Security governance in the maritime commons: The case for a transatlantic partnership

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Abstract: Power distribution in the maritime commons is changing. The inevitable relative decline of U.S. sea power provides an opening not only for China as a rising challenger but also for the European Union as a cooperative security provider. Although such a claim may have seemed farfetched a few years ago, the performance of the European Union in the counter-piracy Operation Atalanta off the coast of Somalia and in the Gulf of Aden, illustrates the possibility that the European Union will prove to be an unexpected player in the maritime commons in the twenty-first century. This possibility suggests a renewed transatlantic dialog over the governance of the maritime commons.

Over the last year, the idea of the so-called "global commons" has gained currency in the literature and think tank community after the recent publication of "The Contested Commons", by Michele Flournoy and Shawn Brimley, both of whom were central actors in the drafting of the 2010 US Quadrennial Defense Review (QDR). According to Flournoy and Brimley, the global commons describes the "areas of the world beyond the control of any one state—sea, space, air, and cyberspace—that constitute the fabric or connective tissue of the international system."2

The use of the term "commons" is nothing novel in these strategic planning documents. Previous Quadrennial Defense Reviews had mentioned it, although they did not dedicate as many pages to it as the last QDR. Moreover, the concept of the global commons has a long pedigree. Captain Alfred Thayer Mahan addressed the concept over a century ago in his seminal book, The Influence of Sea Power Upon History. More recently, M.I.T. Professor Barry Posen argued in his 2003 landmark article, "Command of the Commons," that controlling these areas was "the key military enabler of the US global power..."
position. It allows the United States to exploit more fully other sources of power, including its own economic and military might as well as the economic and military might of its allies.\(^3\) So what accounts for the current “buzz” surrounding the “global commons?”

The answer seems to be that the concept of the global commons provides context for a missing blueprint for an American defense posture. The rhetoric around the “global commons” allows policymakers to connect a variety of otherwise disparate issues (mostly Russian and Chinese efforts to counter the American control of these domains). It puts into the political agenda the question of how the United States can preserve its access to the commons (and retain its global role as a positive provider of global stability and global “goods”). But more importantly, it suggests the necessity of redefining its leadership and reshaping the forms of cooperative security in the perspective of a new sharing of power that will eventually occur in the coming years as other global players (e.g. China) rise in power and non-state threats (e.g. maritime piracy) grow more sophisticated.

**The notion of ‘commons’ as the linchpin of power plays**

In The Influence of Sea Power, renowned American naval and geopolitical strategist Alfred Thayer Mahan wrote that “wars arising from other causes have been greatly modified in their conduct and issue by the control of the sea, therefore the history of sea power [...] is largely a military history.”\(^4\) However, during the Cold War, we tended to look at the sea as primarily a commercial connector in the absence of a global competition with the Soviet Union. In the public’s eye, the combination of globalization and the absence of major naval rivalries has tended to disconnect the oceans from their geopolitical and military aspects. In short, we have lost the meaning and connectivity between geostrategic thinking and geo-economics.

But while people seemed to care less about sea power and its geopolitical implications, some strategic thinkers continued to underline its importance. In his *Pentagon’s New Map*, Thomas Barnett drew the picture of a world where instability would occur in disconnected areas, and consequently the United States had to fill the gap between the connected world and the disconnected world by leveraging its hegemonic Navy as the enabler of the economic globalization.\(^5\)

The interdependence created by the new economic and financial routines started to challenge the idea of national boundaries. The “wealth


of nations” became so intertwined that states had to cooperate for a common objective. As noted earlier, although Mahan looked at the sea as the “wide common,” the term has now extended to include new domains such as air, space and cyberspace.

The first US Quadrennial Defense Review, issued in 1997, mentioned the strategic implications of these domains by stating that “US national interests include ensuring freedom of the seas and security of international sea lines of communication, airways, and space.” The 2001 edition stated that “technological advances create the potential that the competition will also develop in space and cyber space. Space and information operations have become the backbone of networked, highly distributed commercial civilian and military capabilities.”

The idea of an aggregated commons provided the context for Barry Posen’s “Command of the Commons: The Military Foundation of US Hegemony.” Posen’s article linked the various domains to the Mahan’s view on the military relevance of control over the commons. In a scholarly way, Posen explained the subtle difference between control and command:

Command does not mean that other states cannot use the commons in peacetime. Nor does it mean that others cannot acquire military assets that can move through or even exploit them when unhindered by the United States. Command means that the United States gets vastly more military use out of the sea, space, and air than do others; that it can credibly threaten to deny their use to others; and that others would lose a military contest for the commons if they attempted to deny them to the United States. Having lost such a contest, they could not mount another effort for a very long time, and the United States would preserve, restore, and consolidate its hold after such a fight.

Posen’s notion of command emphasizes the underlying ambiguity of the U.S. posture toward the commons. Although these domains are global, accessible to all international actors, the consensus within the U.S. defense community remains that the commons must be commanded by the United States. This core belief is a key to understand how the debate over the global commons reappeared in the last years.

Seven years after Posen’s article, there are growing concerns about the long-term U.S. ability to preserve its command over the commons. Many believe that the two wars in Iraq and Afghanistan, combined with the financial crisis in 2008, has called into question future U.S. mastery of the commons. Accordingly Posen’s assessment needs to be refined in the light of Iraq and Afghanistan. This is particularly true in the maritime domain, where the procurement preferences of the U.S. Navy and Marine Corps tend toward overinvestment in traditional capabilities, what one strategist has called “wasting assets.”

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7 Section 3 QDR 1997.
8 Posen, “The Command of the Commons.”
The relative but inevitable decline of U.S. control over the maritime commons

Since the end of the Cold War, some analysts claimed that U.S. defense policymakers did not pay much attention to naval capabilities. The long-term consequence of this lack of interest, would be the “elegant decline” of the U.S. sea power. The ongoing “long war” has only exacerbated those concerns, given the priority to a build up of ground forces to sustain American involvement in manpower-intensive counterinsurgency campaigns. The remarks from the Chief of Naval Operations, Admiral Gary Roughead, at the Current Strategy Forum, in June 2010, emphasize the issue of short-term operational needs and long-term ambition: “On any given day for the past few years, we have had more Sailors on the ground in Iraq and Afghanistan and in the Horn of Africa than we have at sea.”

Consequently, a small but vocal number of naval analysts have concluded that the U.S. Navy will no longer be able to sustain its undisputed control over the maritime commons. Nor will it be able optimally to pursue its current core missions (forward presence, deterrence, sea control, power projection, maritime security, disaster response). The financial prospects for the Department of Defense as a whole and the Navy in particular, do not portend anything close to the cherished goal of a 313-ship fleet.

Admittedly, the Navy is receiving substantial resources. True, the FY 2011 shipbuilding budget calls for an increase of $1.4 billion over FY 2010) but this is still insufficient to guarantee the ambition of a 313-ship fleet, which analysts believe would require an increase of up to $21 billion per year until 2020. The 2008 economic crisis, the protracted conflicts in Iraq and Afghanistan, and the current trends in the U.S. deficit do not leave much room for any surge in defense spending. Consequently it is likely that the U.S. Navy will be limited to a 270-ship fleet.

Such a decline in naval force is likely to have direct consequences in areas where the U.S. Navy aims at maintaining naval mastery. In the Pacific Ocean, the U.S. decline would be characterized by a substantial decrease of the number of its attack submarines. A 270-ship fleet by 2025 would likely mean

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15 Among other things, this fleet would include 11 aircraft carriers, 48 attack submarines (SSNs), 88 cruisers and destroyers, 55 Littoral Combat Ships (LCSs), 31 amphibious ships, and 12 amphibious and sealift-type ships.
that the United States would deploy only 27 attack submarines instead of 30 as of today in the Pacific as the other naval powers in the region, led by China expanded their attack submarine fleets.\textsuperscript{17}

Nevertheless the decline of the U.S. Navy is relative, not absolute. In 2010, the U.S. fleet is estimated to displace 2.6 Billion tons. This exceeds the tonnage of the next 17 largest fleets (14 of them being allies of the United States.).\textsuperscript{18} Beside tonnage, the U.S. Navy remains the most advanced maritime force in the world when it comes to advance weaponry and network-centric systems. In terms of total missile capabilities, again the U.S. military outmatches the 20 largest navies. But still, defense intellectuals in Washington D.C. increasingly use the threat of a Chinese sea power, or to a lesser extent the asymmetric naval capabilities of Iran to emphasize the concerning erosion of U.S. power projection capabilities. How objective are these statements?

**Assessing potential threats in the Persian Gulf and the Pacific Ocean**

The Chinese Navy could pose a challenge to U.S. primacy over the maritime commons. Other threats are usually based on over exaggerated assessments: the Russian Navy is clearly fighting to stay the course, because of financial constraints, and the debate in Washington on the Iranian denial of access strategies is based less on facts than on speculation. As of today, the Iranian Navy remains poorly equipped, most of its ships having been purchased during the 1970s when the Shah was still in power.\textsuperscript{19} Confrontation between the U.S. Navy and the Iranian Navy (as well as the Pasdarans’ own Navy\textsuperscript{20}) is certainly conceivable and should not be dismissed in terms of contingencies. As Tim Ripley argues, a naval confrontation between Iran and the United States would likely take the form of “a protracted conflict involving harassing attacks against US forces and international maritime trade.”\textsuperscript{21} But any

\textsuperscript{17}Mackenzie Eaglen, Jon Rodeback, “Submarine Arms Race in the Pacific: The Chinese Challenge to US Undersea Supremacy,” *Heritage Foundation*, Feb. 2, 2010, p. 4. Their net assessment is based on the assumption that a decrease in the number of attack submarines deployed in the Pacific Ocean would be proportional to a general decrease (e.g.: if x% of US total submarines are not replaced, x% of submarines in the Pacific Ocean will not longer be deployed).


\textsuperscript{20}Some estimates suggest that the Iranian Revolutionary Guards Corps naval branch has as much manpower as the regular navy. It has two main specialties: small patrol boat and anti-ship missile operations.

\textsuperscript{21}Ripley, “Gulf of distrust,” p. 11.
comparison between this type of contingency and a naval conflict over Taiwan is misleading: the Iranian capabilities in the Persian Gulf do not raise the political and operational costs of an intervention from the U.S. Navy as much as the Chinese fleet does in the South China sea.

Indeed, the real issue is the rise of China’s naval power. Several scenarios have attempted to shed light on the growing capabilities of China to deter American intervention in case of a conflict over Taiwan. In these scenarios, the U.S. Navy could not interfere in the South China sea without risking an aircraft carrier being put at risk by Chinese cruise or anti-ship ballistic missiles or having its submarines outnumbered by Chinese vessels. These narratives are said to illustrate a new Chinese military doctrine coined “Assassin’s Mace.” Originating from the Pentagon’s Office of Net Assessment, the idea of Assassin’s Mace is a translation of the Chinese term *Shashoujian*. It is defined as a combination of western technologies and oriental wisdom and could be used to launch a surprise naval attack supported by electronic and cyber warfare.

Initially, Assassin’s Mace is based on a net assessment of the procurement trends in the Peoples’ Liberation Army (PLA): advanced air defense, anti-ship ballistic missiles, cruise missiles, anti-satellite systems, electronic warfare and so forth. Such a combination of capabilities could paralyze the U.S. fleet and its bases in the Pacific. More importantly, it could raise the political and financial costs of an American naval show of force in the context of a conflict over Taiwan.

In that perspective, Assassin’s Mace is, technically, a solid estimate of China’s naval build-up. But conclusions about Chinese intentions are less convincing. First, *Shashoujian* is not a military strategy by itself; it is at most a sort of catchphrase mentioned in the Chinese military literature of the nineties. This term is indeed not exclusive to the military sphere; sports commentators use it as well. It therefore has no operational reality. All in all, Assassin’s Mace is as illustrative of Chinese military strategy as “Shock & Awe” is of U.S. military strategy, i.e. not much.

Moreover, the common belief that China is becoming—or will become—a sea power is not entirely obvious. True, there is an emerging consensus among experts on China that Beijing aims at becoming a naval

22 Office of Naval Intelligence, *Iran’s Naval Forces: From Guerrilla Warfare to a Modern Naval Strategy*, Fall 2009.
power with a global reach. But this long-term trend will be eventually challenged by a short-term issue: the status of Taiwan as “the most conspicuous barrier to unified military action beyond the first island chain.”

Second, Chinese sea power will face two close rivals (apart from the U.S. Navy): Japan and India. Tokyo’s awareness of China’s naval ambitions was emphasized when in early April 2010, Japan’s Maritime Self Defense Force monitored ten Chinese warships (two submarines and eight destroyers) passing 140 km south of Okinawa (the location of U.S. Armed Forces’ facilities). As for India, one has to remain skeptical about the much-discussed “string of pearls,” that China is supposedly establishing to challenge India in its area of close interests. The “string of pearls” covers a series of military and economic nodes from the South China Sea through the Strait of Malacca, across the Indian Ocean, and on to the Arabian Gulf (with facilities and ports in Pakistan, Sri Lanka, and Bangladesh among others). But first and foremost, the rationale behind the “string of pearls” is to secure China’s access to raw materials in Africa and the Middle East. Secondly, Chinese officials are very much aware of the vulnerability of China’s energy sea lanes, which they call their “Malacca Dilemma.” As a matter of fact, China is seeking to reduce its dependence on seaborne oil shipments through diversification of supply routes with pipelines projects with Kazakhstan, Russia, Myanmar and possibly Pakistan.

However, even if China does not possess the attributes of a global navy, it surely has the ambition. Hence it has outlined a new strategy called “far sea defense,” the purpose of which is to implement a roadmap for Chinese naval long-range capabilities.

One must bear in mind that in spite of all these speculations, China is not (yet) a sea power and should not blind us to the fact that the immediate issue on the oceans today is not global power plays but lesser crises such as piracy attacks. And as U.S. Secretary of Defense Robert Gates stated in May 2010 “you don’t necessarily need a billion-dollar guided missile destroyer to

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27 Holmes, Yoshihara, Chinese Naval Strategy, p. 54.
chase down and deal with a bunch of teenage pirates wielding Ak-47s and RPGs.”

Over the last three years, military decision makers have had to confront the unexpected rise of piracy, mostly in the Gulf of Aden and progressively spreading over the wide area of the Indian Ocean from the Mozambique Channel to the Arabian Sea close to Indian shores. A growing number of Somali pirates enabled by lawlessness in Somalia, have staged increasingly frequent and brazen attacks on commercial vessels in the Indian Ocean and the Gulf of Aden. In just one year (2008), insurance costs to ship cargo through the Gulf of Aden soared tenfold. This had tremendous economic implications given that 12 percent of global maritime trade and 30 percent of world crude oil shipments pass through the area annually.

This clear and immediate threat to international security led to multiple responses, from NATO, the United States, China, India, Japan, Malaysia, Turkey, Russia and most notably the European Union. As a matter of fact, the threat of piracy and the reactive response from EU member states might foreshadow the emergence of a new key actor in the maritime commons.

The development of a European sea power

The European Union is commonly portrayed as an economic, cultural or simply “soft” power. It is rarely characterized as a potential power, according to the “realist” view of a security-centric power. Discussion in Brussels rarely deals with realpolitik.

True, the European Union has conducted no less than 23 missions in support of its security and defense objectives but these missions were mostly launched in the context of the so-called Petersberg tasks (humanitarian or rescue operations, peace operations, combat missions for crisis resolution). Therefore, the European Security & Defense Policy (ESDP) has been interpreted as a response to lower priorities within the international security agenda, when and where NATO could (or would) not intervene. ESDP missions were not based on a concrete threat assessment but on the implicit assumption that Europe’s security was not at stake. However this harsh opinion is no longer entirely true because of the unexpected European operation launched in late 2008: the anti-piracy “Atalanta.”

First of all, success was unexpected because of an objective fact: European navies have shrunk, by up to one third in France, Germany and

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the United Kingdom compared to the situation 30 years ago. Financial prospects remain bleak. While the Royal Navy announced the go ahead for two carriers in 2007, the dramatic economic crisis that the UK now faces jeopardizes the future of these core assets of power projection. In France, after an initial pledge from then candidate Nicolas Sarkozy during the 2007 presidential campaign to launch the development of a second aircraft carrier, the French government has postponed the effective decision to 2012. Eventually, the French-British defense cooperation framework signed on November 2, 2010 aimed, among other things, at designing a process for capabilities sharing and pooling, and more particularly at keeping at least one aircraft carrier at sea between both countries at any one time.

In spite of this bleak environment, the Atalanta operation opened a window of opportunity for change in European naval capabilities. A substantial share of the EU’s oil imports transit through the area affected by the rise of piracy. The surprising effectiveness of the reactive build-up of the EU mission has to be taken into serious consideration.

Indeed one of the lessons of Atalanta is that ESDP can serve broader EU geopolitical objectives and ambitions extending far beyond the EU’s borders and neighbouring areas. Based on the success of the Atalanta operation, Basil Germon and Michael Smith underline the prospects for the EU sea power:

The EU possesses the attributes of a major sea power, such as its geographical location (at the end of the European peninsula, which itself constitutes the far end of the Eurasian landmass), its maritime dependent economic activities (trade, energy, fisheries, tourism), its maritime related security interests, and its member states’ naval resources (second to none but the US Navy). Thanks to Atalanta, other States may be more willing to respond to EU rather than US leadership in such situations.

Of course, one has to remain cautious regarding the operational outcomes of Atalanta. In spite of international efforts, piracy attacks grew to a peak in 2009 (with 214 vessels attacked and 47 seized). So far, the success of Atalanta is an institutional one: it testified to the ability of the European Union to project power when and where strategic interests are at stake.

But this outcome should not lead to over-optimism. It must be understood as a first step in a governance-making process. In other words, Atalanta gives the European Union (only) the momentum for reactivating a build-up of naval capabilities that will remain decisive for the future. It has to be leveraged in order to enable the Europeans to stay in the game.

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Toward a transatlantic partnership to secure the maritime commons

This is precisely the reason why the United States and the European Union have to cooperate in the coming decades if they want to secure their access to the maritime commons. The combination of the relative decline of the American sea power and the rise of potential challengers for the stability of the oceans (mostly in the Pacific and in the Indian oceans) leads to the conclusion that only a robust collective security governance framework is reliable. Indeed the idea of a maritime “cooperative approach” is growing in earnest in Washington. A coherent partnership has to be conceived based upon common interests and shared burdens of responsibility. It will have to balance between distinct national interests. To that aim, it should accommodate national prerogatives while leveraging the multiplier effect of the added capabilities.

Interestingly, Robert Kaplan, a senior fellow at the Center for a New American Security, recently suggested the U.S. air and naval forward bases should shift into a “regional presence in being.” This implies a naval system where the US Navy would remain the central hub supported by regional partners. For that purpose, Kaplan’s idea “anticipates relying on bare-bone facilities in the Adaman Islands, the Comoros, the Maldives, Mauritius, Réunion, and the Seychelles.”

Considering that this option seems the most plausible one, the U.S. Navy will, on its way to build this “regional presence in being,” meet the real rivalling maritime empire to the U.S. one: France. As a matter of fact with its jurisdiction on the oceans derived from Exclusive Economic Zones, France represents the second largest maritime empire (after the United States and before Australia). With island territories, including Polynesia and New Caledonia in the Central and Western Pacific, La Reunion in the Indian Ocean, Kerguelen in the Antarctic, Guadeloupe and others in the Caribbean, St. Pierre and Miquelon off eastern Canada, and Clipperton off Mexico in the Eastern Pacific, the French maritime territories represent eleven million square km (The United States have 11.3 million square km, the Australians 8.1).

Thus, if the Americans are truly working toward a maritime partnership that provides stability in the maritime commons, it should seek to gain greater lever with France and the European Union. Again, security interests do not automatically lead to the development of required capabilities. On the one hand, the Europeans will be considered serious partners of the U.S. Navy in the sea domain only if they leverage their experience in the Indian Ocean to

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39 Hoffman, From Preponderance to Partnership, p. 12.
42 Ibid., p. 40.
become a credible security provider in this area. On the other hand, an effective transatlantic partnership in the maritime commons will be achievable if the United States understands that European naval assets will be strengthened if they let the European Union move forward more particularly the European Defense Agency, which must become a leading actor in that sector. If the United States and the European Union achieve these two postures, they could well preserve the durability of the global commons with greater efficiency and without necessitating a “go it alone” approach or hegemonic investment by the United States.