

**Brinkman, Anna. *Balancing Strategy: Sea Power, Neutrality, and Prize Law in the Seven Years War*****Cambridge University Press, 2024**

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The pursuit of prize money was the major motivator for privateers and provided significant encouragement to British naval officers throughout the long 18th century. Suppression of the opponent's trade applied economic pressure. Capturing a heavily laden enemy merchant vessel could provide a tidy profit and a substantial addition to a sailor's wages. But before the prize money could be spent the prize had to be adjudicated as lawful in an Admiralty Court in Britain, or in Vice-Admiralty Courts in the colonies. If the captor or the condemned vessel's owner did not like the outcome they could turn to the Admiralty Court of Prize Appeals in London. Anna Brinkman examines the English Court of Prize Appeal during the Seven Years War (1756-1763). The author does a deep analysis of the efforts by English politicians and legal experts to shape its decisions to keep the Dutch and Spanish neutral during the war with France.

There tended to be a bias in the Vice-Admiralty and the Admiralty Courts in favour of the British captors. This leaning caused tensions with the Dutch and the Spanish, who saw this as unfair and aggressively provocative. The Court of Appeal was the place to fix this problem. The book examines four cases of adjudication in the appeals court, two ships for each of the neutral countries. Earlier thinking on legitimate prizes included the influential Hugo Grotius's idea of "free ships, free goods." This idea held that neutral ships were free from capture, and if it carried enemy goods those goods were considered as free from capture as the ship. To disrupt French trade their goods carried in neutral vessels needed to be still within the reach of the British navy and privateers. The ultimate solution was the Rule of the War of 1756, or Lord Hardwicke's rule, which stated that neutral ships could not carry the trade of the enemy if in peace time they were not allowed to do so. Thus ships could not carry French goods from French colonies into France when they were denied that privilege in peacetime.

In 1757, HMS *Squirrel* captured the Dutch vessel *America*. The Dutch vessel had departed Holland before the war began, sailed to Port-au-Prince, St Domingue and was returning to Holland when taken by the British. In its hull were French goods. The Dutch captain had destroyed the papers required under the Anglo-Dutch Treaty of 1674. The ship was deemed a legitimate prize by the High Court of the Admiralty.

The case of the Dutch vessel *Maria Theresa* was slightly different, in that all appropriate paperwork was present. The question in this case was the fact the ship had been offloaded and loaded while at St Eustatius (a Dutch colony) with some new cargo coming directly from another vessel (possibly French). One of the *Maria Theresa*'s sailors claimed the goods were French. The goods were condemned by the High Court of the Admiralty, the ship returned to its owner.

Brinkman notes the context influencing the Dutch cases was the British focus on expanding their domination in the West Indies. This not only pushed against the French desire for control in the islands, but also that of the Dutch and Spanish. The Dutch granted the British loans to finance their war effort, so capturing their merchant ships threatened the needed capital. Through diplomatic channels in 1758 the Dutch were told the Court of Prize Appeal would yield outcomes favourable to them. The *Maria Theresa* was returned to the Dutch via the Court of Prize Appeal, after rejecting the word of the lone sailor. The *America* was condemned as a prize by the Court of Prize Appeal as it had loaded French goods in a French port, sanctioned by the French Government, when in peacetime they could not trade with the French colonies in the West Indies (thus Hardwicke's rule). Therefore the Dutch ship was condemned as a French vessel, with French goods and thus a prize. These decisions and others as the war progressed were accepted by the Dutch as reasonable and fair. Tensions between them and the British eased and the Dutch stayed neutral.

The Spanish cases which involved the *San Juan Batista* and *Jesús, Maria, y José* became more complicated due to the context that developed between Britain and Spain during the war. The *San Juan Batista* was captured in June 1757 on a trip from a Spanish port to a French one, with a cargo of French East India goods. The goods were condemned and the boat returned. The captain of the boat appealed, wanting the goods back. The *Jesús, Maria, y José* was captured in 1756, carrying saltpetre (a contraband good) along with French East India goods. The saltpetre was condemned and the ship returned to its captain. Both the British captor and the Spanish captain appealed the decision. In both cases the Spanish claimed the goods had been landed in Spain, bought by a Spanish person and reshipped as Spanish cargo. The British argued the goods had been transferred directly from a French vessel into the Spanish ship.

The impact of these cases (and three others that Brinkman discusses and the Spanish capture of a British privateer and its French prize) were caught up in a set of changing, highly confrontational factors. The British advancement in the West Indies threatened Spanish influence in the area. The log cutting, settlement and fortification by the British in Honduras angered the Spanish

who saw it as their territory. The British contested Spanish fishing rights off Newfoundland. The death of Spanish King Ferdinand VI and his replacement with the pro-French Charles III resulted in changes among diplomats interacting with their British counterparts. To offset these tensions, the British worked hard to convince the Spanish that the Court of Prize Appeal would treat their merchant ships to their satisfaction. The case of the *San Juan Batista* ended with the British privateer releasing the ship and goods, after Pitt pressured them to surrender the ship. The *Jesús, María, y José* case dragged on into 1761. Brinkman states that the Court was ready to rule against the Spanish, furthering Spanish outrage, when the financial pressure on the British captor caused them to withdraw their appeal. The author suggests some government encouragement may have occurred here as well. Efforts to peacefully resolve disputes with Spain ultimately failed, but Spanish entry into the war came too late for France.

The prize courts engaged in a delicate balancing act between appeasing neutral nations and ensuring that owners of privateers and naval officers received fair treatment. The cases involved the various treaties between the countries (most notably the Treaty of Westminster of 1674 that ended the Anglo-Dutch war and the Anglo-Spanish treaty of 1667). Earlier precedents set by the court system and British Prize Act of 1708 also needed to be addressed. The treaties were understood differently by the various parties, causing continual tension. The lack of a coherent set of precedents to guide the judges produced a flexible system of judgment.

The British government's strategic goal to keep the Dutch or the Spanish neutral led to the court's manipulation from the bench itself through diplomacy, and occasionally with political pressure on the British litigants. The interrelationship (social, political, and familial) within the government and the court, including the men who served as counsel for both sides in the various cases, certainly fostered the effort to bring about decisions that would please the privateer community and the Dutch and Spanish. Lord Hardwicke plays a dominant role throughout the book as a leading judge on the Court of Prize Appeal politically aligned with William Pitt. The cases in which the Court of Prize Appeal acted set up precedents for legal prize challenges in future wars.

Brinkman adds to the historiography of the Seven Years War, in particular how "legal thinking and action intersected with the maritime world to influence and shape maritime strategy" (26). This insightful work sets a high bar for future researchers who explore the adjudication of prizes and prize law. The book, while not for the novice, will appeal to those studying law and maritime strategy, the Seven Years War (in particular the effort by the British to keep the

Spanish out of the war), and those who seek a deeper understanding of prize law in general.

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**Desiderato, Augustin Daniel. *The Argentine Navy and the First World War, 1914–1928***

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In his new book, Augustin Daniel Desiderato provides a comprehensive analytical history of the Argentine Navy for the period from 1914 to 1928. As such, it closes a desideratum in naval and maritime history available in English language and contributes substantially to the understanding of global naval history during a period of utmost historical relevance. The original Spanish language version was published in 2023 by the Argentine publisher Teseo Press.

Divided into eight chapters, the book begins with an overview of the Argentine Navy at the start of the war, followed by a discussion on Argentine neutrality, the effects of World War I on the Argentinian navy, and a second group of chapters focusing on the lessons learned from the war and the interwar modernization project of the Argentine Navy.

Most of the existing literature on naval history of the World War I period covers only the war itself or the naval developments of the belligerent nations. As Argentina stayed neutral during World War I, the book provides a rare and interesting take on options available for a neutral nation that had no own shipbuilding industry capable of building war ships and procured its naval vessels from nations involved in World War I on both sides of the conflict. Equally interesting is the discussion of how Argentine naval officers embedded into the Argentine diplomatic missions to the main belligerent nations, observed the war, and used it as a chance to develop post-war plans for the Argentine navy, showcasing the challenges of a small nation without relevant resources like coal.

Although the chapters on World War I are interesting and important, the chapters on post-war developments (chapters 6 and 7) are probably the most relevant part of the book. Desiderato clearly shows by analyzing reports by individual officers of various ranks that the Argentinian naval officer corps