

1984

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Recommended Citation

Bland, Raymond D. (1984) "Controlling the EEZ: Implications for Naval Force Planning," *Naval War College Review*: Vol. 37 : No. 4 , Article 4.
Available at: <https://digital-commons.usnwc.edu/nwc-review/vol37/iss4/4>

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Controlling the EEZ: Implications for Naval Force Planning

Captain Raymond D. Bland, US Coast Guard

The precipitate action by many of the world's coastal nations in claiming a 200-mile Exclusive Economic Zone (EEZ) has created an enforcement problem which is perplexing naval staffs and their civilian governments alike. Enforcement requires vessels adequate to range the full area of the EEZ, to operate for extended periods in adverse weather, and to successfully enforce the nation's claim to exclusive control of the EEZ. It also requires the domestic legislation to impart legal jurisdiction to the personnel of those vessels over civilians in the EEZ. In many cases, though, EEZ claimants are finding themselves with neither appropriate vessels nor appropriate legislation. Deep draft naval vessels designed for sophisticated warfare are dispatched to fisheries patrol, wasting capability, creating an aura of martial law, and diverting resources from defense tasks to what many consider support of commercial interests.

This whole dilemma creates a need to reevaluate existing and planned naval forces, and to structure those forces to carry out tasks which have not been required before. The need to regularly operate less capable naval vessels for the law enforcement mission calls into question the continued existence of the very large warships which have been fixtures in so many navies since the Second World War. Missile technology has already made naval gun caliber obsolete as the measure of offensive capability, even though many navies have retained the bigger ships for prestige or status (or so it seems). Claiming control of the EEZ requires that vessels appropriate to the mission be assigned, at some expense to the nation, regardless of which national agency "owns" the vessels. Thus the combination of costs, change in the geographical area of interest, and law enforcement capability may force nations to replace the larger vessels, whose relevance to the nations' needs may be illusory, with smaller vessels which meet the law enforcement need. Offensive capability may even be increased as displacement and caliber are

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replaced by speed and missile range. As will be seen below, it may be appropriate for many navies which have perceived themselves as equipped to range the world's oceans protecting their seaborne commerce to rethink their capability and equip themselves for coastal defense and EEZ domination. Indeed, some of the smallest navies along those far-flung sea routes are already equipped with small missile patrol boats which pose a formidable, if not overwhelming, challenge to the old, traditional destroyers and cruisers which would "protect" commerce.

Analyzing the need for force capability for the new tasks as well as long established traditional tasks can be facilitated by using in combination two conceptual frameworks from the literature of naval affairs. In *Gunboat Diplomacy: 1919-1979* James Cable surveys naval operations in the twentieth century, observing that "the one outstanding regularity that emerges from this survey of [sixty] lawless years [is] the continued and frequent use, in one form or another, of limited naval force as a supplement to diplomacy and as an alternative to war."¹ This use of armed suasion, or coercive diplomacy, creates a milieu of "violent peace" in which navies must be prepared to deter coercion, defend against it, or counterattack. But there are limitations to the types of operations which any given navy can carry out. Cable provides a hierarchy of naval operations, categorizing increasing levels of capability, which can be useful in conceptualizing the role of the navy in the nation's affairs. Cable's six categories are:

Simple Ship: Individual ship, no expectation of significant resistance.

Superior Ship: Individual ship able to overcome expected resistance.

Simple Fleet: Unopposed tasks beyond the capability of single ships; for example, blockade.

Superior Fleet: Tasks demand numerous ships able to overcome expected opposition.

Simple Amphibious: Unopposed landings from ships unlikely to be attacked.

Opposed Amphibious: Landings where significant opposition is expected.

Cable asserts that there are two significant thresholds in this hierarchy. The lower of the two lies between superior ship and simple fleet, separating real navies above the line and others below. By his count there are about 50 nations capable of single ship operations, but fleet operations are limited to slightly over 30 of those nations. The upper threshold lies only one step above, between simple fleet and superior fleet. Above this threshold the demands on the nation's wealth limit to four the number who can and will make the commitment: the United States, the Soviet Union, France, and Great Britain. For the nearly 30 navies which fall between the thresholds, this analysis raises serious questions about the relevance to their possible operations of aircraft carriers, cruisers, extensive amphibious equipment and manning, and even

destroyers. Tradition and prestige may demand these trappings of naval power, but they are very likely irrelevant to realistic national policy. If the navy does not have the commitment of national policy, or more pointedly, national will and wealth, to operate successfully at the higher capability levels in the hierarchy, then it is wasting scarce resources to acquire a force which is maintained for "show" rather than ready for "go."

D.P. O'Connell in *The Influence of Law on Seapower*² deals with levels of escalation and the principle of proportionality of response in a theory of graduated force. O'Connell observes that since the Second World War naval confrontations have been very consistent in two characteristics: (1) response is in the same mode as provocation, and (2) response is in the same geographical area as provocation. A corollary to the first characteristic is that escalation to a higher mode should be the action of the other party. He further observes that because of these characteristics there are differing levels of naval force which are appropriate to the level of escalation or threat. O'Connell's levels of escalation are:

No (or Low) Threat. Naval forces are at a high state of efficiency.

Rising Tension. Naval operations may involve the purposeful application of limited force to influence political objectives.

High-Level Tension. All available resources are activated. Attention focuses on considerations of concentration, intensity, and duration.

Hostilities. Employment of weapons.

These categories fail to take into account the nonmilitary threats which are inherent in maintaining control of the Exclusive Economic Zone. However, these new, nonmilitary threats must be addressed by the naval force planner of the present and the future. Adding two levels of nonmilitary threat in the EEZ to O'Connell's four levels of military threats provides a more complete spectrum of needs for the naval planner. Two possible categories are:

Nonviolent, Nonmilitary. Exploitation of living and nonliving resources of the sea or seabed.

Violent, Nonmilitary. Smuggling, drug running, gun running, terrorism.

At the lowest end of the threat spectrum, where the threat is nonviolent and nonmilitary, only a minimum naval capability is required. Armed confrontation is unlikely, but the enforcing vessel should be armed with a small caliber deck gun for the purpose of bringing-to suspect vessels which refuse to submit to oral demands to heave-to. The extension of the limits of the EEZ to 200 miles requires that the vessel be capable of endurance of two to three weeks, and capable of operating in heavy seas. Otherwise, it will spend its time waiting for good weather and transiting to and from encounters, rather than maintaining presence in a patrol area. Thus, while the benign threat suggests a token force in a vessel of under 100 tons, the need for endurance requires a vessel closer to 1,000 tons. Since that size vessel can

be classified as a corvette, the question of additional armament appropriate to a small combatant develops. Addressing this, two other questions must be resolved: Is this to be a vessel of the navy or of some other branch of the government? How far up the escalation ladder is this vessel going to be called on to perform?

These questions must be considered simultaneously, not sequentially, because each impinges on the other. To assign the vessel to another agency, i.e., to a coast guard role, requires the wisdom of Solomon to select the responsible agency *and* convince other affected agencies that their interests will be protected. Fisheries, customs, transportation, energy, and the national constabulary would each have interests in the employment of this law-enforcement vessel which they might believe would not be respected by the others. If the vessel is assigned to an agency other than the navy, it would presumably not be used for, nor armed for, higher level threat response. Alternatively, as in the case of the US Coast Guard, it could be given the dual responsibility of law enforcement and military readiness. Very likely, though, as with the US Coast Guard, the military readiness role would not be given the same support as that same role for the navy. This creates internal conflict as the organization and its individual members struggle to resolve the ambiguity of two-role loyalty, especially when one role is perceived as receiving short shrift.

Were the vessel and its low-threat mission to be assigned to the navy, the struggle among the nonmilitary agencies would be sidestepped, but only at the expense of facing two additional dilemmas. First, by what authority shall the navy enforce domestic law at sea? For many nations the prospect of military authority over civilians is anathema, being a major step toward martial law. There could also be considerable political opposition to diverting funds appropriated for defense to protection of commercial interests. Creating domestic law which gives an adequate basis for law enforcement in the EEZ while avoiding the stigma of martial law could be beyond the pale of political possibility.

Second, will the navy be willing to pay for a combatant-sized vessel and arm it only for domestic law enforcement? Building the ship only for the low threat role creates a vessel which cannot be used at higher threat levels, thus depriving the navy of a vital asset. On the other hand, using a combat-armed frigate or larger vessel would be wasting military resources, and perhaps even employing a vessel which is grossly overarmed for the minimum force role.

Moving to the next threat level, violent nonmilitary, introduces additional problems for the force planner. Smuggling, drug running, gun running and other clandestine activities have little impact on vessel selection, except possibly for a requirement for higher speed. The major impact of this threat is on the demand for intelligence and surveillance, both of which may

contradict military needs. Civil surveillance of the EEZ may overlap military surveillance in some areas, but it is mostly of a different sort. Surveillance for drug-running surface craft will probably be totally ineffective in detecting submarines in the area; the converse is equally true. Military intelligence sources which provide information on civil violators may be compromised when their findings are used in criminal trials. As a result, the military intelligence sources could well be unwilling to cooperate in civil activities because of the possibility of being compromised in the future. Once again the argument returns to the question of two separate organizations, which would ensure that the proper information be obtained in the most effective manner for both the civil and the military functions.

Responding to terrorism is equally problematical. The proliferation of off-shore oil drilling structures creates a whole new milieu in which terrorists may be tempted to extend their activities. Oil rigs may be seized and held for ransom, or they may be surreptitiously destroyed to create massive oil spills for purely destructive or even diversionary purposes. The usual tactics of both the law enforcement and military forces are inadequate for this threat. The law-enforcement vessel will be ineffective in demanding that the terrorists "stand by to be boarded"; and firing a shot "across the bow" seems equally futile. The military force will be just as ineffective because it is equipped only to destroy the target, the very thing the operation is mounted to prevent. Civil police ashore, however, may have just the answer—the so-called SWAT teams formed to combat terrorism of all stripes within their jurisdiction.

Problems must be faced with this alternative as with the preceding situations. If existing civil SWAT teams are to be employed, there must be clear procedures for requisitioning their services. If a military SWAT team is to be formed it must have clear delineation of the limits of its authority. In either case conflicts over jurisdiction may render the force inoperative. While jurisdiction ashore may be clear, it becomes murky as the site of the incident varies from inshore waters to territorial waters to international waters in the EEZ. In the case of the United States, the most effective civil SWAT team may have no jurisdiction beyond its city limits, while the need for action exists 13 miles offshore in international waters. Complicate the matter further by vesting ownership of the oil rig in a nation other than the one in whose EEZ it is located and the question becomes very complex.

This brings us to the transition zone from nonmilitary operations to military operations, whether defensive or as elements of armed suasion. Entering into a low tension environment exposes the law enforcement vessels to more specific military threats. If they are removed and replaced with more capable vessels, that in itself is an overt escalation, violating the essential principle of scrupulously avoiding the first act of escalation. Failing to substitute more capable vessels, though may result in having a vessel

employed which is unable to respond to escalation and is therefore dangerously vulnerable. The simple ship must be capable of becoming the superior ship, whether from its organic armament or from rapid reinforcement. (Consider the results of deploying USS *Pueblo* in simple ship operations with no effective provision for its becoming a superior ship.) If the threatened ship cannot be rapidly and effectively reinforced and it cannot be replaced for fear of overt escalation, then it must be armed to such a level as will allow it to effectively counter escalation by an assailant. Equipping the vessel with a small suite of missiles and with self-defense measures will allow this response capability, but only at the expense of making the law-enforcement vessel much more expensive than is needed for its basic mission.

In the Rising Tension environment the submarine begins to play a role and in consequence so does ASW. By its very nature the submarine is only useful at the highest level of tension because it poses no threat short of total destruction. To be effective at the level of hostilities it must remain unseen and unused at lower levels. In the rising tension environment it can be expected that if the opponent has submarines in its fleet they are being deployed in anticipation of further escalation. This in turn creates a need for ASW capability to offset the threat of submarine attack. At this point the status of the law-enforcement vessel becomes very tenuous. It is unable to protect itself from the submarine unless it is ASW equipped. If it is ASW equipped it is surely a very sophisticated law-enforcement vessel and very likely prohibitively expensive. If it can accommodate an ASW helicopter and can be complemented by fixed-wing ASW aircraft operating from shore, it has enhanced capability against the submarine, but still at a high price. The system for processing the data collected by the helicopter must be in the ship, and the crew must be proficient in its use. Once again there is a fundamental conflict between operational requirements in the low threat operations, e.g., boarding foreign fishing vessels, and the readiness requirement in high threat operations, e.g. processing ASW data. If the vessel is removed from the high threat area to avoid the submarine threat, then whatever offensive capability it possesses is denied to the remaining fleet. Removing the vessel from the scene of operations for its own protection at higher threat levels saves the vessel but weakens the fleet; leaving it in place hazards it beyond its defense capability, unless it has been overarmed. Its use as an element of armed suasion at higher threat levels is thus very problematical.

At the highest level, Hostilities, it must be presumed that every vessel will be employed as aggressively as possible, since the threat is to the nation itself, not just to individual vessels. Detailed threat assessments are needed to determine what vessels will exist primarily for employment in hostilities, rather than at lower threat levels. As suggested above, there are only four nations which are making the commitment to have forces of great strength capable of opposing enemy fleets. For virtually all of the others there is little

to show that their roles will extend beyond coastal defense in their own home waters, making their need for large combatants very limited. Smaller vessels, missile equipped, should be adequate for their defense and for deterrence.

The threat spectrum having been analyzed, where does the analysis lead? What are the answers? Obviously, each nation and navy must make its own analysis, taking into account much more than has been considered here. There are, however, some generalizations which can be put forward. First, and perhaps foremost, is the observation that virtually all but four of the world's navies are actually coastal defense forces which probably will never operate as superior fleets. They are not now capable of superior fleet operations, nor are they likely to acquire that capability in the future.

On the question of the coast guard force, there seems to be a consensus expressed in several overseas journals that an independent paramilitary force modelled on the US Coast Guard is neither efficient nor affordable for smaller nations. The US Coast Guard is a large, multimission force which has been involved in law enforcement for nearly two centuries. It was not created suddenly just to effect control of the EEZ. For other nations to create a new, one-mission coast guard force would be to create a redundant organization and infrastructure, duplicating costs already incurred by the navy and getting little in return.

There is also consensus that there must be some force specifically charged with law enforcement duties. Law enforcement jurisdiction can be achieved either through legislation granting limited police power to the navy or to specified officers performing law enforcement duties. Another alternative would be to have the navy routinely carry civilian law enforcement officials to conduct actual law enforcement activities. The US Coast Guard and US Navy currently do this, placing small USCG TacLET's (Tactical Law Enforcement Team) on US Navy combatants operating near known drug-trafficking areas to expand the scope of drug interdiction coverage. The TacLET conducts all boardings of suspect vessels, allowing both the Navy and the Coast Guard to comply with US laws regarding jurisdiction and law enforcement activity.

It seems most efficient to equip the law enforcement force with vessels which can be used effectively at higher threat levels, if not at the highest levels. Fast attack craft of around 400 tons and corvettes of around 1,000 tons would meet the nation's nonmilitary needs in the EEZ: equipping them with missiles would provide capability for military needs as well. Regardless of the outcome of the missile decision, the law enforcement vessel must have a deck gun small enough for displaying forceful intention in the nonmilitary role, yet large enough to prevent preemptive escalation by an adversary in the military role. ASW capability remains a conundrum. It is an expensive capability which would have little utility in all but high threat situations. One

possible solution would be to equip corvettes for ASW and rotate them between law enforcement and navy roles at intervals of a year or so to prevent loss of war-fighting skills in the crew.

A naval equivalent of civilian SWAT teams should be organized, trained, and maintained ready for employment in both law enforcement and naval vessels. The ship's Self Defense Force units in the US Navy provide a prototype, trained and ready for SWAT type response on board their own ships. It should be relatively easy to emulate these units and to expand the capability to do the same things off the ships; for example, on oil rigs.

Submarines provide multiple capabilities in surveillance, deterrence, and destruction, which though irrelevant at the lower threat levels, seem crucial to effective suasion or defense at the highest levels.

Surface vessels of greater than about 3,000 tons seem to have come to the end of their time in all but the four large navies. The expense of building, manning, operating, and deploying these larger warships is becoming prohibitive at a time when smaller ships are able to provide equivalent destructive power for less money. Cruisers have all but disappeared from naval inventories (other than the four large navies), while the numbers of fast attack craft, corvettes, and frigates are steadily increasing.

Naval planners in the three large Western navies must take into account this movement to smaller vessels in their own planning for coalition operations and for foreign military sales. Overseas navies are going to be looking for fast attack craft rather than destroyers in the years to come. Providing them as part of production runs including vessels for the US Navy could be a cost-effective way to solve one of the shortcomings in US coastal defense. To quote Cable, admirals must cease to be "reluctant to divert resources from the requirements of science-fiction warfare to the more probable needs of violent peace." Again from Cable, "There are already more navies than there are rational governments . . . [this] is sufficient cause for maritime states to equip themselves for coastal defense."³

Notes

1. James Cable, *Gunboat Diplomacy 1919-1979: Political Applications of Limited Naval Force* (New York: St. Martin's Press, 1981), p. 88.

2. D.P. O'Connell, *The Influence of Law on Sea Power* (Manchester, N.H.: Manchester University Press, 1975), pp. 53-69.

3. Cable, pp. 26, 183.

