 1856-1914 were consistently informed by the advice given by the government's Law Office. These lawyers were career bureaucrats who served not only the interests of the British state but also those of international law itself. Their visions of legal practice underwrote their responses to the many international developments, crises and opportunities that faced the British state in time of war and peace. As a result, and in large part because Britain was a formally neutral state in the many inter-state wars that were waged across the period, much of the book focusses on the British state's management of maritime matters relating to neutrality. As the book's introduction explains, state practice mattered to the framing of late nineteenth- and early twentieth-century international law as much as maritime law mattered to state practices on maritime issues, from the economic management of the open seas to the naval planning for a future war.

While it has a grand ambition, the structure of the book is somewhat confusing. Where the book is strongest is in the use of case studies to bring out key themes relating to maritime law and British state interests. For example, Chapter 1 argues that the mid-nineteenth century saw an increased realisation that the open seas needed to be legally managed as much as any sovereign (land) space already was. In doing so, Frei focuses on the work of Captain J.C.R. Colomb and his arguments on naval protections for international trade in time of war and peace. Frei links these arguments to the wider debates that waged in the 1870s about economic protectionism and the need for the Royal Navy to be able to sustain a blockade in a future war. Following on, Chapter 2 highlights that neutrality was vital to British foreign policy interests in the wake of the Crimean War and United States Civil War. It uses the legal and political debate around renewing the Foreign Enlistment Act (in 1870) to make its case. Chapter 3 highlights how essential protecting its own maritime neutrality was to Britain when other states went to war after 1870. It focuses on four neutrality concerns: coaling, the construction and sale of warships, contraband and the destruction of neutral ships by belligerent navies. Chapter 5, for its part, uses government planning for the second Hague conference of 1907 as a frame to show how international legal concepts were essential to British war planning on the eve of the First World War.

In general, the case studies are well made. They are detailed, full-some and focus on government archival sources, including from the Law Office. They also emphasize how essential legal advice was to the British government's responses to the issues at hand. Where the book is weaker is in connecting these case studies to an overarching context which explains how the British state's use of international legal mechanisms coalesced with its formal and informal imperialism, its foreign policy, its military and defence planning and

its economic strategizing. As a result, the book does a better job of showing how the Law Office and its lawyers informed state practice in dealing with an immediate concern, than in explaining how state practice informed the development of international law over time.

There is also no indication as to why certain case studies were chosen as opposed to any others that may have been used. At the end of most chapters, I was left with more questions than answers. In Chapter 2, then, I am not sure why Colomb's ideas were chosen as a focus, when so many issues - from the inter-oceanic movement of gold shipments from the Australian, South African and New Zealand gold rushes or the opening of the Suez Canal - informed the debates about controlling the open seas and neutrality just as strongly (or possibly even more so). Likewise, in Chapter 3, why is there a focus on these four neutrality matters, when prize taking and prize courts or the cutting of sub-oceanic cables in time of war were equally pressing? Most bafflingly, Chapter 5 eschews the first Hague conference of 1899 and focusses in minute detail on the planning for the second Hague conference of 1907 and the London naval conference of 1910 to make a case that the British state had become an advocate for the codification of international maritime law by this time. Surely it already was an advocate for international law at the time of the Declaration of Paris in 1856? Chapter 7 then backtracks in a perplexing way to prize taking, private property rights and the first Hague conference to highlight that very point.

The most satisfying and original chapter is Chapter 6, which shows how members of the Royal United Service Institution integrated legal ideas in their public discussions on maritime and defence strategy. The chapter focuses on the mobilisation of legal ideas in a non-legal setting. It solidifies Frei's argument that international law informed British state practices and the public discourse around these practices by the early 1900s.

Altogether, *Great Britain, International Law, and the Evolution of Maritime Strategic Thought* serves two useful ends: it underscores how the work of lawyers helped to inform British state practices on variety of maritime and neutrality issues from 1856 to 1914; and it confirms that within and outside the British state, international law and neutrality issues informed international practice in fundamental ways.