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Power, Law, and the End of Privateering

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addition to the genre and deserves serious consideration not only by scholars but also by general readers.

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Lemnitzer, Jan Martin. *Power, Law, and the End of Privateering*. Basingstoke, U.K.: Palgrave Macmillan, 2014. 254pp. \$95

Jan Martin Lemnitzer has made a very important contribution to international history in this study of the 1856 Declaration of Paris and its immediate aftermath. Having begun his research as a graduate student at the University of Heidelberg, Lemnitzer completed it as a PhD thesis in the Department of International History at the London School of Economics in 2010. With a highly structured approach and a persuasively presented argument, Lemnitzer has made excellent use of primary-source materials from Austria, Britain, France, Germany, and the United States. He has brought to light much new and detailed material, which he complements with broad-gauged and valuable insight.

Most importantly, Lemnitzer places his story in the context of the complex balance required to create and maintain international law in matters of warfare. On the one hand, this is a balance between law and power; on the other, between great powers and smaller states. Lemnitzer demonstrates that the 1856 Declaration of Paris was the event that clearly established the manner in which modern international law is created. Likening it to a global opinion poll among national governments, he shows how the congress of nations at Paris after the Crimean War

created instantaneous international law through what has since become common under the modern rubric of “multilateral law-making treaties.”

Historians are often puzzled about why the United States never signed the declaration, and they have asserted a variety of explanations. Through his careful research, Lemnitzer unveils the fascinating story of how Britain and the world’s leading powers focused the declaration’s ban on privateering directly on American policy. For most countries at that time, privateering was a largely forgotten weapon. But Britain and the United States had the largest merchant shipping fleets in the world, and there was a danger of war between the two. Since America had a small and weak navy, its merchant ships, which could easily be converted to privateers, were collectively its main strategic weapon. Since they could effectively attack Britain’s network of global trade, statesmen in London had a major strategic interest in eliminating that threat, which could crush British control over global trade.

Lemnitzer follows the development from the experience of the Crimean War and shows how that first major conflict involving steam-powered warships raised a range of questions about the future course of warfare at sea. The idea that privateering should be banned first arose in 1853. While for some it was an advance, the banning by the civilized world of an ancient barbaric practice, for others it was a clear-eyed way to prevent smaller nations from causing major damage. Lemnitzer shows that the declaration was a deliberate attempt to isolate the United States diplomatically and force it to accept the abolition of privateering to suit British strategic ends.

America actively attempted to thwart these developments, creating a major diplomatic campaign for the permanent establishment of neutral trading rights in wartime without restriction on privateering. Secretary of State William Marcy proposed, in what was soon dubbed the “Marcy amendment,” that the United States would accept the abolition of privateering only if it was linked to the complete immunity of merchant shipping in wartime, regardless of flag. Through the initiative of the business community in the city-state of Bremen, this diplomatic initiative nearly isolated Britain. During the American Civil War, as the Confederacy issued letters of marque, the United States offered to join the declaration, only to withdraw its offer when it became apparent that France and Britain would not attack Southern privateers.

The participants in the Austro-Prussian War of 1866 nearly created a precedent in practice for Marcy’s suggestion. The subsequent Franco-Prussian War in 1870–71 involved a global French war on German trade that even led French warships into American waters in search of their prey. Germans saw the French blockade as illegal in terms of the declaration. At first Prussia invoked Marcy’s principle, but when Otto von Bismarck saw what he termed French violations of the declaration he responded in a way based on his belief that the violation of international law justified unrestricted attacks on French trade. Convinced that when a neutral state is wronged it has the unqualified right of reprisal, Bismarck established a singular interpretation of international law, which it would use again in its policy of unrestricted submarine warfare of the First World War.

In conclusion, Lemnitzer comments ruefully that “it is the enforcement dilemma that constantly reminds us that for all our progress, our present international community centered on the [United Nations] is a thin veneer, masking the fact that the basic fabric that holds our rapidly globalizing world together is a cloth made in the late nineteenth century.”

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Rickards, James. *The Death of Money: The Coming Collapse of the International Monetary System*. New York: Penguin, 2014. 356pp. \$28.95

Admiral Michael Mullen, former Chairman of the Joint Chiefs of Staff, stated in a 21 January 2014 speech that the national debt is the biggest threat to national security. James Rickards underscores that view in this sequel to his earlier *Currency Wars: The Making of the Next Global Crisis* (reprinted 2012). Rickards, a consultant to both the Defense Department and the Central Intelligence Agency, addresses a range of other national-security issues in the financial realm. Among them are currency inflation and deflation, cyber attacks, and financial manipulations by terrorist groups and other adversaries.

Terrorist groups such as Al Qaeda and Islamic State in Iraq and the Levant (ISIL; also called ISIS) have become adept at “insider” trading and other schemes to enrich themselves at the expense of Western nations. As the author notes, such activity was present well before 9/11, but lacking expertise in financial operations, the CIA failed to spot it as an indication of a