

Freedom of the Seas

By [James Leroy Young, Jr.](#)

Summary

“Freedom of the seas” was the early 20th century idea that the world’s oceans served as a global commons for carrying cargo and facilitating commerce. As both a communal property and throughway, the seas thus could not be controlled by any belligerent power outside of territorial waters, according to freedom of the seas.

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Background

The conceptual underpinnings for “freedom of the seas” lay in the 1908 Declaration of London and the international law it established for the conduct of [naval warfare](#). Of the ordinances laid out in the declaration, the most important were those that defined contraband and the concept of continuous voyage; refined the definition and restrictions of blockades set out in the 1856 Declaration of Paris; and explained [neutral](#) rights during times of war. Despite being signed by diplomats from all of the European great powers, [Japan](#), and the [United States](#), the Declaration of London was never actually ratified by any of the belligerent nations and was thus not binding when World War I began.

World War I Impact

Upon the outbreak of war the United States called for a *de facto* observation of the Declaration of London. Despite this plea, [Great Britain](#) swiftly declared a “distant blockade” against the Central Powers’ ports. In direct contradiction to both the Paris and London Declarations, this blockade ignored both neutral rights and the concept of continuous voyage. Rather than forcefully declare recognition of American neutral rights, President [Woodrow Wilson \(1856-1924\)](#) chose a diplomatic middle ground that, in effect, favored the Allied Powers due to the Royal Navy’s surface superiority.¹ Suffering the effects of the [British](#)

[blockade](#), Imperial [Germany](#) was compelled to engage in unrestricted [U-boat campaigns](#) in 1915 and 1917–1918, in part as an attempt to counteract President Wilson’s policy. This, in turn, greatly contributed to the United States’ entry into the war.²

Post-war

As one of the United States’ stated war aims, it was not surprising that freedom of the seas was the second of Wilson’s [Fourteen Points](#). Unfortunately there were several factors that ensured resistance to freedom of the seas, both domestically and internationally. First, the Allied Powers (most notably Great Britain and [France](#)) recognized the blockade’s role in facilitating Imperial Germany’s defeat. Second, Great Britain’s unwillingness to concede to any international treaty that negated the supremacy of the Royal Navy ensured that [David Lloyd George’s \(1863-1945\)](#) government (1916–1922) resisted its inclusion in any postwar treaty.³ Finally, the U.S. Senate debates over ratifying the [Versailles Treaty](#) revealed that there were differing American opinions on what freedom of the seas truly meant. To some, it meant the establishment of a true global commons administered solely by the proposed [League of Nations](#). To others, the lack of a dominant hegemon was considered akin to nautical anarchy that would strangle decades of economic growth dependent on the Royal Navy’s current (and the U.S. Navy’s future) strength. Neither side saw a manner in which freedom of the seas, at least as defined by Wilson, furthered American power.⁴

Combined with Wilson’s weakened political strength in his own party, all of the above factors contributed to the Treaty of Versailles’ defeat in the U.S. Senate in 1919. When Wilson left office in 1921, the formal concept of freedom of the seas lost its foremost champion and largely became a dead issue on the international stage until after World War II.⁵

James Leroy Young Jr., Kansas State University

Notes

1. Knock, Thomas J.: To End All Wars. Woodrow Wilson and the Quest for a New World Order, Princeton 1992, pp. 34-36, 113-115; Herring, George C.: From Colony to Superpower. U.S. Foreign Relations since 1776, London 2008, pp. 408-409. ↑
2. Ibid. ↑
3. Ibid., pp. 194-245; Ibid., pp. 416-427. ↑
4. Reeves, J.S.: Two Conceptions of the Freedom of the Seas, in: The American Historical Review, 22/3 (April 1917), pp. 535-543; Fenwick, Charles G.: The Freedom of the Seas, in: The American Political Science Review, 11/2 (May, 1917), pp. 386-388. ↑

5. Kennedy, David M.: Over Here. The First World War and American Society, 25th Anniversary Edition, London 2004, pp. 356-362; Knock, To End All Wars 1992, pp. 246-270. ↑

Selected Bibliography

- [Herring, George C.: **From colony to superpower. U.S. foreign relations since 1776**, New York, 2008: Oxford University Press.](#)
- [Kennedy, David M.: **Over here. The First World War and American society**, New York, 1980: Oxford University Press.](#)
- [Knock, Thomas J.: **To end all wars. Woodrow Wilson and the quest for a new world order**, New York, 1992: Oxford University Press.](#)

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External Links

- [Déclaration concernant le droit maritime européen en temps de guerre, 1856 \(Confédération suisse\) \(Primary Source\)](#)
- [Declaration concerning the Laws of Naval War. London, 26 February 1909 \(International Committee of the Red Cross\) \(Primary Source\)](#)
- [President Woodrow Wilson's Fourteen Points, 8 January 1918 \(The Avalon Project\) \(Primary Source\)](#)
- [Treaty of peace between the Allied and Associated Powers and Germany, Versailles 28 June 1919 \(Census\) \(Primary Source\)](#)

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