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Concepts of Maritime Security: A Strategic Perspective on Alternative Visions for Good Order and Security at Sea, with Policy Implications for New Zealand

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Abstract
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Keywords
policy, sea, order, good, visions, alternative, perspective, strategic, zealand, security, implications, maritime, concepts

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A strategic perspective on alternative visions for good order and security at sea, with policy implications for New Zealand

Chris Rahman

Discussion Paper

Centre for Strategic Studies: New Zealand
Victoria University of Wellington

No. 07/09

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I would like to acknowledge the role of Sea Power Centre – Australia, which provided funding for the initial research. Most importantly, though, I would like thank Peter Cozens, who reviewed the original manuscript and who encouraged (nay, nagged) me to revise the work to incorporate a New Zealand flavour, and generously offered to publish it. Without his good offices this research may never have seen the light of day. Nevertheless, responsibility for any errors or omissions rest of course with the author alone.

About the author

Dr. Chris Rahman is Senior Research Fellow in Maritime Strategy and Security at the Australian National Centre for Ocean Resources and Security (ANCORS), University of Wollongong, NSW. He is a graduate of Victoria University of Wellington (BA, double-major in History and Politics),

the University of Waikato (MA in Defence and Strategic Studies), and the University of Wollongong (Ph.D.). His current research includes work on the strategic impact of the rise of China, U.S. maritime strategy, maritime security in Australia and New Zealand, naval developments in the Asia-Pacific region, the implications of climate change for navies and maritime domain awareness. He has published widely on issues related to regional navies and maritime security, Taiwan's security, and Australian maritime security and defence policy. His most recent monograph is *The Global Maritime Partnership Initiative: Implications for the Royal Australian Navy*.

Comment from the Director, CSS:NZ

This study is an important addition to the ongoing research and development of New Zealand's maritime strategy, a subject that surely must be of significant importance to an island nation its people and its leaders. This extensive work provides insights and opportunities for scholars, policy analysts and policy makers to find the origin of schools of thought and opinion directly and indirectly associated with the security of the nautical estate. It also re-affirms the practical nature of maritime security and by extension, of the need for the nation to make appropriate financial provision to uphold good order at sea and to protect and advance the nation's sovereign maritime interests.

This discussion paper should be read and understood by Naval Officers, the senior echelons of the New Zealand Profession of Arms, Defence analysts and officials, and all those with responsibilities associated with the sea around us. Those of a political persuasion with an interest in Defence and Strategic matters are likewise encouraged to study this excellent work.

With pleasure and sincere thanks I commend Dr Chris Rahman for this timely, well-researched and apposite study.

Peter Cozens,
Director
Centre for Strategic Studies: New Zealand

Introduction

The term "security" has become ubiquitous for contemporary policymaking. This has been a growing trend over the past quarter century, but has increased markedly since the end of the Cold War. The salience of traditional military threats, especially war between major powers – and, in particular, nuclear conflict – receded in the minds of many analysts and policymakers. The traditional concerns of strategists increasingly became subsumed during the 1990s by a revitalized wave of thinking about national and international security that tended to emphasize all manner of "security" challenges other than conventional war, particularly so-called "non-traditional" security issues.[1] Strategic studies increasingly gave way to "security studies" as the proponents of the latter pressed home the advantage of perhaps temporary circumstances to advance both their pet theoretical and policy preferences.

The reaction to the events of 11 September, 2001, perhaps surprisingly – and unwittingly – has also favoured this trend, as the phenomenon of global terrorism has been viewed by many governments as a law enforcement rather than a strategic problem: the global Islamist insurgency in this perspective thus becomes a non-traditional security challenge of combating transnational criminals, rather than a strategic one of fighting and defeating insurgency.[2] Politicians and policy lobbyists the world over have in many ways attempted to influence or manipulate policy agendas by formulating and marketing their favoured policy interests as national security issues. Almost anything, it seems, can become an issue of national security if one tries hard enough: tackling the problem of illegal drugs thus becomes a "war on drugs" rather than a healthcare and crime issue, whereby transnational criminal syndicates are viewed as undermining national security by endangering the well-being of the population at large and the sanctity of national borders; farm subsidies to grow crops for ethanol production are spruiked as a means of securing national energy security; and agricultural subsidies in general are often rationalized as a means to ensure national food security, and so on.[3]

In both academic and policymaking circles, including in international organizations and informal "Track II" diplomacy fora, considerable effort was given to developing a conceptual prism through which to view and apply the new security agenda(s) to the perceived international circumstances of our times. To the old idea of collective security were added concepts of common, comprehensive and cooperative security. Although these various concepts have often been applied to the maritime sphere, sometimes explicitly and at others only implied, there have been few extended attempts to explore the idea of maritime security itself. This is important, as "maritime security" increasingly is a commonly used term in policy circles, yet it seems clear that those who use the term often are doing so from different scripts. Confusion is bound to follow if the term is used to describe different things or conditions. The question is less one of what, exactly, is maritime security? Rather, it perhaps is better phrased as what are the different ways in which to conceive of maritime security? And what are the implications for policy, and for navies, of these different conceptions?

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[1] For a good overview of non-traditional security threats in the contemporary international setting see Michael E. Brown, ed., *Grave New World: Security Challenges in the 21st Century*, Georgetown University Press, Washington, D.C., 2003.

[2] The Australian counterterrorism expert, David J. Kilcullen, for example, convincingly argues that the Islamist terrorist threat is best thought of as a global insurgency in "Countering Global Insurgency," *The Journal of Strategic Studies*, Vol. 28, No. 4, August 2005, pp. 597-617.

[3] Ironically, one of the more serious threats to the global food supply are the diversion of crops that otherwise would be used for food, to produce ethanol.

It is interesting to note that the best studies of the meaning of maritime security for the contemporary world continue to be produced from within the traditional maritime strategy community, most notably by Geoffrey Till in his development of the idea of "good order at sea."[4] As members of the maritime strategy and naval communities well understand, many "non-traditional" security issues have, in fact, been traditional concerns for most navies, albeit rising or declining in relative importance depending on the threat environment of the day. This may be a reflection of the fact that navies and other enforcement agencies must "do" maritime security rather than simply theorize or pursue particular, narrow policy agendas.

This discussion paper navigates the conceptual minefield of maritime security in three parts: first, it analyses the broader debate on security concepts as context for conceptual thinking on maritime security; second, it outlines different conceptual perspectives on maritime security; and third, it considers the practical implications of those concepts. It concludes with a strategic argument for continued vigilance to protect the maritime-centred system of international order.

[4] Geoffrey Till, *Seapower: A Guide for the Twenty-first Century*, Frank Cass, London, 2004, chap. 10. See also earlier versions of Till's work: "Developments in Maritime Security" in Peter Cozens, ed., *New Zealand's Maritime Environment and Security*, Centre for Strategic Studies: New Zealand, Victoria University of Wellington, Wellington, 1996, pp. 5-27; and "Maritime Power and the Twenty-first Century" in Till, ed., *Seapower: Theory and Practice*, Frank Cass, Ilford, Essex, 1994, pp. 176-199.

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The Concept of Security

Because most theorizing about security has not been maritime focused, it is essential to place the development of concepts of maritime security within the context of the wider security debate.[5] The contemporary theoretical debate over the "security" question in international politics and the development of the sub-field of security studies can be traced to at least as far back as the early 1980s, a period of heightened Cold War tensions. The origins of the movement to expand the definition and scope of security issues away from the predominantly military-strategic focus of the Cold War were to be found in Europe, the geographical heart of renewed superpower animosities and the centre of the most immediate nuclear dangers at that time. The end of the Cold War hastened the trend towards refashioning the agenda of international security analysis towards new and expanding emphases upon challenges to the well-being not only of the state, but also of individuals and communities at a sub-state level and, beyond the level of the state, of security at the regional and even global levels. The academic discipline of strategic studies began to give way to a corresponding growth in so-called "security studies," either rationalized as a necessary expansion to the narrowness of (military) focus of traditional strategic studies or promoted as an entirely new sub-field within the study of International Relations.[6]

To some extent the debate is submerged in unnecessary semantics, with the term "security studies" sometimes employed interchangeably with that of strategic studies.[7] Beyond the mere inter- and intra-disciplinary musings of political scientists, however, there remains a pressing

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[5] For a recent overview of the current state of security studies see Alan Collins, ed., *Contemporary Security Studies*, Oxford University Press, Oxford, 2007. See also Terry Terriff, Stuart Croft, Lucy James and Patrick M. Morgan, *Security Studies Today*, Polity Press, Cambridge, 1999; and Barry Buzan, Ole Wæver and Jaap de Wilde, *Security: A New Framework for Analysis*, Lynne Rienner, Boulder, CO, 1998.

[6] On the perceived need for a broadening of strategic studies, see Ken Booth, "War, Security and Strategy: Towards a Doctrine For Stable Peace" in Booth, ed., *New Thinking about Strategy and International Security*, HarperCollins, London, 1991, pp. 370-372; whilst Barry Buzan made the case for the establishment of a new sub-field of "International Security Studies" in *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era*, 2nd ed., Harvester Wheatsheaf, Hemel Hempstead, 1991, pp. 23-25. For a concise, if self-serving (see fn. 7 below), history of the development of security studies see Ole Wæver and Barry Buzan, "After the Return to Theory: The Past, Present, and Future of Security Studies" in Collins, *Contemporary Security Studies*, pp. 383-402.

[7] When Stephen M. Walt used the term in an early post-Cold War article on the state of the discipline, for example, he was referring to strategic studies rather than any new or greatly expanded field of study: "The Renaissance of Security Studies," *International Studies Quarterly*, Vol. 35, No. 2, June 1991, pp. 211-239. In large part any confusion is due to the fact that the term "international security studies" is commonly used to describe strategic studies in American academe, where the field has also increasingly been integrated into International Relations theorizing, more generally. This has had the unfortunate effect of undermining its value to policymakers and the policy debate as academics chase the illusory goal of ultimate parsimony and elegance in highly abstract theory building and testing; for as Colin S. Gray reminds us, strategic studies, and strategy, "pre-eminently, is a practical subject." Gray, *Strategic Studies: A Critical Assessment*, Westport, CT, 1982, p. 8. See also Richard K. Betts, "Should Strategic Studies Survive?" *World Politics*, Vol. 50, No. 1, October 1997, pp. 26-30. Wæver and Buzan, in "After the Return to Theory," in effect attempt to usurp strategic studies by transforming it into little more than an historical artefact of "security studies." This is both unhelpful and misleading: as a "practical subject" for the specific study of the use, or threat of use of force in world politics, policy-relevant strategic studies remain not only useful, but important. Strategic studies and security studies might thus be best thought of as separate, albeit related, sub-fields of intellectual endeavour.

requirement to address the appropriate scope of security as a topic, a concept or even as a useful and meaningful term.

Barry Buzan has proposed that the concept of security can only be fully understood by integrating the interdependent "levels of analysis" and "issue sectors" or "dimensions" of security. Buzan's levels of analysis are individual, national and international (both regional and system-wide) security, while his issue sectors comprise military, political, societal, economic and environmental security.[8] Other analysts in the security studies field follow a similar conceptual pattern. Although different candidate categories have been used in various studies, such as energy and food security, transnational crime and migration, these all can be subsumed within one or more of Buzan's dimensions of security. What follows, then, is a brief discussion of the levels and dimensions of security.

Levels of analysis

Individual security

The security of individuals and sub-state communities such as ethnic, religious, tribal and other identifiable (usually minority) groups is directly related to the quality of the relationship they each maintain with the state itself and, also, to the extent that the state can protect them from externally generated "threats." The emphasis on this level can be thought of as being coterminous with the idea of "human security."[9] The relationship between individuals and the state can be positive, neutral or negative: the state may enhance the security of individual citizens and groups by the provision of law and order, economic opportunities or social welfare facilities, for example, or similarly, detract from individual security by infringing basic human rights or tolerating harmful levels of industrial pollution. There also exists a conflict between individual security and individual liberty: the more security that is sought by individuals (and provided by the state), the greater the extent to which freedoms must be foregone (and vice versa). And as Buzan has noted, the more powerful the state grows (internally), the more likely it is that the state itself will, paradoxically, become a "source of threat" to individual security.[10] This has been a common concern of civil libertarians in the post-9/11 world, whether in Australia, the United States or elsewhere in the West.

Many aspects of Buzan's issue sectors, in terms of threats to security, can also be viewed as affecting primarily individuals or sub-state groups rather than the state as a whole. The adverse impacts of free trade (and "globalization" more generally) upon certain industry sectors or on particular parts of the population (such as unskilled workers, for example) of a state, while the national economy derives collectively, on balance, favourable economic outcomes, represents an example of this type of phenomenon. Nevertheless, Buzan importantly states that, due to the "independent importance of the state and system levels of security analysis," an emphasis on national and international security must remain the "main focus of analysis."[11]

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[8] Buzan, *People, States and Fear*, esp. pp. 363-368. Buzan uses the term "dimensions of security" in "Is International Security Possible?" in Booth, *New Thinking about Strategy and International Security*, pp. 34-39. Buzan, Wæver and de Wilde, *Security*, pp. 5-7, alternatively employ five levels of analysis: international systems, international subsystems, units (actors), subunits (groups) and individuals.
[9] See William T. Tow, Ramesh Thakur and In-Taek Hyun, eds., *Asia's Emerging Regional Order: Reconciling Traditional and Human Security*, United Nations University Press, Tokyo, 2000; Judith Banister and Peter Johnson, *Human Dimensions of Asian Security*, CRM 95-230, Center for Naval Analyses, Alexandria, VA, March 1996; and Jan Aart Scholte, *Globalization: A Critical Introduction*, 2nd ed., Palgrave Macmillan, Houndmills, Basingstoke, 2005, chap. 9.
[10] Buzan, *People, States and Fear*, chap. 1, esp. pp. 37-39.
[11] Ibid., p.51.

National security

The second level of analysis concerns the state, which may be defined as a territorially defined, politically sovereign, entity – or polity.[12] The label "national security," and the concomitant term "national interest," are familiar to most people as political slogans used by governments and interest groups to rationalize or promote particular government policies and actions. Traditionally, although not exclusively, the focus of national security has been concerned with external defence and strategic issues. Despite this common usage, however, there is nothing inherent in the term that necessarily excludes a wider range of factors from being considered as matters of "national security." The United States, for example, regularly produces a *National Security Strategy* for this purpose.[13]

In a seminal article first published in 1952, Arnold Wolfers described "national security" as an "ambiguous symbol" which can be deceptive and possibly meaningless when employed as a policy label. Defining security as a measure of "the absence of threats to acquired values," Wolfers warned of the potential for confusion when the symbol of national security is "used without specifications."[14] Over 40 years later, David Baldwin refined and reformulated Wolfers' definition of security to "a low probability of damage to acquired values," setting out two prime specifications and five subsidiary ones. In order, these are: Security for whom? Security for which values? How much security? From what threats? By what means? At what cost? And in what time period?[15] Although he acknowledges that not all specifications need be employed in every instance of analysis, Baldwin nevertheless asserts that at a minimum the specifications of "means, costs, and time period must be specified…[f]or purposes of systematic comparison of policy alternatives."[16] The point being made is that, from a conceptual perspective, there are opportunity costs involved in the provision of the value of national security, as well as potential problems of diminishing returns.[17] The question of opportunity costs is rarely explicitly addressed in conceptual terms, although in practice it can be reflected implicitly in the national budget debates of most states.

International security

International security is concerned with the systemic factors that influence the behaviour of states and the consequent implications for security among states. Although states are not the only actors in the international system, they are the bodies that hold primary responsibility for providing security to their respective populations. International organizations may play supporting roles in the provision of security to various communities at different levels of analysis, such as distributing food aid to famine victims, nation building in new states (such as East Timor), reconstruction following conflict or natural disasters, mitigating the effects of financial crises or protecting against future environmental catastrophes. Yet the actions of international organizations are themselves the result of collective actions by groups of states:

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[12] Rather too much has been made by some commentators of a perceived breakdown of the modern Westphalian state system and even of the looming death of the state itself. The system (and states) may be evolving, but that has always been the case: it has never consisted entirely of stereotypical unitary nation states, and rather has always included a diverse range of polities, encompassing all kinds of entities from vast multinational empires to tiny city states.

[13] See The White House, *The National Security Strategy of the United States of America*, March 2006.

[14] Arnold Wolfers, "National Security as an Ambiguous Symbol" in Wolfers, *Discord and Collaboration: Essays on International Politics*, The Johns Hopkins University Press, Baltimore, MD, 1965 (first pub. 1962), pp. 147-150.

[15] David A. Baldwin, "The Concept of Security," *Review of International Studies*, Vol. 23, No. 1, January 1997, pp. 12-18.

[16] Ibid., p. 17.

[17] Wolfers, "National Security as an Ambiguous Symbol," p. 158.

international organizations are not sovereign actors in the international system and are dependent upon a high degree of cooperation between states to function with any effectiveness. Nowhere is this more apparent than in the use of military force. Although states sometimes act under the auspices of organizations, such as the United Nations or the African Union – for example, in peacekeeping or military observer missions – the forces themselves are provided by states, which maintain a monopoly on the legitimate use of force in the international system.

The defining characteristic of the international system is that of anarchy, meaning the absence of any central governing body (as opposed to total chaos). In the absence of world government, therefore, the state becomes the leading object of analysis in the system. Whilst system-generated threats to "acquired values" may affect security at levels of analysis other than the state, the state nevertheless remains central to the security problem in international politics, whether as a protector from external threats or a threat to other states; or whether as the guarantor of domestic order or as the agent of internal instability which may spread across borders.

Dimensions of security

Of Buzan's dimensions (or issue sectors) of security, the military and political categories are the most familiar in discussions of national or international security and hardly require detailed examination. Suffice it to say that the political and military dimensions have traditionally been dominant factors in relations between polities and, therefore, for both national and international security. It is these very factors, though, that the alternative security and security studies schools of thought have attempted to downplay, instead refocusing on so-called "non-traditional" security issues. These schools pose a challenge for traditional thinking on security and thus also for policymakers and agencies in the national security business, including navies. For an appraisal of alternative conceptions of security then, the analysis below will focus on Buzan's non-traditional dimensions of societal, economic and environmental security.

Societal security

The societal dimension of security, according to Buzan, includes the protection of national identity and culture. However, purely "national" identity can be threatened by minorities with separate ethnic or religious identities, language or culture, while internally weak states in turn often persecute such minority groups in order to maintain national "stability."[18] The societal cohesion of states is also threatened by demographic factors such as rapid population growth in many developing countries and demographic "bubbles," whereby a high proportion of the population of a given state may be concentrated in certain age groups, requiring the diversion of national resources to pay for the education of a large youth population, for example, or the retirement and related health costs of an aging population.[19] Gender imbalances are also a major problem in some Asian states, especially China and India, where preferences for boys over girls has resulted in a "surplus of men," with potentially destabilizing social consequences.[20]

Public health considerations also affect societal security, including debilitating diseases such as malaria and HIV/AIDS,[21] while the prospect of an avian influenza pandemic is particularly daunting for the densely populated developing states of Asia, where the capacity to cope with an outbreak may be limited. One further aspect of societal security is the problem of refugees and

[18] Buzan, *People, States and Fear*, pp. 122-123.
[19] Banister and Johnson, *Human Dimensions of Asian Security*, pp. 13-29.
[20] Valerie M. Hudson and Andrea Den Boer, "A Surplus of Men, a Deficit of Peace: Security and Sex Ratios in Asia's Largest States," *International Security*, Vol. 26, No. 4, Spring 2002, pp. 5-38.
[21] Alan Dupont, *East Asia Imperilled: Transnational Challenges to Security*, Cambridge University Press, Cambridge, 2001, chap. 11; and Banister and Johnson, *Human Dimensions of Asian Security*, pp. 37-49.

illegal migration, which can cause social instability in the destination country by affecting employment prospects for locals, straining social services, introducing disease and increasing cultural, ethnic and religious diversity and, thus, the potential for conflict between local and immigrant groups.[22] Such strains have been self-evident between migrant Muslim and indigenous populations of Western European states in the aftermath of 9/11 and the consequent "war on terror." Emigration of educated elites and professionals from developing countries also reduces the productive and social capacity of those states.

Economic security

The economic dimension of security can readily be applied to all levels of analysis, often providing linkages between the different levels. For example, individual security will be threatened by the absence of the "basic requisites of individual survival."[23] In such cases the perilous economic condition of the citizenry may weaken or even threaten the existence of a state which, in turn, may have implications for international security if individual and group economic insecurity leads to civil conflict (or external aggression), with potential for the spread of violence beyond state borders. The inverse relationship is also a feature of international politics, whereby war in the international system or a global (or regional) economic depression, as examples, can directly detract from both state and individual economic security.

There is a strong maritime element to economic security in the Asia-Pacific region. Seafood provides the primary source of protein for a large proportion of the region's people and fishing is a major industry, increasingly under threat through depletion of fish stocks and environmental degradation.[24] In Southeast Asia up to 100 million people depend upon the sea either as a primary source of protein or income,[25] and for many of the small island states of the Southwest Pacific, fisheries represent the main source of national wealth. Other maritime industries also are important to economic security in regional states. Northeast Asia, for example, hosts the world's three leading shipbuilding states, with China, in particular, rapidly emerging as the world's largest shipbuilder[26]; whilst Asia also dominates the world's ship-breaking industry. Offshore oil and gas is an important aspect of both economic and national energy security for several coastal states, whilst Singapore and Hong Kong have prospered as regional hub ports with large concentrations of maritime industry.

At a systemic level, economic security is to a large extent a function of the ability of states within the international system to secure access to vital goods and resources not available domestically, through the process of international trade – mostly carried by sea. The process of trade functions most efficiently when it is relatively free, although states can choose to opt out, as did much of the Communist world during the Cold War, relying instead on intra-bloc trade and self-sufficiency. The traditional alternative to a liberal free-trading international economic system is a mercantilist (or neo-mercantilist) one in which states seek a high degree of economic self-

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[22] Ibid., pp. 51-62. Internal migration, often state-sponsored (or even forced), can also threaten societal security. The former Soviet Union and Indonesia have both been dogged by difficulties caused by previous internal migration and forced resettlement policies, whilst China continues to alter the demographic balance in favour of ethnic Han Chinese in Tibet and the traditionally (Turkic) Muslim region of Xinjiang.
[23] Buzan, *People, States and Fear*, pp. 235-237. Buzan lists food, water, shelter and education as his basic human requirements.
[24] Dupont, *East Asia Imperilled*, pp. 101-103.
[25] Meryl J. Williams, *Enmeshed: Australia and Southeast Asia's Fisheries*, Lowy Institute Paper 20, Lowy Institute for International Policy, Sydney, 2007, p. 27.
[26] See Gabriel Collins and Michael Grubb, "Strong Foundation: Contemporary Chinese Shipbuilding Prowess" in Andrew S. Erickson, Lyle J. Goldstein and Carnes Lord, eds., *China Goes to Sea: Maritime Transformation in Comparative Historical Perspective*, Naval Institute Press, Annapolis, MD, 2009, pp. 344-371.

sufficiency, economic protection and national control over economic processes (as opposed to an acceptance of the interdependence inherent in liberal systems), often explicitly pursued in the name of "national security."[27] Mercantilist conceptions of economic security were followed in the seventeenth century by the European maritime powers precisely to increase the power of the state and maximize its military potential in those war-prone times.[28] National strategies for pursuing economic security range from complete reliance on the global market to provide access to essential goods and technologies (and liberal norms and institutions to provide market access for one's own goods), to aggressive mercantilism in a world where states are perpetually in conflict and preparing for war.

A system characterized by mercantilism will set the tone for state behaviour, although there is some scope for individual states to follow an alternative course. Major Powers would find such an alternative course of action difficult, however, when faced with the predatory instincts of other powers inherent in such a system. Conversely, it is easier for states to follow alternative economic security policies in a largely liberal system, whether by opting out of the system to pursue autarky, or by adopting a neo-mercantilist strategy (as allegedly favoured by Japan).[29] China can be viewed as more obviously neo-mercantilist in intent, particularly with regard to access to resources. Seemingly unwilling to rely on the market alone, China is intent on monopolizing as much supply as possible. As part of this thinking on resource security, many Chinese strategists have advocated the expansion of China's national tanker fleet to reduce dependence on foreign shipping; thus ensuring that China's oil imports could be carried in Chinese owned and flagged ships, and also potentially protected in the future by the Chinese navy.[30]

A common perception following the end of the Cold War was that the relative importance of economic means was rising *vis-à-vis* military-strategic ones, reflected in Edward Luttwak's assertion that "the methods of commerce are displacing military methods."[31] The statement was made at a time of increasing concern amongst American analysts of U.S. relative economic decline, a growing trade deficit and an increasingly politicized competition for international leadership in the development of new technologies. Perceptions of decline have predictably resurfaced in the wake of America's current economic and strategic difficulties.[32]

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[27] Buzan, *People, States and Fear*, pp. 243-246.

[28] See Edward Mead Earle, "Adam Smith, Alexander Hamilton, Friedrich List: The Economic Foundations of Military Power" in Earle, ed., *Makers of Modern Strategy: Military Thought from Machiavelli to Hitler*, Princeton University Press, Princeton, 1943, esp. pp. 117-120.

[29] Japan's post-War foreign policy has been described as one of "mercantile realism" by Eric Heginbotham and Richard J. Samuels, "Mercantile Realism and Japanese Foreign Policy" in Ethan B. Kapstein and Michael Mastanduno, eds., *Unipolar Politics: Realism and State Strategies after the Cold War*, Columbia University Press, New York, 1999.

[30] See Andrew Erickson and Gabe Collins, "Beijing's Energy Security Strategy: The Significance of a Chinese State-owned Tanker Fleet," *Orbis*, Vol. 51, No. 4, Fall 2007, pp. 665-684.

[31] Edward N. Luttwak, "From Geopolitics to Geo-Economics," *The National Interest*, No. 20, Summer 1990, p. 17.

[32] Prominent examples of the "declinist" school include Paul Kennedy, *The Rise and Fall of the Great Powers: Economic Change and Military Conflict from 1500 to 2000*, Random House, New York, 1987; Aaron L. Friedberg, "The Strategic Implications of Relative Economic Decline," *Political Science Quarterly*, Vol. 104, No. 3, Fall 1989; and Robert Gilpin, *War and Change in World Politics*, Cambridge University Press, Cambridge, 1981. For post-9/11, Iraq War influenced predictions of American decline, see Robert D. Kaplan, "America's Elegant Decline," *The Atlantic Monthly*, November 2007, pp. 104-116; and Pierre Hassner, "The Fate of a Century," *The American Interest*, Vol. II, No. 6, July/August 2007, pp. 36-47. For an even more wide-ranging prediction of the relative decline of the West as a civilization *vis-à-vis* the major non-Western civilizations, see Coral Bell, *The End of the Vasco da Gama Era: The Next Landscape of World Politics*, Lowy Institute Paper 21, Lowy Institute for International Policy, Sydney, 2007; and also Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order*, The

Relative power considerations for major powers creates a difficulty of disentangling purely economic considerations from military and "power" factors when dealing with the economic security of the state. This can lead to the adoption of neo-mercantilist type policy options such as a more nationalistic approach to trade issues, including so-called "managed trade," domestic subsidies in the form of industry policy – a common feature of national naval shipbuilding industries, for example – and, in the realm of the high technology sector, strategic trade policy. The difficulty with pursuing a neo-mercantilist agenda follows from the fact that policies to maintain or increase the relative power position of the state tend to contradict policies seeking to maximize national wealth. In other words, policymakers must decide whether the economic security of the state is best served by the accumulation of (relative) power or the pursuit of the highest attainable standard of living.[33] In practice, however, most states depend upon more complex policy mixes. In certain circumstances the difficulty in integrating such complex and possibly divergent policy goals may even lead states to pursue contradictory economic security and (politico-military) national security policies.[34]

From a purely economic standpoint, the notion that states compete economically (or "geo-economically") in a similar fashion to businesses has been assailed by the economist Paul Krugman, who suggests that the metaphor of national competitiveness is both misleading and economically damaging.[35] Krugman, however, fails to take into account the national security implications of economic policy, particularly when national security is viewed in the traditional manner of relative power and the physical safety of the state. It is often documented that even Adam Smith, the prototypical liberal economic theorist, recognized the primary importance of military power and security to the defence of the realm and supported state economic intervention in the specific areas of the Navigation Acts, protection of fisheries and the stockpiling of (and the monopoly of trade in) naval stores produced in the American colonies. Smith acknowledged that the rationale for doing so was primarily for defence rather than commercial gain: each of the measures augmented the strength of the Royal Navy and, more generally, the maritime power that Britain's security depended upon and which, ultimately, provided the means for colonial economic expansion.[36] Smith thus accepted that, "when necessary, the economic power of the nation should be cultivated and used as an instrument of statecraft."[37] In contemporary circumstances, however, the "national security" slogan can be useful to rationalize interventionist economic measures, particularly those designed to restrict free trade, even if either the measures or the rationale may be spurious.[38] Once again, one must

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Free Press, London, 2002 (first pub. 1997), chap. 12. An optimistic counter argument to the idea of America's imminent decline is made in Walter Russell Mead, *God and Gold: Britain, America, and the Making of the Modern World*, Alfred A. Knopf, New York, 2007, pp. 346-359.

[33] For extended discussions on the policy options available and the dilemmas faced by the state in the pursuit of economic security within a competitive international system, see Theodore H. Moran's review article, "Grand Strategy: The Pursuit of Power and the Pursuit of Plenty," *International Organization*, Vol. 50, No. 1, Winter 1996; and James R. Golden, "Economics and National Strategy: Convergence, Global Networks, and Cooperative Competition," *The Washington Quarterly*, Vol. 16, No. 3, Summer 1993.

[34] Michael Mastanduno contends, for example, that following the end of the Cold War the United States pursued conflicting national security and foreign economic policies. See Mastanduno, "Preserving the Unipolar Moment: Realist Theories and U.S. Grand Strategy after the Cold War" in Kapstein and Mastanduno, *Unipolar Politics*.

[35] Paul Krugman, "Competitiveness: A Dangerous Obsession," *Foreign Affairs*, Vol. 73, No. 2, March/April 1994.

[36] See Moran, "Grand Strategy," p. 181; and, especially, Earle, "Adam Smith, Alexander Hamilton, Friedrich List," pp. 121-124.

[37] Ibid., p. 124.

[38] For example, farming lobbies and their political supporters in the United States and elsewhere often promote and defend agricultural subsidies and trade protection by invoking the idea of national "food security."

treat with caution the injunctions of those who rather too conveniently invoke the "ambiguous symbol" of national security as a rationale for state action.

Environmental security

Environmental security has been the subject of an increasing body of literature since the late 1980s. The objective of the environment and security literature has been to stress the need to "redefine security" to take into account environmental threats to individual, national, regional and global well-being, as well as to suggest linkages between environmental problems and violent conflict.[39] Heightened awareness of the fragility of the natural environment and the growing dangers of interconnected environmental problems on a potentially global scale, such as climate change, destruction of ecosystems and unsustainable use of natural resources, widespread pollution and burgeoning human populations, have created a chorus of opinion that seeks recognition of these phenomena as "threats" to each level of security. Environment-related dangers have thus become viewed as both threats in purely ecological terms and, increasingly, by the proponents of environmental security, as leading elements in the overall conception of "security" in a world now perceived by some to be more at risk from environmental problems than from conventional war.[40]

One of the first formal statements of the idea of environmental security was the report of the United Nations-established, independent World Commission on Environment and Development (WCED), *Our Common Future*. The 1987 WCED report focused on the necessity for economic development to be sustainable in a world in which security had become increasingly interdependent, and where "Environmental stress is both a cause and an effect of political tension and military conflict."[41] It argued for sustainable development and cooperative management of the "global commons": the oceans, outer space and Antarctica.[42] The report also made the rather obvious claim that armed conflict creates "major obstacles to sustainable development." More dubious, however, was a concomitant emphasis on the negative aspects of "arms competition," the high opportunity costs of military spending and a supposed need for disarmament.[43] Even taking into account the report's late-Cold War temporal context, it betrays a prejudice in favour of the naïvely apolitical theory of arms races, in keeping with its intellectual preference for the concept of common security (discussed below).

A related and highly eccentric aspect of the environmental security debate is the environmental impact of military activity, with a typical preoccupation with the impact of the U.S. military, in particular.[44] Such a perspective, however, "tends to transform environmental security into security for the environment *per se*,"[45] as distinguished from a focus of the environmental impacts upon Buzan's different levels of analysis. As with arms race theory, this preoccupation also is lacking in political or strategic context: no attempt is made to balance the negative environmental

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[39] For an early example see Richard Ullman, "Redefining Security," *International* Security, Vol. 8, No. 1, 1983. For a brief history of the environmental security movement see Jon Barnett, "Environmental Security" in Collins, *Contemporary Security Studies*, pp. 184-188.
[40] See, for example, Jessica Tuchman Mathews, "Redefining Security," *Foreign Affairs*, Vol. 68, No. 2, Spring 1989; Gwyn Prins, ed., *Threats without Enemies: Facing Environmental Insecurity*, Earthscan, London, 1993; and Gwyn Prins and Robbie Stamp, *Top Guns and Toxic Whales: The Environment and Global Security*, Earthscan, London, 1991.
[41] World Commission on Environment and Development, *Our Common Future*, Oxford University Press, Oxford, 1987, p. 290.
[42] Ibid., chap. 10.
[43] Ibid., pp. 294-304.
[44] Barnett, "Environmental Security," pp. 195-196.
[45] Terriff et al., *Security Studies Today*, p. 130.

effects of armed forces – U.S. and Western armed forces, in particular – with the greater positive value of the relative order and stability that they bring to the international system.

Thomas Homer-Dixon has offered a more specific strand of environment and security thinking, explicitly linking environmental damage and related population growth in the developing world to dangers of falling agricultural output and subsequent economic decline or hardship and displacement of population, which in turn may produce high levels of social disruption leading to violent conflict. Widespread sub-national violence may also lead to the spread of conflicts across borders, especially if the environmental problems are transnational in character.[46] In particular, population growth coupled with the depletion of renewable resources such as fresh water, arable land, forests and marine fisheries, could produce scarcity-induced conflicts, especially if access to, or distribution of, those resources is unequal.[47] It has been asserted that many such dangers are apparent across the Asia-Pacific region,[48] particularly in the marine environment.[49]

Whilst conflict over non-renewable resources such as oil and other minerals is a more likely cause of conventional war due to their strategic implications, environmental analysts often tend to focus on renewable resources. In part this is due to the nature of renewable resources as basic human requirements for existence that can not easily be replaced by substitutes when they become scarce, and also their susceptibility to environmental degradation: some "renewable" resources may in fact run out in certain regions through over-exploitation, inadvertent destruction,[50] or as an impact of global climate change. Nevertheless, the rapid economic growth of China and India, in particular, have not only focused attention on the domestic environmental impacts of economic and demographic expansion but also heightened interest in a renewed competition for non-renewable resources, especially oil and other energy-related minerals.

The environmental approach to security has been criticized on several grounds, however. Daniel Deudney has outlined three arguments against linking environmental factors and national security. Firstly, Deudney argues that the traditional, inter-state violence focus of national security has no substantial features in common with the problem of environmental degradation. Secondly, the short-term, selfish relative gains considerations of individual states endemic in the mindsets and institutional processes of national security policymaking are inappropriate and possibly counter-productive to the approach required to mitigate environmental hazards, which preferably should be transnational with long-term perspectives for the benefit of all states and their respective citizens. Thirdly, he argues that environmental degradation is unlikely to lead to inter-state war.[51]

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[46] Thomas F. Homer-Dixon, "On the Threshold: Environmental Changes as Causes of Acute Conflict," *International Security*, Vol. 16, No. 2, Fall 1991, esp. pp. 90-98. See also Robert D. Kaplan, *The Ends of the Earth: A Journey at the Dawn of the 21st Century*, Papermac, London, 1997 (first pub. 1996); and Paul F. Diehl and Nils Petter Gleditsch, eds., *Environmental Conflict*, Westview Press, Boulder, CO, 2001.
[47] Thomas F. Homer-Dixon, "Environmental Scarcities and Violent Conflict: Evidence from Cases," *International Security*, Vol. 19, No. 1, Summer 1994, pp. 5-40.
[48] See Alan Dupont, *The Environment and Security in Pacific Asia*, Adelphi Paper 319, Oxford University Press for the IISS, London, June 1998; and Dupont, *East Asia Imperilled*, chaps. 2-6.
[49] Alan Dupont, "Maritime Environmental Security" in David Wilson and Dick Sherwood, eds., *Oceans Governance and Maritime Strategy*, Allen & Unwin, St Leonards, NSW, 2000, pp. 129-138.
[50] Homer-Dixon, "Environmental Scarcities and Violent Conflict," pp. 8-9 & 18-19; and Mathews, "Redefining Security," p. 164.
[51] Daniel Deudney, "The Case against Linking Environmental Degradation and National Security," *Millennium: Journal of International Studies*, Vol. 19, No. 3, Winter 1990, pp. 461-476.

Another strong critique of environmental security thinking has been made by Marc Levy, who argues that whilst ozone depletion and global climate change, for example, may justifiably be classed as "threats" to national security there is no benefit in doing so. Rather, he suggests that the national security decision-making apparatus is inappropriate for dealing with environmental dangers and that environmental agencies are, logically enough, the best suited for that task, unhindered by the "high politics" considerations inherent in national security planning.[52] Levy also questions the linking of environmental degradation to violent conflict, instead identifying the indirect nature of the impact of environmental damage on international security: the dangers to international security result instead from the political consequences of environmental degradation, not from degradation itself. Therefore, when violent conflict supposedly derived from environmental factors occurs, "so many intervening variables have been added that it is difficult to see the independent contribution of environmental degradation. There appear to be no interesting mechanisms that are purely and discretely environmental."[53]

In the absence of strong empirical evidence to support Homer-Dixon's contentions that environmental degradation and scarcity will lead directly to violent conflict, more recent critiques have suggested, for example, that environmental security should be viewed in the human security terms of the vulnerabilities of specific populations to environmental stress, including climate change, especially in the developing world.[54] Levy's solution is to concentrate research on the causes of regional conflict rather than only on the environmental connections to conflict.[55] Unfortunately, a research agenda studying the causes of wars itself is likely to be a somewhat endless (and possibly also meaningless) exercise and the progenitor of countless competing theories: every war inevitably is in some detail, great or minor, including in its underlying or immediate causes, unique from all other wars.[56]

Levy's overarching argument against linking the environment and security, however, is that those commentators who attempt to redefine security to include environmental factors simply because environmental "threats" are in of themselves important – which he terms the "existential view" – are only using the language of security to create a higher public profile and thus win a higher priority for their chosen cause from policymakers. As Levy aptly states, "the existential view … has no basis except as a rhetorical device aimed at drumming up greater support for measures to protect the environment." And, "it is an effort to raid the security issue in order to reap some of the deference that [supporters of the idea] believe politicians and publics pay to it." Such efforts, moreover, are based upon "an intellectually flimsy set of slogans."[57] Once again, Wolfers' admonition of the dangers inherent in the invocation of poorly conceived political slogans dressed in the language of national security remains essential.

Nonetheless, the environment and security debate has progressed considerably since the 1990s, as the extent of environmental destruction has become more widely accepted, as the negative environmental impact of rising economic giants becomes more evident and, most important, as climate change has become a leading issue both for international diplomacy and in the public

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[52] Marc A. Levy, "Is the Environment a National Security Issue?" *International Security*, Vol. 20, No. 2, Fall 1995, pp. 46-54.
[53] Ibid., p. 58.
[54] Simon Dalby, "Security and Environment Linkages Revisited" in Hans Günter Brauch et al., eds., *Globalisation and Environmental Challenges: Reconceptualising Security in the 21st Century*, Springer-Verlag, Berlin, 2006.
[55] Levy, "Is the Environment a National Security Issue?" pp. 54-60.
[56] See Colin S. Gray, *Villains, Victims and Sheriffs: Strategic Studies and Security for an Inter-War Period. An Inaugural Lecture*, University of Hull Press, Hull, 1994, pp. 7-8; and Bernard Brodie, *War and Politics*, Macmillan, New York, 1973, chap. 7.
[57] Levy, "Is the Environment a National Security Issue?" pp. 36 & 41-46.

consciousness. The Intergovernmental Panel on Climate Change, for example, issued its authoritative and highly publicized Fourth Assessment Report in 2007, detailing the impacts, risks and vulnerabilities involved with what is now the scientific, and increasingly widely politically accepted, consensus on global warming.[58] There is also a growing literature dealing with the potential security implications of climate change.[59] Despite these concerns, however, there remains much to commend in Levy's arguments. Thus, the potential social and political consequences of climate change may be more important considerations for national security policymakers and agencies than the environmental effects themselves. Interestingly, and perhaps hypocritically, environmental security advocates have nothing at all to say about perhaps the two most dangerous environmental threats of all: an asteroid strike or a stupendously large geological event, such as a "super volcanic" eruption. Either of these events, which are statistically inevitable, would cause catastrophic damage and loss of life, potentially even to the extent of being a widespread extinction event as has occurred in the past. Unlike global warming, moreover, with its many scientific uncertainties, the consequences of an eruption of a super volcano (such as the Yellowstone system) or a collision with a large, unwelcome visitor from outer space are relatively well understood, and occur regularly enough, in geological time scales: a case of out of sight, out of mind?

Concepts of security

The various dimensions of security outlined above do not so much represent alternative concepts as different forms of security and reflect the current fad of stressing security's multidimensionality. Enthusiasm for alternative "concepts," though, was quite prevalent in the debate over East Asian regional security in the early post-Cold War period. The alternative concepts of security to be addressed are common, collective, comprehensive and cooperative security, with most emphasis being placed upon the comprehensive and cooperative varieties, as these have been particularly popular in the Asian context. The discussion will be concluded with a brief assessment of the impact of globalization on international security and the corresponding idea of global security.

Common security

The term "common security" was popularized by the 1982 Palme Commission, which promoted arms control and disarmament in Europe during a period of growing political tensions between the Soviet Union and the West. The idea, although in theory one with universal applicability, was nevertheless designed specifically to improve relations and reduce the likelihood of war between Cold War adversaries. In particular, the Commission's report, *Common Security: A Programme for Disarmament*, focused on ways to reduce nuclear dangers, asserting that the "common danger" of nuclear war required efforts to "promote our security in common."[60] Based on a working assumption that weapons (particularly nuclear weapons) posed the primary threat to peace, the Commission asserted six principles of common security, reproduced in the box below.[61]

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[58] Intergovernmental Panel on Climate Change, *Climate Change 2007: Impacts, Adaptation and Vulnerability*, Contribution of Working Group II to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, Cambridge University Press, Cambridge, 2007, esp. chaps. 19-20 and, for regional impacts, chaps. 9-16.

[59] See, for example, from Australian and American perspectives, respectively, Alan Dupont and Graeme Pearman, *Heating Up the Planet: Climate Change and Security*, Lowy Institute Paper 12, Lowy Institute for International Policy, Sydney, 2006; and *National Security and the Threat of Climate Change*, The CNA Corporation, Alexandria, VA, 2007.

[60] The Palme Commission, *Common Security: A Programme for Disarmament*, The Report of the Independent Commission on Disarmament and Security Issues under the Chairmanship of Olof Palme, Pan, London, 1982, p. 12.

[61] Ibid., pp. 8-11.

The six principles of common security

1. All nations have a legitimate right to security.
2. Military force is not a legitimate instrument for resolving disputes between nations.
3. Restraint is necessary in expressions of national policy.
4. Security cannot be attained through military superiority.
5. Reductions and qualitative limitations of armaments are necessary for common security.
6. "Linkages" between arms negotiations and political events should be avoided.

The Palme Commission Report represented an extremely idealistic example of the pursuit of the disarmament delusion. The idea of common security did, nevertheless, influence the alternative defence debate in Europe throughout the 1980s. Barry Buzan suggested that to be of practical utility, the idea "must be accompanied by innovative policy proposals that give a compelling, concrete expression to the realities of security interdependence."[62] The types of proposals envisaged by Buzan may be described, generally, under the rubric of the idea of "defensiveness," whereby defence strategies "must be designed in such a way as to meet the common security objective of damping down the security dilemma by building into one's own security perceptions the need to be sensitive to the security concerns of others."[63]

Several different versions of so-called "defensive" military strategies were formulated in the hope that they could provide for an adequate defence to replace NATO's traditional nuclear-focused strategy of deterrence with its "offensive" operational elements – including, notably, the U.S. Navy's Maritime Strategy[64] – and mitigate the effect of the reputed security dilemma. The various versions of "defensive" strategies include non-offensive defence, defensive deterrence, defensive defence and, the version favoured by Buzan, non-provocative defence (NPD). NPD consists of a combination of "non-offensive" conventional forces with a minimum nuclear deterrent to make a state "difficult and costly to attack or occupy" whilst providing an "overall configuration of military forces [that] must not confront neighbours or opponents with the threat of large-scale invasion or major counterforce first strikes."[65]

Implicit in these strategies is the acceptance of the idea of the so-called "offence-defence" balance, which purports to be able to identify whether the military technology of the day is most readily converted into military power and doctrine that favours offensive or defensive strategies. Offence-defence theory is an important constituent part of security dilemma theory and remains fashionable among the American academic security studies community and in European conceptions of common security that favour the idea of "defensiveness."[66] In the literature

[62] Barry Buzan, "Common Security, Non-provocative Defence, and the Future of Western Europe," *Review of International Studies*, Vol. 13, No. 4, October 1987, p. 267.
[63] Ibid., p. 271.
[64] See Admiral James D. Watkins, USN, "The Maritime Strategy," supplement to U.S. Naval Institute *Proceedings*, January 1986, pp. 2-17; and John F. Lehman, "The 600-Ship Navy," in ibid., pp. 30-40.
[65] Buzan, "Common Security, Non-provocative Defence, and the Future of Western Europe"; and see also the discussion on "defensiveness" in Geoffrey Wiseman, "Common Security in the Asia-Pacific Region," *The Pacific Review*, Vol. 5, No. 1, 1992, pp. 48-49.
[66] The intellectual underpinning for security dilemma and offence-defence theory was constructed by Robert Jervis in "Cooperation under the Security Dilemma," *World Politics*, Vol. 30, No. 2, January 1978,

dealing with the idea of common security in the East Asian region, however, the approach has been rather more simplistic. Although the idea of a broader definition of security is supposedly followed by proponents of common security, in practice there is a preoccupation with military factors, especially weaponry. In particular, there exists a dubious emphasis on the supposed offensive or defensive nature of individual weapon systems as well as a focus on arms control: both structural – meaning reductions in arsenals – and, more commonly in the Asia-Pacific security discourse, operational – referring mostly to confidence-building measures (CBMs).[67] Common security has thus been portrayed "in terms of a triad of proposals in ascending order of formality from confidence-building measures to arms control and finally disarmament."[68]

Collective security

Although collective security is not a new idea, the end of the Cold War led to a popular resurgence of the theme of replacing the extant security system of superpower-dominated military alliances with a "new" non-adversarial system based around the United Nations. In particular, hopes were raised following the UN-sanctioned action to liberate Kuwait in early 1991,[69] although it is doubtful whether the U.S.-dominated Gulf War coalition can be classified as an example of genuine collective security, despite the rhetorical use of the slogan of collective security during the conflict.[70]

Collective security, whilst acknowledging the continued role of force in world affairs, rejects traditional balance of power considerations and alliances aimed against identifiable threats in favour of an inclusive "design for a system of world order," whereby all states, organized by some type of central body (such as the UN), would be required to resist automatically any aggression against the political status quo.[71] Major critiques have focused on the idealistic, highly normative nature of the concept, the requirements for automaticity and universality, and on the inherent problems of reaching agreement over what should constitute the status quo and the definition of "aggression."[72]

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pp. 167-214. See also Charles L. Glaser, "The Security Dilemma Revisited," *World Politics*, Vol. 50, No. 1, October 1997, pp. 171-201; and Sean M. Lynn-Jones, "Offense-Defense Theory and Its Critics," *Security Studies*, Vol. 4, No. 4, Summer 1995, pp. 660-691.

[67] Pauline Kerr, Andrew Mack and Paul Evans, "The Evolving Security Discourse in the Asia-Pacific" in Andrew Mack and John Ravenhill, eds., *Pacific Cooperation: Building Economic and Security Regimes in the Asia-Pacific Region*, Allen and Unwin, St Leonards, NSW, 1994, pp. 245-251; and Wiseman, "Common Security in the Asia-Pacific Region," pp. 48-51 & 56-57. A powerful critique of the assumption that weapons can be categorized as either "offensive" or "defensive" is provided in Colin S. Gray, *Weapons Don't Make War: Policy, Strategy, and Military Technology*, University Press of Kansas, Lawrence, KS, 1993, esp. chap. 2 ("Offensive and Defensive Weapons?").

[68] Wiseman, "Common Security in the Asia-Pacific Region," p. 50.

[69] See, for example, Andrew Bennett and Joseph Lepgold, "Reinventing Collective Security after the Cold War and Gulf Conflict," *Political Science Quarterly*, Vol. 108, No. 2, Summer 1993.

[70] Although sanctioned by the United Nations, as in the Korean War the action was conceived, led and primarily executed by the United States, thus representing more a case of collective defence by an *ad hoc* American-constructed coalition than a genuine case of collective security. For an extended discussion on the distinction between collective security and collective defence, see Arnold Wolfers, "Collective Security and the War in Korea" and "Collective Defense versus Collective Security" in Wolfers, *Discord and Collaboration*.

[71] On collective security's demanding requirements, see Inis J. Claude, *Swords into Plowshares: The Problems and Progress of International Organization*, 3rd ed., University of London Press, London, 1965 (3rd ed. first pub. 1964), chap. 12, esp. pp. 234-238 (quote from p. 235).

[72] The classic critique is Wolfers, "Collective Defense versus Collective Security." The best contemporary treatment is Richard K. Betts, "Systems for Peace or Causes of War? Collective Security, Arms Control, and the New Europe," *International Security*, Vol. 17, No. 1, Summer 1992, especially pp. 15-22. See also Josef Joffe, "Collective Security and the Future of Europe: Failed Dreams and Dead Ends," *Survival*, Vol. 34, No. 1, Spring 1992, pp. 36-50; Mark T. Clark, "The Trouble with Collective Security," *Orbis*, Vol. 39,

In the immediate post-Cold War period a version of collective security based on the nineteenth century Concert of Europe was propounded for the new, undivided Europe of the 1990s.[73] Such a concert-based collective security system would rely upon "a small group of major powers to guide the operation of a region-wide security structure." A concert would, according to its proponents, capture "the advantages offered by collective security" while also reflecting the extant "power realities."[74] However, the notion of a concert would require the creation of a two-class security system, where the importance of maintaining positive, cooperative security relationships between the major powers overrides the rights and interests of other states. Intra-concert balances of power would also remain a feature of such a system.[75] Whilst these characteristics may simply be reflecting the "normal" world of international politics, they nevertheless tend to negate those features of collective security that make the concept distinct from the more traditional types of security systems it is supposed to replace. In the words of Richard Betts, such ideas "recognize the defects in the Wilsonian ideal type [of collective security], and they may reassure the great powers about their security, *but they de-collectivize collective security*."[76]

In East Asia, quite apart from its questionable theoretical underpinnings and the lack of supporting empirical evidence to demonstrate its practicability, the development of collective security also would face difficulties arising from the relative lack of "integrative organizational forms that could [provide] appropriate foundations" for its establishment.[77] And, although a limited concert of major powers might conceivably be possible in a multi-polar Asia,[78] in no way would this represent the beginnings of a regional collective security system.

Comprehensive security

Comprehensive security is an idea that attempts to meld both the many levels and dimensions of security into an overarching concept. Security in this view, therefore, must take into account individuals and sub-state communities as well as national, regional and international concerns, including the linkages between domestic and external security, and all the various forms of security covered in the earlier discussion, although the non-military factors tend to be emphasized at the expense of traditional conceptions of national security focused on external defence.[79] However, despite widespread usage throughout East Asia, the idea has tended to be

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No. 2, Spring 1995, pp. 237-258; and John J. Mearsheimer, "The False Promise of International Institutions," *International Security*, Vol. 19, No. 3, Winter 1994/95, pp. 26-37.

[73] Charles A. Kupchan and Clifford A. Kupchan, "Concerts, Collective Security, and the Future of Europe," *International Security*, Vol. 16, No. 1, Summer 1991, pp. 114-161.

[74] Ibid., p. 116.

[75] Betts, "Systems for Peace or Causes of War?" p. 27.

[76] Ibid., p. 21 (emphasis added).

[77] Richard K. Betts, "Wealth, Power, and Instability: East Asia and the United States after the Cold War," *International Security*, Vol. 18, No. 3, Winter 1993/94, p. 73. On the lack of established international institutions and organizations compared to Europe, see Barry Buzan and Gerald Segal, "Rethinking East Asian Security," *Survival*, Vol. 36, No. 2, Summer 1994, pp. 15-16.

[78] Betts, "Wealth, Power, and Instability," p. 71; and Douglas T. Stuart, "Toward Concert in Asia," *Asian Survey*, Vol. XXXVII, No. 3, March 1997.

[79] For a concise overview of the idea, see Joe Camilleri, "The Pacific House: The Emerging Architecture for Comprehensive Security" in David Dickens, ed., *No Better Alternative: Towards Comprehensive and Cooperative Security in the Asia-Pacific*, Centre for Strategic Studies, Victoria University of Wellington, Wellington, 1997, pp. 79-84.

vague and poorly defined, with several differing versions on offer and little agreement on its practical applicability across the various levels of security.[80]

The idea of comprehensive security was first developed in Japan in the late 1970s and early 1980s, partly as a way of defining a more prominent role in the world for an increasingly prosperous Japan whilst, at the same time, downplaying the role of military factors to assuage regional sensitivities over Japan's militarist past. The concept also served to highlight the vulnerability of the Japanese economy to various forms of disruption and sought, therefore, to build a regionally acceptable policy to safeguard its vital economic interests.[81] The Japanese conception covers a broad range of threats, both internal and external, covering vital national interests such as economic prosperity and viability, political stability, strategic relationships with other major powers (especially the United States – Japan's ally-protector) and territorial integrity, and specifically includes natural disasters such as earthquakes within its remit.[82] Although non-military means and "defensive" defence were stressed (in keeping with Japan's constitutional restrictions on the use of military force),[83] the concept has nevertheless been criticized as a rationalization for increased defence expenditure.[84] In part, this apparent contradiction may reflect the ambiguity of the idea and the "radically differing interpretations of the concept within Japan" that result from its ill-defined nature.[85]

The emphasis on economic aspects of national security, particularly food and energy security,[86] stem greatly from Japan's dependence on regional sea lines of communication (SLOCs). From as early as late 1977, the Japanese defence establishment had pondered taking greater responsibility for the security of Japan's SLOCs out to a distance of 1,000 nautical miles and, by 1983, 1,000 mile sea lane defence was integrated into Japan's official defence policy.[87] In this context, then, the idea of comprehensive security allowed successive Japanese governments to market the expansion of its defence responsibilities not only to other regional states, but also to a sceptical domestic constituency.

The originality of taking a multidimensional view of national security with a concomitant emphasis on using a variety of means (such as diplomatic, economic and military instruments) to protect that security, however, is vastly overstated. The specifically Japanese concern with earthquakes aside, it is not clear how the Japanese concept of comprehensive security differs greatly, in principle, from the more traditional idea of grand strategy (or national security strategy). Grand strategy has been defined as "the art of employing all of the relevant assets of a

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[80] Jim Rolfe, "Regional Comprehensive Security: Some Problems of Definition and Application" in Rolfe, ed., *Unresolved Futures: Comprehensive Security in the Asia-Pacific*, Centre for Strategic Studies, Victoria University of Wellington, Wellington, 1995, p. 84.
[81] David Dewitt, "Common, Comprehensive, and Cooperative Security," *The Pacific Review*, Vol. 7, No. 1, 1994, p. 2.
[82] Yoshinobu Yamamoto, "A Framework for a Comprehensive-Cooperative Security System for the Asia-Pacific" in Rolfe, *Unresolved Futures*, p. 18. This conception is to a certain extent similar to Ullman's "redefinition" of security, noted earlier: see Ullman, "Redefining Security."
[83] Yamamoto, "A Framework for a Comprehensive-Cooperative Security System for the Asia-Pacific," p. 19.
[84] See Dewitt, "Common, Comprehensive, and Cooperative Security," p. 3.
[85] Ibid.
[86] Yamamoto, "A Framework for a Comprehensive-Cooperative Security System for the Asia-Pacific," p. 18. Economic security has been a central concern of Japanese national policy for "over 100 years," according to Peter J. Katzenstein and Nobuo Okawara, "Japan's National Security: Structures, Norms, and Policies," *International Security*, Vol. 17, No. 4, Spring 1993, p. 98.
[87] Peter J. Woolley and Mark S. Woolley, "The *Kata* of Japan's Naval Forces," *Naval War College Review*, Vol. XLIX, No. 2, Spring 1996, pp. 63-64; and Katzenstein and Okawara, "Japan's National Security," pp. 112-113.

country for the political purposes set by high policy."[88] Perhaps in the Japanese context, then, comprehensive security might best be viewed as "grand strategy with Japanese characteristics," framed in a manner designed to mollify potential opposition to its military elements; yet it is hardly a new or unique perspective on national security.

Another version of comprehensive security developed within the core ASEAN states, particularly Indonesia and Malaysia. The Indonesian version was formulated early in the Suharto era and was based around the concept of "national resilience" which, unlike the Japanese variety of comprehensive security, focused thinking about national security mostly on internal matters such as political and social stability, regime security, economic development and nation-building activities. In so doing, Suharto was refocusing national effort on improving domestic stability, in part by avoiding the type of conflicts with other regional states that had characterized the previous Sukarno era.[89]

Following logically from national resilience is the idea that if all ASEAN states were to pursue policies of national stability through national resilience, then the result would be one of "regional resilience," thus explicitly linking domestic and regional stability. Indonesia's policy of regional resilience, therefore, played a role in developing mutual confidence and cohesion within the ASEAN grouping during the 1970s,[90] especially given that Indonesia itself had previously posed a threat to its neighbours. During the post-Sukarno period the idea may have had considerable merit within the ASEAN context, as the most pressing threats to the security of ASEAN states tended to be internal, such as those challenges posed by domestic insurgencies or the not insignificant burdens of economic and social development. It should also be noted, though, that the regional element of Indonesia's *Wawasan Nusantara* concept flagged Jakarta's intent to be a leading player, perhaps *the* pre-eminent power, in Southeast Asia.[91]

With rapid economic development and an increasing dependence on trade, growing sovereign rights at sea and a concomitant demand for marine resource protection following agreement of the UN Convention on the Law of the Sea in 1982, however, as well as the end of the Cold War and decline in the number and intensity of Southeast Asia's insurgencies, the security focus of many states of the enlarged ASEAN no longer focused exclusively, or even necessarily primarily, on internal matters. Although the regional economic crisis of 1997-98 refocused attention somewhat on domestic affairs, the resulting instability in some states (especially Indonesia) did not lead to regional conflict. However, the growing importance of maritime factors ensured that the region's coastal states had to keep at least one eye focused outward, on the adjacent seas and beyond.

The "Track II" forum for informal (unofficial) diplomacy in the region, the Council for Security Cooperation in the Asia Pacific (CSCAP), has attempted to better define the idea of comprehensive security. The CSCAP Working Group on Comprehensive and Cooperative Security produced a memorandum which defines the concept in the following terms:

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[88] Colin S. Gray, *War, Peace, and Victory: Strategy and Statecraft for the Next Century*, Touchstone, New York, 1991 (first pub. 1990), p. 29. See also Edward N. Luttwak, *Strategy: The Logic of War and Peace*, Belknap Harvard, Cambridge, MA, 1987, pp. 179-181; and Paul Kennedy, "Grand Strategy in War and Peace: Toward a Broader Definition" in Kennedy, ed., *Grand Strategies in War and Peace*, Yale University Press, New Haven, CT, 1991.
[89] Dewitt, "Common, Comprehensive, and Cooperative Security," p. 3.
[90] Ibid., pp. 3-4.
[91] Dino Patti Djalal, *The Geopolitics of Indonesia's Maritime Territorial Policy*, Centre for Strategic and International Studies, Jakarta, 1996, esp. pp. 112-115.

> Comprehensive security is the pursuit of sustainable security in all fields (personal, political, economic, social, cultural, military, and environmental) in both the domestic and external spheres, essentially through cooperative means.[92]

It further states that

> Comprehensive security posits that security of person, community and state is multifaceted and multidimensional in character. Ultimately security encompasses the security of all the fundamental needs, core values and vital interests of the individual and society in every field [:] economic, social, political, cultural, environmental and military. Any significant threat to the comprehensive well-being of man, society and state, whether emanating from external sources or from within a state, is deemed a threat to security.[93]

The memorandum developed seven principles of comprehensive security, listed in the box below:[94]

CSCAP principles of comprehensive security

- Comprehensiveness
- Mutual interdependence
- Cooperative peace and shared security
- Self-reliance
- Inclusiveness
- Peaceful engagement
- Good citizenship

The CSCAP definition explicitly attempts to combine aspects of both the Japanese and ASEAN conceptions of comprehensive security with the ideas of common security and cooperative security, in order to produce an "over-arching organising concept for the management of security in the region."[95] Just how one "manages" anything quite as existential as "security," comprehensively defined, though, is not explained. It further states that comprehensive security "can only be attained through cooperation based on common interests."[96] Yet this sets an unrealistically high standard for the realization of a regional security system based around the comprehensive concept, as the national interests of states are often in conflict rather than commonly shared. The memorandum also emphasizes non-military factors over military ones, although in a contradictory manner also strongly favours arms control and military transparency, and states that regional alliance systems "are a diminished option for comprehensive security management in the region," placing particular stress on the development of the ASEAN Regional Forum (ARF) for the implementation of comprehensive security on a regional basis.[97] This in

[92] Council for Security Cooperation in the Asia Pacific, "The Concepts of Comprehensive and Cooperative Security," CSCAP Memorandum No. 3, reprinted in Dickens, *No Better Alternative*, p. 163 (emphasis removed).
[93] Ibid., p. 164.
[94] Ibid., pp. 164-167.
[95] Ibid., pp. 162-163.
[96] Ibid., p. 163.
[97] Ibid., pp. 166-167.

itself seems dubious, given that the ARF itself is not an organization, *sans* good offices or other means by which to actually implement anything very much.

The regional applicability of a concept such as comprehensive security is extremely problematic: it may simply be too indeterminate to be of use. Jim Rolfe, for example, poses several pertinent questions over the utility of its regional application: in particular, "how a region may be threatened? … must the idea of regional security encompass some idea of 'regional entity' which can be physically destroyed?"[98] Quite clearly, a region is not an "entity" in its own right and, therefore, cannot itself be threatened. Regional peace or stability may be threatened, but only in the context of the interests of the sovereign bodies (states) and their citizens that lie within the region in question. Furthermore, the more complex and potentially divisive intra-ASEAN politics inherent in a ten member association raises doubts over the continued relevance and practice of the doctrine of regional resilience. Indeed, how applicable can the doctrine be across an enlarged ASEAN when the association barely represents a coherent geographic, and certainly not a coherent cultural, region at all? How much do Burma and the Philippines have in common, for example? – one a mainland Asian state on the Indian Ocean littoral ruled by a military junta, the other a democratic, if troubled, western Pacific archipelago.

Another common critique of comprehensive security is that, even when considered from a purely national perspective, it is simply too broad and unfocused. Stated a different way, a concept such as comprehensive security that purports to be about the well-being of almost everything renders "security" meaningless as a distinct idea.[99] One could probably make the case that most responsibilities of government can be treated as security issues if individual or national well-being is to be affected to any significant degree. Moreover, to do so would hardly aid national policy formulation or coordination: rather, it simply would ensure the meaninglessness of "security" as a policy determinant or indicator of policy prioritization.

The concept is also divorced from issues of war and peace, potentially creating dangers for any polity that de-prioritizes its military security in favour of other factors, comprehensively defined. This suggests that the concept may be irrelevant to the "high politics" of international strategic relations when considering traditional – and the most important – concerns of international peace and stability. This a point worth highlighting: as much as non-traditional aspects of security deserve (and need) to be taken seriously, one ought not lose sight of the fact that the most dire of threats to states and the individuals resident therein generally remain those of war and strategic instability, even if such threats do not always seem imminent or likely, as was the case in the post-Cold War period when the alternative concepts such as comprehensive security gained in popularity.

By turning all aspects of well-being into comprehensively defined problems of security, moreover, everyday inter-state disputes risk unnecessary intensification if those disputes are viewed in security terms.[100] This point may be viewed as analogous to Levy's arguments, noted above, against addressing environmental problems through the policy prism of security: thus, by "securitizing" issues not traditionally treated as security problems as threats to national or regional security, the risks are increased that international tensions may in fact be unnecessarily raised rather than ameliorated.

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[98] Rolfe, "Regional Comprehensive Security," p. 94.
[99] Lawrence Freedman, "International Security: Changing Targets," *Foreign Policy*, No. 110, Spring 1998, p. 53.
[100] Rolfe, "Regional Comprehensive Security," p. 101.

Nor does it logically follow that all threats to well-being or even to human life are necessarily best thought of in security terms. Take the possibility of an avian influenza pandemic, for example, which perhaps poses the greatest immediate, and globally widespread, threat to human life: literally millions could die. Clearly, such an event would affect the security of individuals and states, and perhaps also entire regions; but is it useful to think of a pandemic in those terms? Whilst there would be a need for national, regional and international policy coordination, the primary planning and response agencies will not comprise the traditional security apparatus of the state, but those dealing with public health: health bureaucracies, hospitals, doctors and other healthcare workers, possibly other emergency services, as well as medical research institutions and, internationally, the World Health Organization. Defence forces might be required to be involved in dispensing aid to the civil authority, undertaking evacuation operations or humanitarian assistance missions overseas, or responding to security implications of a pandemic, such as political instability and disorder in regional states, or tightening protection of maritime borders. Yet once again the analogy with the environmental security debate is useful: there are likely to be intervening variables between a pandemic itself, and the situations requiring a response from security forces, such as violent conflict. In other words, just because the threat of a pandemic is important to well-being, or even to comprehensive "security," does not mean that the language and apparatus of traditional security concerns are best placed to plan for, or deal with, an outbreak: a case rather of horses for courses?

Cooperative security

The most developed of the alternative concepts of security, cooperative security is also the most practical and established version on offer. The idea as proffered and practised in East Asia has grown out of proposals made in the early 1990s by the former foreign ministers of Canada and Australia, Joe Clark and Gareth Evans, respectively, and well-connected academics in both countries. The two states, in a perhaps competitive process of one-upmanship and basking in their newly self-styled status as "middle" powers, drove the cooperative security agenda with seemingly little input from regional states. Clark, for example, launched the idea of the short-lived North Pacific Cooperative Security Dialogue (NPCSD) in 1990, whilst in the same year Evans suggested a regional version of Europe's formal, institutionalized multilateral security framework, the Conference on Security and Cooperation in Europe (CSCE – now the OSCE, or Organization for Security Cooperation in Europe): a Conference on Security and Cooperation in Asia. The latter project was quickly rejected both by the United States, which did not wish its system of bilateral alliances weakened, and regional states, which were suspicious of formal European-style institutions and concerned with the leading role being taken by two non-Asian states.[101]

However, the proposals set in motion an impetus, especially in Southeast Asia, to develop some form of regional security dialogue. The ASEAN states promoted the ASEAN Post-Ministerial Conferences, a forum established to facilitate dialogue between the foreign ministers of ASEAN and those invited from other states, thus allowing ASEAN to control the pace and direction of developments. This process led directly to the founding of the ARF in July 1993, one month following the establishment of CSCAP; becoming, respectively, the leading official and "unofficial" regional cooperative security dialogues,[102] although it is now arguable whether that is still the case as cooperative security processes have flourished at both Track I and II levels to

[101] For a summary of the original proposals see Kerr, Mack and Evans, "The Evolving Security Discourse in the Asia-Pacific," pp. 236-239.
[102] Ibid., pp. 240-244; Dewitt, "Common, Comprehensive, and Cooperative Security," pp. 5-7; and Michael Leifer, *The ASEAN Regional Forum*, Adelphi Paper 302, Oxford University Press for the IISS, London, July 1996, pp. 21-30.

the extent of significant repetition and redundancy. The processes envisaged by cooperative security proponents include the gamut of bilateral and multilateral ties not only in the traditional sectors such as security treaties and defence cooperation activities, but also across a wider range of political and economic linkages.

The conceptual basis of cooperative security has been developed most thoroughly by Canadian academic, David Dewitt, who argued that

> it must be geared toward reassurance, rather than deterrence; it must at best replace or at least co-exist with bilateral alliances; and it must promote both military and non-military security.[103]

In common with other alternative concepts, the cooperative security ideal sought to replace Cold War security structures with new, multilateral ones possessing the above characteristics. Yet, unlike the formalized European cooperative security structure represented primarily by the OSCE, the proponents of cooperative security structures for East Asia understood that a gradualist approach needed to be taken, therefore "allowing multilateralism to develop from more *ad hoc*, informal, and flexible processes until the conditions for institutionalized multilateralism become more favourable."[104] It has been suggested by Desmond Ball that the difficulties encountered in establishing multilateral, cooperative structures in the region can be explained by a range of factors summed up, collectively, as a reputedly distinct East Asian strategic culture that, *inter alia*, favours bilateralism over multilateralism, and informal, pragmatic and consensual approaches to decision making.[105] Ball also described the gradualist approach as one of establishing "building blocks" of cooperation, dialogue and confidence building as intermediate steps towards the ultimate goal of a more formal institutional security structure[106]; although that ultimate goal remains aspirational and perhaps of questionable merit.

A further characteristic of cooperative security is a requirement for inclusiveness: whilst the concept may concentrate on *ad hoc* measures in the absence of formal structures, it is deemed necessary that the *process* of cooperative security activities should include as many relevant actors as possible in order to make the transition to multilateralism.[107] The concept also downplays the role of major powers to the benefit of small and "middle" powers.[108] There is little doubt that the absence of great power dominance in the cooperative security process would be a prerequisite condition for a deepening of security multilateralism, yet there may also have been a degree of self-promotion by middle powers such as Australia, Canada, as well as the ASEAN grouping, in this regard. Such a process – of inclusive multilateralism for its own sake – would have represented a rather pointless case of form dominating function. Indeed it is impossible to envision any region-wide security system in Asia of any utility not dominated by at least one of the major powers: to do so would in fact encourage great power abstinence, dooming any such

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[103] Dewitt, "Common, Comprehensive, and Cooperative Security," p. 7. See also Gareth Evans, *Cooperating for Peace: The Global Agenda for the 1990s and Beyond*, Allen & Unwin, St Leonards, NSW, 1993.
[104] Dewitt, "Common, Comprehensive, and Cooperative Security," p. 7.
[105] Desmond Ball, *Strategic Culture in the Asia-Pacific Region (With Some Implications for Regional Security Cooperation)*, SDSC Working Paper No. 270, Strategic and Defence Studies Centre, The Australian National University, Canberra, April 1993.
[106] Desmond Ball, *Building Blocks for Regional Security: An Australian Perspective on Confidence and Security Building Measures (CSBMs) in the Asia/Pacific Region*, Canberra Papers on Strategy and Defence No. 83, Strategic and Defence Studies Centre, The Australian National University, Canberra, 1991, especially pp. 27-28.
[107] Dewitt, "Common, Comprehensive, and Cooperative Security," p.10.
[108] Ibid., p. 8.

system to inevitable irrelevance. The experience in East Asia has in fact been one of multilateral fora being both the means for and the object of great power competition, especially with regard to the future regional role and status of China. Unsurprisingly, then, the region has not witnessed the flowering of effective security multilateralism.

Nonetheless, the elements that make cooperative security a potentially more practicable proposition than the previously discussed concepts include an acknowledgement of the "primacy of state interests" and the acceptance of the value to regional stability of existing bilateral alliances.[109] There is a considerable degree of tension, however, between these practical considerations that might allow security multilateralism to grow under the protective umbrella of extant Cold War-era regional security arrangements, and the desire for multilateralism to supplant those very same security structures. The seeming contradiction between the acceptance of existing balance of power and alliance arrangements, and the goal of promoting cooperative security to replace those very same elements of the regional security architecture, combined with Dewitt's acknowledgement that the idea incorporates "aspects of both common security and comprehensive security,"[110] leads to the criticism that it is "attempting to cover all the bases without risking offending anyone."[111] The concept of cooperative security, then, suffers from a degree of ambiguity and, in common with its sister concepts, remains somewhat vague and indistinct despite, or perhaps even because of, attempts at definition. Such a critique does not set out to damn all attempts at security multilateralism, which increasingly tend to be labelled as "cooperative security," but only to point out deficiencies in the concept itself, as advertised, as the basis for a viable alternative security system.

Dewitt further muddies the waters by asserting that "any attempt to differentiate between … [comprehensive, common and cooperative security] … runs the risk of drawing artificial boundaries."[112] There may indeed be overlaps between these ideas, yet that determination hardly aids clarity or analytical distinctiveness. Although it would be incorrect to suggest that the three concepts necessarily represent competing ideas, neither do they collectively add up to a distinct whole greater than the sum of their parts that presents a viable alternative to traditional state practice in the realm of international security. Indeed, attempts to combine aspects of the three concepts only would make the whole even more amorphous than the parts.

The practical experience of cooperative security in East Asia since the early 1990s has been mixed. On the one hand, the existing U.S.-led alliance system predictably has not been replaced; nor have the dynamics of regional strategic relations been significantly influenced. On the other hand, however, an extensive web of cooperative security processes has been developed, including at the Track I level. Although these processes have not significantly altered the "high politics" of strategic relations, at the more technical level of senior officials and working groups, they have been employed to smooth the way for negotiated agreements. In the realm of maritime security this type of activity has been most common with regard to developing or implementing standards, procedures and regulations in the maritime transportation sector, and to help to build capacity in developing states.[113] This may be viewed as a bottom-up approach to security. In no way, however, do these types of processes supplant or even challenge the existing order.

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[109] Ibid., pp. 7-8.
[110] Ibid., p. 10.
[111] Peter Lawler, "The Core Assumptions and Presumptions of 'Cooperative Security'" in Stephanie Lawson, ed., *The New Agenda for Global Security:* Cooperating for Peace *and Beyond*, Allen & Unwin, St Leonards, NSW, 1995, p. 45.
[112] Dewitt, "Common, Comprehensive, and Cooperative Security," p. 1.
[113] See, for example, Chris Rahman, "The International Politics of Combating Piracy in Southeast Asia" in Peter Lehr, ed., *Violence at Sea: Piracy in the Age of Global Terrorism*, Routledge, New York, 2007, pp.184-189.

The impact of globalization: From international security to global security?

Like "security," "globalization" has become such a ubiquitous term that it is often employed more as a slogan than a word of real meaning, and its meaning usually is ill-defined, if at all. One could do far worse than turn to Jan Aart Scholte's definition: rejecting internationalization, liberalization, universalization and Westernization as "redundant" arguments which fail to add any new insights to the concept of globalization not already available "through pre-existent vocabulary,"[114] he favours a spatial definition of globalization as the "spread of transplanetary … [or] supraterritorial … connections between people."[115] Unlike the four rejected ideas, this definition denotes a discontinuity in the "underlying character of social geography": "a shift in the nature of social space."[116] At the very least, however, this conception can only lead one to the conclusion that globalization is a very fragile phenomenon, liable to perhaps terminal damage from a wide range of potential disruptions to that global social connectivity. And further, that connectivity actually assists many of the very disruptive forces which could ultimately degrade or destroy the phenomenon, including global Islamist insurgents and transnational criminal organizations.

The influence of globalization has led to the idea that "security" increasingly is global in nature and that "insecurity," in turn, is increasingly a phenomenon shared both by communities and humankind in general that takes little account of national borders. Human security and new ideas on how to order human affairs on a global scale are at the forefront of these concerns of "global security." In the words of one of its foremost proponents, Ken Booth, "the major task for the post-Cold War era is pre-eminently that of developing ideas about global governance that will recapture a sense of the future and of a concept of progress in the interests of human needs, world community and environmental sustainability."[117] The importance of environmental security and the global interconnectedness of environmental damage are viewed as particularly pressing and were stressed by Cambridge University's Global Security Programme.[118] However, in Booth's conception global security thinking represents a standard radical view of International Relations, with its critique of statism and state-centric thinking on security, poverty, "economic injustice" and other problems attributed to globalizing liberal-capitalism, human rights abuses, ecological damage and so forth, which together contribute to a "global insecurity community" and might be corrected over time by the development of a "global moral science" to both counteract these trends and construct a form of global governance.[119]

Global governance – a system whereby global affairs are effectively managed for the supposed common good by international institutions such as enforceable international conventions – has, therefore, become the touchstone concept for globalist thinking.[120] It has been driven by regime theory,[121] including within the realm of maritime politics.[122] International regimes – agreed rules

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[114] Scholte, *Globalization*, pp. 54-59 (quote from p. 54).
[115] Ibid., p. 59.
[116] Ibid.
[117] Ken Booth, "Conclusion: Security within Global Transformation?" in Booth, ed., *Statecraft and Security: The Cold War and Beyond*, Cambridge University Press, Cambridge, 1998, p. 345.
[118] See Prins, *Threats without Enemies*; and Prins and Stamp, *Top Guns and Toxic Whales*.
[119] Booth, "Conclusion," p. 342.
[120] See, for example, Rorden Wilkinson, ed., *The Global Governance Reader*, Routledge, London, 2005.
[121] See Stephen Krasner, ed., *International Regimes*, Cornell University Press, Ithaca, NY, 1983; Robert O. Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*, Princeton University Press, Princeton, NJ, 1984; and Peter M. Haas, Robert O. Keohane and Marc A. Levy, eds., *Institutions for the Earth: Sources of Effective International Environmental Protection*, MIT Press, Cambridge, MA, 1993.

and norms of international behaviour on particular issues pursued by cooperating states – are thus supposed to provide "governance" independently of the sources of international power. James Kurth is cruel but concise in his assault on this empirically unsupported, yet popular, theory: "Regimes without regimens, norms without the normal behaviour of states, rules without rulers, procedures without prowess, above all, banalities without even truisms – it doesn't get any worse than this."[123] And like the concept of comprehensive security, regime theory fails to directly address issues of war and peace – the most important security problematique of all.

Indeed, the idea that security is "global" is, to say the least, questionable (although the aforementioned probability of an asteroid strike might do the trick as a genuinely common threat). It is difficult enough conceptualizing and practising security on a national, regional or even international basis, let alone globally, across supraterritorial communities. As Colin Gray points out, it is unclear what exactly in the global context needs to be secured, who would secure it, and how it might be secured.[124] Even Scholte acknowledges that, despite the growth of "supraterritorial connectivity," territoriality remains an essential characteristic of world politics.[125] Thus, even leaving aside the temptation to level simple accusations of "globaloney," the underlying problems for global security advocates are that, although the world may consist of a single political system, it does not represent "a single political community," and that the global security concept "has been totally divorced from practicable strategies for its achievement."[126] The security implications of a globalizing world, then, including both traditional and non-traditional security challenges, are still best approached from somewhat conventional, state-centric, strategic perspectives.[127]

The international political system that actually exists has been built around liberal principles by, first, Great Britain, and, since 1945, the United States. Demonstrating an explicitly Mahanian sensibility, Walter Russell Mead has demonstrated how this liberal political and economic system, built up and defended over a period of over 300 years, is a maritime one, centred on British and then American maritime power.[128] The strategic advantages accruing to great powers able to pursue a grand strategy of sea power have been well documented, particularly in times of war.[129] It is equally important that the maritime system be defended in times of peace, or situations which lie somehow between war and peace, such as the current era of countering global insurgency. It may be unpalatable to some, but the security of the system itself and security from major threats that may develop from within the system can only be afforded by the

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[122] Mark J. Valencia is a leading proponent. See, for example, his "Prospects for Multilateral Maritime Regime Building in Asia" in Sam Bateman, ed., *Maritime Cooperation in the Asia-Pacific Region: Current Situation and Prospects*, Canberra Papers on Strategy and Defence No. 132, Strategic and Defence Studies Centre, The Australian National University, Canberra, 1999, pp. 27-67.

[123] James Kurth, "Inside the Cave: The Banality of I.R. Studies," *The National Interest*, No. 53, Fall 1998, p. 37. See also Mearsheimer, "The False Promise of International Institutions."

[124] Colin Gray, "Global Security and Economic Well-being: A Strategic Perspective," *Political Studies*, Vol. XLII, No. 1, March 1994, pp. 27-29.

[125] Scholte, *Globalization*, pp. 75-78.

[126] Gray, "Global Security and Economic Well-being," p. 27.

[127] Two useful background volumes on the security implications of globalization are Richard L. Kugler and Ellen L. Frost, eds., *The Global Century: Globalization and National Security*, 2 vols., NDU Press, Washington, D.C., 2001; and Sam J. Tangredi, ed., *Globalization and Maritime Power*, NDU Press, Washington, D.C., 2002. See also Geoffrey Till, *Globalization: Implications of and for the Modern/Post-modern Navies of the Asia Pacific*, RSIS Working Paper No. 140, S. Rajaratnam School of International Studies, Singapore, 15 October 2007.

[128] Mead, *God and Gold*, pp. 85-86. See also Till, *Seapower*, pp. 353-354.

[129] See Colin S. Gray, *The Leverage of Sea Power: The Strategic Advantage of Navies in War*, The Free Press, New York, 1992; and Norman Friedman, *Seapower as Strategy: Navies and National Interests*, Naval Institute Press, Annapolis, MD, 2001.

source of international power able and willing to do so: the United States.[130] Defence of this liberal *maritime* order, including its vital geopolitical and commercial elements, thus is perhaps the real security imperative of the current era of globalization.[131] The new American maritime strategy should thus be viewed as a practical policy expression of this need.[132]

[130] See Colin S. Gray, *The Sheriff: America's Defense of the New World Order*, University Press of Kentucky, Lexington, KY, 2004.
[131] On the need for a continuation of a U.S. sea power-based grand strategy see Mead, *God and Gold*, pp. 360-365. See also Colin S. Gray, *The Navy in the Post-Cold War World: The Uses and Value of Strategic Sea Power*, The Pennsylvania State University Press, University Park, PA, 1994; and for historical perspective on the apogee of Britain's leadership of the liberal international system see Bernard Semmel, *Liberalism and Naval Strategy: Ideology, Interest, and Sea Power during the Pax Britannica*, Allen & Unwin, Boston, 1986.
[132] U.S. Navy, U.S. Marine Corps and U.S. Coast Guard, *A Cooperative Strategy for 21st Century Seapower*, October 2007.

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Concepts of Maritime Security

The term "maritime security" can conjure up different meanings to different people and organizations depending upon their organizational interests, or even political or ideological bias. Typically, the term has been utilized in a carefree and underdeveloped way. Geoffrey Till wrote in the mid 1990s that there was "a particular need to be clear about what is necessary for future maritime security and prosperity." He acknowledged, however, that "This is a far from easy task since the phrase 'maritime security' comprehends so much."[133] On the one hand, maritime security could be seen to reflect the wider conceptual debate on security. It thus might be viewed simply as another dimension of security, although the security studies literature does not reflect that: perhaps surprisingly, maritime security is never identified as an independent issue sector.[134] On the other hand, each dimension of security already discussed may also be applied to the maritime environment, with each arguably possessing maritime elements. Similarly, each of the alternative security system "concepts" on offer may also be applied to the maritime sphere. It is thus possible to speak, for example, of "marine environmental security," "comprehensive maritime security" or "cooperative maritime security," and so on.

Despite the overlaps, though, Buzan's dimensions of security framework does not neatly encompass the various identifiable perspectives on maritime security. The existing literature on maritime security has tended to focus on the characteristics of the sea and its varied uses, and the threats posed to those uses.[135] Leaving aside for now strategic perspectives (but to which this discussion paper will return), the next sections will focus on non-traditional or alternative views of maritime security, in keeping with the tone of the general security studies literature. Till has placed his analysis within the organizing concept of "good order at sea," whereby the sea as a resource, as a medium for trade and information exchange, and as an environment, faces "risks and threats to the good order on which their continued contribution to human development depends."[136] A Dalhousie University study defined maritime security as "a process of maintaining stability in the international system on, over, under and from the sea." That may not be unreasonable, but it remains too vague to be of much utility. The Canadian study also identified four "basic principles which govern the use of the oceans" similar in substance to Till's conception: a recognition of the oceans as a "source of wealth," as a "life support system" and a medium for trade and communications, and a "tradition … that those who use the oceans should do so in peace and security."[137]

The United States increasingly uses the term "maritime security operations" to describe maritime enforcement operations,[138] especially those that involve its current security preoccupations with

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[133] Till, "Developments in Maritime Security," p. 5.
[134] Tow, Thakur and Hyun, *Asia's Emerging Regional Order*, is one volume that includes a chapter on maritime security (Jin-Hyun Paik and Anthony Bergin, "Maritime Security in the Asia-Pacific," pp. 177-191); however, this takes a rather traditional view of threats to regional maritime security.
[135] One brief attempt to conceptualize is Sam Bateman, "Capacity Building for Maritime Security Cooperation: What Are We Talking About?" in Peter Cozens and Joanna Mossop, eds., *Capacity Building for Maritime Security Cooperation in the Asia-Pacific*, Centre for Strategic Studies: New Zealand, Victoria University of Wellington, Wellington, 2005, pp. 8-11.
[136] Till, *Seapower*, p. 311.
[137] Ed Tummers, "The Future Maritime Security Environment," *Maritime Affairs*, Summer 1999, p. 13.
[138] U.S. Navy and U.S. Marine Corps, *Naval Operations Concept 2006*, p. 14; and *The U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship*, 19 January 2007, pp. 11-12.

countering terrorism and proliferation of weapons of mass destruction. The new U.S. maritime strategy views "maritime security" in the following terms, consistent with the ideas and counterterrorism focus established in the U.S. *National Strategy for Maritime Security*:

> The creation and maintenance of security at sea is essential to mitigating threats short of war, including piracy, terrorism, weapons proliferation, drug trafficking, and other illicit activities. Countering these irregular and transnational threats protects our homeland, enhances global stability, and secures freedom of navigation for the benefit of all nations.[139]

Also worthy of consideration are the views of the Independent World Commission on the Oceans (IWCO), an independent, global body established to "foster critical reflection on the many aspects of the current situation of the oceans from an integrated and multidisciplinary perspective."[140] The IWCO report is steeped in concerns with ocean governance and "equity," and the globalist ethic critiqued earlier in this discussion paper. The Commission's analysis both fits a particular ideological pattern and also stems from a membership inclusive of many nationalities (although not disciplines – there was not a single strategist, for example): the tone that predominates is a "Third Worldist" one that is implicitly opposed to the roles and dominance of the major maritime powers and, especially, one suspects, to the United States. It accentuates the "concept" of "peaceful uses" of the sea. Whereas the Law of the Sea Convention (LOSC) commits parties to peaceful uses of the sea consistent with the principles of the UN Charter and reserves the deep seabed outside of national jurisdiction and the high seas for "peaceful purposes,"[141] but justifiably does not explain what that may mean in practice (like the problem with the term "aggression" for the concept of collective security, the idea of "peaceful uses" and "peaceful purposes" is inherently contestable), the IWCO attempts to leap the definitional hurdle with respect to "peaceful uses":

> One fundamental concept implicitly underpins the notion of the peaceful uses of the oceans, namely that all peoples should benefit from their use. The concept also recognizes peace as being more than the absence of war, extending the notion of peace to include the idea of an equitable public order that governs all human activity. This broader notion of peace can be expressed differently by the insistence that the opposite of peace is not war but injustice.[142]

Although the report accepts that the "translation of the moral and ethical goal of peaceful uses into practical reality" faces problems of definition and interpretation, potential conflict between peaceful uses and the legitimate security measures put in place by states, and the lack of an enforcement mechanism for such norms,[143] it nevertheless crosses a line into excessive normativeness and ill-defined, ideologically charged notions such as international equity and justice. Maritime security, if viewed in such terms, would equate to nothing more than an essentially meaningless programme of political idealism.

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[139] *A Cooperative Strategy for 21st Century Seapower* [text only version], p. 8; and also The White House, *The National Strategy for Maritime Security*, September 2005.
[140] *The Ocean…Our Future*, The Report of the Independent World Commission on the Oceans Chaired by Mário Soares, Cambridge University Press, Cambridge, 1998, p. 11.
[141] United Nations Convention on the Law of the Sea, 1982, Articles 301 (peaceful uses), 88 (high seas) and 141 (the Area [deep seabed]). The peaceful purposes provision also is applied to marine scientific research.
[142] *The Ocean…Our Future*, p. 35.
[143] Ibid.

Alternative perspectives on maritime security

This paper examines the concept of maritime security from a slightly different perspective than the approaches discussed above. Although what follows is largely compatible with those conceptions, the analysis instead identifies five prisms through which "maritime security" in a non-traditional (i.e., non-strategic) sense is often viewed. These perspectives are, of course, arbitrary and non-exclusive: they are interrelated and overlap and, to a certain degree, represent different aspects of the same problem – effective management of the oceans and good order upon them. The practical policy and operational responses by states to their maritime security needs usually incorporate aspects of more than one of these approaches. The five perspectives are:

1. Security of the sea itself
2. Ocean governance
3. Maritime border protection
4. Military activities at sea
5. Security regulation of the maritime transportation system

Security of the sea itself: Marine environmental security

The first category of maritime security to be considered reflects the environmentalist belief that the ocean itself should be the security objective of maritime politics and needs to be "secured" for its own sake.[144] This view places protection of the marine environment and conservation of both living and non-living marine resources at the forefront of maritime security concerns. Marine environmental security may be viewed as a subset of environmental security and has a strong ecological bias, based on an understanding of the importance of a healthy ocean environment for the quality of life on land and the ocean's vital role in regulating the global climate. This approach informed the 1987 WCED report and, more specifically, Chapter 17 of *Agenda 21* on the protection of the oceans, adopted at the 1992 UN Conference on Environment and Development,[145] and the IWCO report. Even the U.S. *National Strategy for Maritime Security*, with its heavy bias towards counterterrorism in the maritime domain, lists as one of its strategic objectives the safeguarding of the sea itself and countering illegal resource exploitation.[146]

However, those documents recognized the importance of healthy oceans for the impact they have on *human* existence, development and security. The distinctiveness and referent object of the environmental security perspective, on the other hand, remains the ocean itself, rather than the direct or indirect implications for man and his political relationships. Stated another way, this perspective may be seen as a kind of environmental fundamentalism, perhaps best summed up by the proposition that, instead of thinking in terms of freedom of the seas, we should rather be pursuing "freedom *for* the seas."[147] This somewhat "theological" approach to "environmental idealism" deems "The concept of the ecosystem [to be] the only logical 'unit' of ocean management." Such a perspective runs the danger not only of disregarding objective science, but

[144] See, for example, the discussion in Cath Wallace, "The Security of the Marine Environment" in Cozens, *New Zealand's Maritime Environment and Security*, pp. 117-144.
[145] United Nations Conference on Environment and Development, *Agenda 21: Programme of Action for Sustainable Development*, chap. 17, adopted at Rio de Janeiro, June 1992.
[146] *The National Strategy for Maritime Security*, p. 12.
[147] Jon M. Van Dyke, Durwood Zaelke, and Grant Hewison, eds., *Freedom for the Seas in the 21st Century: Ocean Governance and Environmental Harmony*, Island Press, Washington, D.C., 1993, p. 9 (original emphasis). This publication has explicit Greenpeace linkages.

also posing serious barriers to the type of international cooperation required to effectively deal with the genuinely important problems affecting the marine environment.[148]

There is an inkling of this approach in the complaint of one commentator that marine regionalism for functional ocean management in East Asia has been undermined by an allegedly objectionable triumvirate of "politics, expediency and strategic considerations." The underlying basis for the dissatisfaction is that these reasons "have nothing to do with preserving and protecting the oceans, the marine environment and marine resources."[149] One might be tempted to retort: "welcome to the real world!" Although identification of such a fundamentalist perspective may run the risk of being seen to be erecting a straw man (or perhaps, more appropriately, "thalassic man"), the environmental approach to maritime security does often seem to attempt the logically impossible: to remove the politics from the international political sphere. In other words, environmental issues, particularly transnational ones such as the health of the marine environment, do not exist in a vacuum, and can only be addressed in regional and/or international political contexts.[150] This may seem an extreme characterization, yet it is nevertheless a fair reflection of an unrealistic policy agenda.

Ocean governance: The management approach

The ocean governance approach to maritime security also has a strong marine environmental bias, but unlike the fundamentalist view is placed firmly within the international political and legal framework that sets the context for ocean management.[151] At its heart lies the promotion of a "stable maritime regime" based on LOSC principles:[152] upholding and implementing the Convention is thus a central consideration of this approach. In keeping with the concept of global governance, discussed earlier, ocean governance can be described as "the creation and implementation of the rules and practices to govern ocean uses and users." In the absence of world government, the creation of such a regime requires that states consent to these rules and practices through negotiation.[153] In theory, this management approach can also "provide the means of resolving conflicts over access to and the enjoyment of the benefits of the oceans."[154]

Although the Law of the Sea Convention lies at the centre of the ocean governance approach, management of the oceans is not based on divinely received wisdom to be worshipped unchangeably for all time. The Convention may provide some degree of stability, but global ocean governance is a constantly evolving system, including but not limited to the so-called "thickening" of coastal state jurisdiction, especially in the exclusive economic zone (EEZ),[155] and

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[148] Douglas M. Johnston, "Summary and Conclusions – Ocean Governance: Converging Modes of Idealism" in ibid., pp. 473-474.
[149] Ian Townsend-Gault, "Regimes for Managing Regional Seas and Oceans: The Use and Abuse of International Law" in Bateman, *Maritime Cooperation in the Asia-Pacific Region*, p. 70.
[150] Dupont, "Maritime Environmental Security,"is a more sensible approach based on the realities of regional politics.
[151] For a concise overview see Daniel Moran, "The Maritime Governance System" in Andrew T.H. Tan, ed., *The Politics of Maritime Power: A Survey*, Routledge, London, 2007, pp. 115-130.
[152] The classic work on East Asia is Michael Leifer, "The Maritime Regime and Regional Security in East Asia," *The Pacific Review*, Vol. 4, No. 2, 1991, pp. 126-136. For a recent updating of the theme see Sam Bateman, "Building Good Order at Sea in Southeast Asia: The Promise of International Regimes" in Kwa Chong Guan and John K. Skogan, eds., *Maritime Security in Southeast Asia*, Routledge, London, 2007, pp. 97-116.
[153] Robert L. Friedheim, "A Proper Order for the Oceans: An Agenda for the New Century" in Davor Vidas and Willy Østreng, eds., *Order for the Oceans at the Turn of the Century*, Kluwer Law International, The Hague, 1999, p. 538.
[154] Ibid., p. 537.
[155] See Wayne S. Ball, "The Old Grey *Mare*, National Enclosure of the Oceans," *Ocean Development and International Law*, Vol. 27, Nos. 1-2, January-June 1996, pp. 97-124.

the growing demands to regulate human activities in the deep seabed and on the high seas: the approximately 50 per cent of the world's surface that lies beyond national jurisdiction.[156] The use of the global commons for illegal purposes has also come into sharper focus, as reflected in the IWCO report:

> While it is in the obvious interest of all to ensure that the oceans do not become a zone of rampant criminality, the general absence of a regulatory presence makes it difficult to establish the required safeguards.[157]

Although illegal activities are commonplace in certain regions, such as off Somalia, in the Gulf of Guinea, the Caribbean, and parts of archipelagic Southeast Asia, the extent to which the oceans, more generally, actually are or are becoming zones of "rampant criminality" is open to doubt. Nonetheless, the trend definitely is towards a tighter system of governance – that is, for greater regulation – both in zones of national jurisdiction and on the high seas. The IWCO report thus also called for the reorientation of naval responsibilities to a law enforcement focus in order to "make the oceans safer for the global community." In a bout of unintended irony, the Commission evidently sees no inconsistency between this perceived need and its anti-military bias.[158] Such a new and expanded focus for navies is similar to the arguments made by Gwyn Prins, who has called for navies to refocus their peacetime roles to those of becoming an "Ocean Guard" for improved ocean governance: policing the global commons and conducting marine environmental monitoring.[159]

Ocean governance is a global growth industry for international organizations, governments, institutions and non-governmental organizations alike. In the Asia-Pacific region a number of institutions have been involved with promoting regional ocean governance, including, *inter alia*, the Council for Security Cooperation in the Asia Pacific,[160] the ARF, and Japan's Ocean Policy Research Foundation and,[161] most notably, the Asia Pacific Economic Cooperation (APEC) forum with its Seoul Oceans Declaration and Bali Plan of Action.[162] Nevertheless, the IWCO report lodged the complaint that "the global community still lacks an effective system of governance capable of ensuring that the oceans are used for the benefit of all and in the interests of future generations,"[163] in large part due to a continuing lack of integration; nationally, regionally and globally, and between those three levels of governance. Despite these qualms, however, the basis to the ocean management approach to maritime security is the promotion, strengthening and

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[156] See Robin Warner, *Protecting the Oceans Beyond National Jurisdiction: Strengthening the International Law Framework*, Martinus Nijhoff, Leiden, 2009 (figure cited from p. xv).
[157] *The Ocean…Our Future*, p. 39.
[158] Ibid., p. 48.
[159] Prins and Stamp, *Top Guns and Toxic Whales*, pp. 144-149; Prins, "Maritime Security and Common Security" in Andrew Mack ed., *A Peaceful Ocean? Maritime Security in the Pacific in the Post-Cold War Era*, Allen & Unwin, St Leonards, NSW, 1993, pp. 38-41; and Prins, "The Navy and Globalization: Convergence of the Twain?" in Kugler and Frost, *The Global Century*, vol. I, pp. 557-559.
[160] See Council for Security Cooperation in the Asia Pacific, "Guidelines for Regional Maritime Cooperation," CSCAP Memorandum No. 4, December 1997; "Cooperation for Law and Order at Sea," CSCAP Memorandum No. 6, February 2001; and Sam Bateman and Stephen Bates, eds., *Regional Maritime Management and Security*, Canberra Papers on Strategy and Defence No. 124, Strategic and Defence Studies Centre, The Australian National University, Canberra, 1999.
[161] Ocean Policy Research Foundation [formerly the Ship and Ocean Foundation], "Tokyo Declaration on Securing the Oceans," 3 December 2004.
[162] APEC, "Seoul Oceans Declaration," Joint Ministerial Statement of the 1st APEC Ocean-related Ministerial Meeting, April 2002; and "Bali Plan of Action," Joint Ministerial Statement of the 2nd APEC Ocean-related Ministerial Meeting, September 2005.
[163] *The Ocean…Our Future*, p. 139.

defence – politically, rhetorically and institutionally – of the system: the stable maritime regime, such that it exists.

There are two potential problems, though, for this view of maritime security, especially with regard to its application in the Asia-Pacific region. First, as perceptively outlined by Sam Bateman, the Law of the Sea Convention

> has some important limitations as the foundation for a regional maritime security regime for East Asia ... In part these are a consequence of the relatively complex maritime geography of the region with its numerous islands, archipelagos and narrow shipping channels. However, the limitations also flow from the complexity of [the LOSC] itself, its numerous "built in" ambiguities, and the pace of development of the law of the sea…. Countries in East Asia exhibit many varying perspectives of key areas of the law of the sea, and no clear regional view is evident on many issues.[164]

The problem is greatly exacerbated by the almost ubiquitous nature of maritime disputes across the region, whether based on territory, resources, boundaries, and recalcitrant nationalism or LOSC interpretations. Bateman further has added that

> The region seemingly lacks sufficient common interests on which to base a regime and in part because of this; there is not a strong political framework to carry an effective regime forward.[165]

Second, as noted above, there are inherent problems with regime theory when it comes to regimes actually providing security in practice, especially with regard to the essential matters of war and peace. This is not a problem with ocean governance *per se*, but with those who overreach and believe that sound management of the oceans in and of itself would be sufficient to ensure conditions of peace and stability at sea.[166] A stable maritime regime of effective ocean governance thus does not itself "provide" security; rather it only establishes a necessary framework within which peaceful international relations at sea can take place.

Maritime border protection: Enforcing sovereignty and sovereign rights at sea

Effective ocean governance requires not only regional and international cooperation but also effective management by coastal states throughout their own zones of maritime jurisdiction. Ensuring that sovereignty and sovereign rights at sea are reliably enforced has become a leading national security concern for all coastal states, particularly since the expansion of coastal state jurisdiction enshrined in the Law of the Sea Convention; and, in particular, the promulgation of the regime of the EEZ. The concept of the archipelagic state also was a novel aspect of the Convention, with particular national importance for Indonesia and the Philippines, as well as for regional and other significant maritime user states. To some degree, the international political legitimacy of coastal state claims to the full range of maritime zones allowed under the Convention depends on their ability to enforce that jurisdiction and uphold coastal state responsibilities – especially conservation and protection of the marine environment – and to be seen to be doing so in an effective manner over time.

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[164] Sam Bateman, *UNCLOS and Its Limitations as the Foundation for a Regional Maritime Security Regime*, IDSS Working Paper No. 111, Institute for Defence and Strategic Studies, Singapore, April 2006, p. 2.
[165] Bateman, "Building Good Order at Sea in Southeast Asia," p. 109.
[166] This point is expanded upon in Chris Rahman, "Linking Maritime Regimes to Regional Security: Some Caveats and Observations" in Bateman, *Maritime Cooperation in the Asia-Pacific Region*, pp. 81-96.

Pressure grew steadily on coastal states in the post-War decades to claim increasing and exclusive jurisdiction over adjacent sea areas, leading to a number of high profile disputes and crises, particularly over access to fisheries. Once the EEZ regime had been agreed and states began to claim the maximum jurisdiction allowable of an exclusive economic zone stretching to a distance of 200 nautical miles seaward of territorial sea baselines,[167] the enforcement problem for coastal states actually became more difficult rather than easier, as states were forced to pay far greater attention to, and expend greater resources upon, the requirements of maritime surveillance and policing of their respective offshore estates. Growing demand for oil and a political need in many petroleum import-dependent states to reduce that dependence following the oil shocks of the 1970s and early 1980s – often in the name of national "energy security" – also led coastal states to explore their offshore estates as at least part of the solution. The high cost and technical difficulties of developing and exploiting many offshore oil fields, especially those in deep waters, undermined the economic viability of many potential offshore fields, but now with renewed high oil prices driven by the dynamism of new economic giants and political instability in the Persian Gulf, and rapidly growing demand for natural gas, there is a new drive for offshore oil and gas exploration and development. The growing importance of offshore oil and gas projects around the world at a time of high prices and increased pressures on supply has accordingly led to a greater sense of vulnerability and concomitant demand for improved protection of offshore installations against resource theft, piracy, terrorism, accidents and environmental damage, and natural disasters.

The safeguarding of marine resources under national jurisdiction has thus been an important driver of maritime border protection measures in New Zealand,[168] and Australia,[169] as elsewhere. Other important factors include concerns with maritime crime, especially the smuggling of illegal drugs, and illegal migration, particularly given the tighter immigration procedures and political sensibilities of the post-9/11 security environment. The post-9/11 world has also seen a new emphasis on direct terrorist threats to the maritime transportation system and related infrastructure, and the indirect exploitation of the system by terrorists to execute attacks on land or in other ways to further their objectives. Other problems for coastal states include threats to bio-security and from marine pollution, customs infringements and other criminal activity at sea.

The myriad of challenges to security, sovereignty and sovereign rights thus requires an increasingly high degree of coordination for enforcement effectiveness. As a consequence of this need, an integrated approach to maritime border protection has evolved over time in Australia, for example, leading to the creation of the Joint Offshore Protection Command (JOPC) and its ultimate evolution into the Border Protection Command (BPC). BPC's coordination and control of maritime surveillance, with the development of the Australian Maritime Identification System (AMIS), and enforcement response to security infringements or illegal activity throughout the offshore estate,[170] potentially provides a sound model for maritime border protection in other states. One example may be the Philippines, where the model is being used to establish the Coast Watch South project for coordinated surveillance and enforcement in the troubled southern part of the archipelago.[171] And in the United States, the US Coast Guard also has developed an

[167] On the development of the EEZ see Ball, "The Old Grey *Mare*, National Enclosure of the Oceans."
[168] See Department of the Prime Minister and Cabinet, *Maritime Patrol Review*, Wellington, February 2001.
[169] See, for example, Rachael Heath and Barry Snushall, eds., *Protecting Maritime Resources: Boundary Delimitation*, *Resource Conflicts and Constabulary Responsibilities*, Papers in Australian Maritime Affairs No. 11, Sea Power Centre – Australia, Canberra, 2003.
[170] Border Protection Command, *Concept of Operations*, Canberra, February 2008.
[171] Philippine Navy, "Coast Watch South Operational Document (Manual on Inter-agency Maritime Surveillance and Response)," draft as of 30 March 2007.

integrated approach to maritime border protection, including ever closer coordination with other agencies,[172] in keeping with policy and strategy developed at the national level, particularly the *National Strategy for Maritime Security*.

In New Zealand's case, the National Maritime Coordination Centre (NMCC) provides a multi-agency approach to achieving maritime domain awareness. Operating as an independent arm of the New Zealand Customs Service, the NMCC incorporates liaison personnel from Customs, the New Zealand Defence Force (NZDF) and Ministry of Fisheries, and also involves close cooperation with Maritime New Zealand, the New Zealand Police, Ministry of Foreign Affairs and Trade and Department of Conservation.[173] The establishment of such a centre was a primary recommendation of the 2001 *Maritime Patrol Review*.[174] The NMCC may be thought of as something akin to a "BPC lite" – closer in form and function to Australia's old Coastwatch model, which was replaced by JOPC. Indeed, the *Maritime Patrol Review* explicitly noted in 2001 the utility of Coastwatch as a model for a future maritime intelligence coordination centre.[175] Although BPC does not "own" any surveillance or response assets, it has significant operational responsibilities for maritime enforcement in Australia's maritime zones, and in effect controls the tasking of certain Australian Defence Force and Australian Customs and Border Protection Service assets. It is also Australia's Security Forces Authority for response to cases of violence against shipping within the vast Australian Search and Rescue Region.[176] The NMCC, on the other hand, has a more limited role, coordinating maritime surveillance for civilian agencies and supporting the most effective use of surveillance and patrol assets.[177]

The maritime border protection approach to maritime security is thus, in principle, a relatively simple and uncontroversial one of safeguarding national sovereignty, sovereign rights and interests in national maritime zones. Nevertheless, the physically borderless, transnational nature of the sea, and the fact that the sea functions more as a highway than as a barrier, ensures that purely national approaches to the problem, whilst essential, will not be sufficient for effective protection.

Military activities at sea

The military activities approach to maritime security lies firmly within the tradition of the concept of common security. It includes an emphasis on arms control, especially of the operational variety. Although both amateur and professional would-be arms controllers might hope to keep alive an agenda for structural arms control at sea – that is, negotiated arms limitations or reductions – it must be recognized that there is no serious constituency for negotiated naval arms limitations, let alone wholesale disarmament. Despite this fact, the Independent World Commission on the Oceans explicitly promoted demilitarization, particularly the reduction and eventual elimination of sea-based nuclear weapons.[178] It also implicitly

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[172] See *The U.S. Coast Guard Strategy for Maritime Safety, Security, and Stewardship*.
[173] New Zealand Customs Service, "National Maritime Coordination Centre," available online at http://www.customs.govt.nz/about/Who+We+Are/Operations/NMCC/National+Maritime+Coordination+Centre.htm. For more on New Zealand's MDA arrangements see Chris Rahman, "Maritime Domain Awareness in Australia and New Zealand" in Natalie Klein, Joanna Mossop and Donald R. Rothwell, eds., *Maritime Security: International Law and Policy Perspectives from Australia and New Zealand*, Routledge, London, 2009, pp. 219-221.
[174] *Maritime Patrol Review*, pp. 24-25, 33-35 & 41, and Annex II.
[175] Ibid., p. 24.
[176] Border Protection Command, *Concept of Operations*, pp. 5-7.
[177] New Zealand Customs Service, "National Maritime Coordination Centre."
[178] *The Ocean…Our Future*, p. 50.

suggests that navies, left unregulated – especially those of the leading naval powers – are not consistent with the "promotion of peace and security in the oceans."[179]

The reasons why structural naval arms control is nigh impossible are manifold. First, naval platforms are very expensive and, as a result, already tightly limited in number, making it a far more difficult proposition for states to trade away warships in negotiated reductions than tanks or artillery, for example. There is also considerable national prestige involved in possessing such large and sophisticated machines. Second, the physically borderless nature of the oceans and the inherent mobility of naval platforms mean that naval arms control cannot meaningfully be restricted to, or negotiated for, a single theatre of operations.

Third, there are large asymmetries both between naval force structures and national strategic postures.[180] For example, the Chinese navy has exhibited a strong preference for submarines and land-based air power to conduct an anti-access focused maritime strategy based on sea and air denial, whereas the U.S. Navy has relied upon sea-based air power, surface combatants and submarines to assert sea control in order to take advantage of the strategic benefits bestowed by the ability to dominate maritime communications, including the projection of power ashore. Geography, *inter alia*, exerts a strong influence on the strategic preferences of states and coalitions as to whether they will pursue either a maritime or a continental strategic *Weltanschauung*: that is, whether their primary geostrategic preference and source of strategic advantage favours the pursuit of sea power or land power.[181] Because of these asymmetries, naval arms control would cause disproportionate harm to the strategic interests of the leading sea powers and their maritime-based alliances and coalitions.

Fourth, surface combatants are inherently flexible platforms able to undertake a wide range of roles other than just warfighting, including diplomatic, search and rescue and constabulary functions. Combining such flexibility into a single platform provides both economies and a broad range of capabilities that few, if any, operators would be willing to give up. Fifth, the demand for naval platforms is greater than ever, including for the border protection and ocean governance missions discussed above.

Sixth, the theory of arms control has been convincingly assailed as an idea influenced by technicism to a such a degree as to be rendered entirely apolitical, demonstrating a preoccupation with weapons as supposedly autonomous influences on the causes of war (or even "insecurity") that quite illogically removes war from its strategic and political contexts. The experience of the Cold War, moreover, suggests that substantive arms reductions will only occur when political relations improve, not that arms control itself can reduce the danger of political crises or end deep-seated strategic antagonism.[182]

And seventh, all past experiences to try to prevent war by means of regulation have been ghastly failures. The most prominent example of structural naval arms control, the interwar Washington-London treaty system of naval arms limitations, was a resounding failure. The treaty system

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[179] Ibid., pp. 44 & 48.
[180] See, for example, Eric Grove, "Confidence-building Measures at Sea: An Alternative to Naval Arms Control?" in Mack, *A Peaceful Ocean?* p. 22.
[181] See Gray, *The Leverage of Sea Power*, chaps 1-3; and Colin S. Gray, "Seapower and Landpower" in Gray and Roger W. Barnett, eds., *Seapower and Strategy*, Naval Institute Press, Annapolis, MD, 1989, pp. 3-26.
[182] See Betts, "Systems for Peace or Causes of War?" pp. 30-40; Colin S. Gray, "Arms Control Does Not Control Arms," *Orbis*, Vol. 37, No. 3, Summer 1993; Gray, *Weapons Don't Make War*, chap. 6; and Patrick Glynn, *Closing Pandora's Box: Arms Races, Arms Control, and the History of the Cold War*, Basic Books, New York, 1992.

managed to both constrain the forces of potential strategic partners, Britain and the United States, whilst contemporaneously aggravating the antipathy of elements of the Imperial Japanese Navy. Ultimately, the system broke down and could not resist the descent of political rivalries into war in the Pacific, a conflict for which British and even American forces were initially ill-prepared, in part, due to the consequences of treaty limitations on naval arms.[183]

Given the difficulties associated with structural arms control, then, the main focus of arms control advocates has been to promote the operational arms control aspects of naval/maritime confidence-building measures.[184] A typology has been developed dividing CBMs into three categories: "declaratory," "transparency" and "constraint" measures.[185] In East Asia, this typology has been extensively employed to describe CBMs for maritime security.

Declaratory measures are "statements of intent or general principles" according to Stan Weeks, which include border agreements, stated intentions of non-aggression or non-nuclear status, and accession to the Law of the Sea Convention.[186] Transparency measures can include information exchange; "communications measures" such as establishing networks and procedures for communication during crises; "notification measures" such as providing prior warning of military exercises or unusual deployments; and "observation/inspection measures" such as voluntarily allowing exercises to be observed and naval facilities to be inspected, and maritime surveillance regimes.[187] Constraint measures include "risk reduction measures" such as agreements to avoid or minimize any adverse consequences from minor confrontations or accidents between naval forces, termed incidents at sea (INCSEA) agreements; "exclusion/separation measures" such as demilitarized zones and military exclusion zones; and "constraints on personnel, equipment and activities" which "prohibit military operations that

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[183] See Robert Gordon Kaufman, *Arms Control During the Pre-Nuclear Era: The United States and Naval Limitation between the Two World Wars*, Columbia University Press, New York, 1990, esp. pp. 193-201; Charles H. Fairbanks, "The Washington Naval Treaty, 1922-1936" in Robert J. Art and Kenneth N. Waltz, eds., *The Use of Force: International Politics and Foreign Policy*, 2nd ed., University Press of America, Lanham, MD, 1983; and Sadao Asada, "The Revolt against the Washington Treaty: The Imperial Japanese Navy and Naval Limitation, 1921-1927," *Naval War College Review*, Vol. XLVI, No. 3, Summer 1993. For an argument, however, that the naval arms limitation process ultimately benefited the U.S. Navy see Phillips Payson O'Brien, "Politics, Arms Control and U.S. Naval Development in the Interwar Period" in O'Brien, ed., *Technology and Naval Combat in the Twentieth Century and Beyond*, Routledge, London, 2001, pp. 148-161.

[184] Most of the essays in Mack, *A Peaceful Ocean?* take this approach. See, especially, Grove, "Confidence-building Measures at Sea"; Sean M. Lynn-Jones, "Agreements to Prevent Incidents at Sea and Dangerous Military Activities: Potential Applications in the Asia-Pacific Region"; and Desmond Ball and Sam Bateman, "An Australian Perspective on Maritime CSBMs in the Asia-Pacific Region," pp. 173-181. See also Eric Grove, "Maritime Confidence and Security Building Measures" in Sam Bateman and Stephen Bates, eds., *Calming the Waters: Initiatives for Asia Pacific Maritime Cooperation*, Canberra Papers on Strategy and Defence No. 114, Strategic and Defence Studies Centre, The Australian National University, Canberra, 1996; and Stanley B. Weeks, "Incidents at Sea Agreements and Maritime Confidence-Building Measures" in Sam Bateman and Stephen Bates, eds., *The Seas Unite: Maritime Cooperation in the Asia Pacific Region*, Canberra Papers on Strategy and Defence No. 118, Strategic and Defence Studies Centre, The Australian National University, Canberra, 1996.

[185] M. Susan Pederson and Stanley Weeks, "A Survey of Confidence and Security Building Measures" in Ralph A. Cossa, ed., *Asia Pacific Confidence and Security Building Measures*, CSIS Significant Issues Series, Vol. XVII, No. 3, Center for Strategic and International Studies, Washington, D.C., 1995; Charles A. Meconis and Stanley B. Weeks, *Cooperative Maritime Security in the Asia-Pacific Region: A Strategic and Arms Control Assessment*, Institute for Global Security Studies, Seattle, July 1995, pp. 66-91; and Weeks, "Incidents at Sea Agreements and Maritime Confidence-Building Measures," pp. 83-93.

[186] Ibid., pp. 83-84.

[187] Ibid., pp. 84-88.

have not been properly forecast or notified, or that take place within certain exclusion or separation zones."[188]

A Japanese-sponsored Asia-Pacific Track II forum, EEZ Group 21, was established to encourage greater limits on the military activities of maritime states in or over other states' exclusive economic zones. The forum's work was in part informed by maritime incidents such as the April 2001 collision of a Chinese fighter with a U.S. Navy EP-3E intelligence gathering aircraft, various incidents involving the naval survey ships USNS *Bowditch* and HMS *Scott* and the activities of North Korean "spy vessels." But the forum was also heavily influenced by the ambitions of many regional states to win wider approval for claims to "thicken" coastal state jurisdiction in the EEZ. If adopted or accepted by enough states, such measures might, over time, become new customary international law. To this end EEZ Group 21 released a set of non-binding Guidelines in September 2005. Among other things the Guidelines call for prior notification to be given to the coastal state when conducting military exercises in their EEZ, and that states undertaking military activities in the EEZ of another state should

> refrain from the threat of use of force, or provocative acts, such as stimulating or exciting the defensive systems of the coastal State; collecting information to support the use of force against the coastal State; or establishing a "sea base" within another State's EEZ without its consent…. [and such activities] should not involve the deployment of systems that prejudice the defense or security of the coastal State.[189]

In effect, this would place severe restrictions on intelligence gathering, deterrence, and the ability to defend the U.S. alliance system and reassure America's junior partners. The Japanese position is especially surprising, informed no doubt by the activities of North Korea and, increasingly, China, in and around its waters. Nevertheless, Japan, as a maritime nation and significant maritime power, and protected by a maritime-based alliance, would be significantly disadvantaged, in strategic terms, if the Guidelines were ever adopted officially as regional practice. That is no doubt why the Japan Maritime Self-Defense Force has thus far opposed the Guidelines. The positions of other maritime powers such as China may become increasingly equivocal towards these sorts of measures also, as Chinese maritime forces grow stronger and begin to assert themselves through their own regional naval activities. At present, though, China currently is trying to have it both ways, increasing its own activities in regional seas and becoming more assertive in its efforts to prevent foreign activities in its own exclusive economic zone, such as its dangerous harassment of the unarmed American surveillance ship, USNS *Impeccable*, in the South China Sea in March 2009.[190]

The IWCO report aspires to an even more rigid position than EEZ Group 21:

> The emphasis placed on unrestricted freedom by naval powers and their own understanding of their security interests appears inconsistent with the promotion of peace and security on the oceans and at odds with the extended

[188] Ibid., pp. 89-93.
[189] EEZ Group 21, "Guidelines for Navigation and Overflight in the Exclusive Economic Zone," Ocean Policy Research Foundation, Tokyo, 16 September 2005, p. 9; and see also EEZ Group 21, *Guidelines for Navigation and Overflight in the Exclusive Economic Zone: A Commentary*, Ocean Policy Research Foundation, Tokyo, 2006. For further discussion of the legal issues see Myron H. Nordquist, Tommy T.B. Koh and John Norton Moore, eds., *Freedom of Seas, Passage Rights and the 1982 Law of the Sea Convention*, Martinus Nijhoff, Leiden, 2009.
[190] On the incident see Captain Raul Pedrozo, JAGC, USN, "Close Encounters at Sea: The USNS *Impeccable* Incident," *Naval War College Review*, Vol. 62, No. 3, Summer 2009, pp 101-111.

> regulatory power of coastal states. While prevailing power realities seem to suggest that it may not be possible to severely restrict the role of navies in the near future, the issues of the freedom of the high seas and national and international security should be reinstated on the international agenda, so as to develop new arrangements that would benefit and protect the global community.[191]

The Commission further called not only for military activities to be "qualified in the future" but for the sovereign immunity of warships also to be so limited, and the laws of naval warfare to be updated to take into account IWCO principles.[192] In effect, this represents an inevitably forlorn attempt to undermine the Western and, in particular, American, preponderance at sea which actually underpins the security of the globalized international political and economic systems. Such sentiments are especially unhelpful for East Asia, an inherently maritime region wherein such political and military stability as exists tends to be a function of the presence of U.S. power and, in particular, the U.S. Navy. Nevertheless, warships are likely to be subject to further regulation at least on environmental grounds,[193] especially with regard to the environmental impacts of operations and exercises. This will primarily – or at least most effectively – be as a result of national rather than international measures, although many coastal states may try to use environmental protection rationales to "thicken" their EEZ jurisdiction in order to restrict military activities of other states; indeed, the IWCO report encourages such restrictions.[194]

Security regulation of the maritime transportation system

Prior to the terrorist attacks of September 11, 2001, the regulation of the international maritime transportation system, primarily through the International Maritime Organization (IMO), had barely considered security issues. The main exception was the 1988 Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation (SUA Convention), and its Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf; as well as some practical guidance on combating pirate attacks. The SUA Convention and its Protocol were specific responses to the hijacking of the cruise ship *Achille Lauro* in 1985 which established legal measures to combat future incidents of a similar nature. The IMO had no specific delegation to deal with security issues. Instead, the SUA Convention was negotiated within the IMO's Maritime Safety Committee, which is tasked with developing regulations for safety at sea, especially navigational safety, most notably through the 1974 International Convention for the Safety of Life at Sea (SOLAS Convention).

The events of 9/11 forever changed the regulatory regime for shipping, however. Suddenly, all forms of transportation were deemed to be at risk from terrorist attack, but the maritime transportation sector was deemed to be particularly vulnerable,[195] not least because of its under-regulated nature. The IMO's Maritime Safety Committee was almost immediately pushed into action by the United States and those other IMO members most concerned with preventing maritime terrorism and the globalized maritime transportation system from being exploited by terrorist groups. The most notable new maritime security measures passed by the IMO include the International Ship and Port Facility Security (ISPS) Code, added as an annex on maritime

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[191] *The Ocean…Our Future*, p. 43.
[192] Ibid., pp. 50-51.
[193] Glenn Kerr and Barry Snushall, eds., *Future Environmental Policy Trends to 2020: Impact on Ship Design and Operation*, Papers in Australian Maritime Affairs No. 13, Sea Power Centre – Australia, Canberra, 2005.
[194] *The Ocean…Our Future*, p. 50.
[195] See, for example, *The 9/11 Commission Report. Final Report of the National Commission on Terrorist Attacks upon the United States*. W.W. Norton, New York, n.d., p. 391.

security to the SOLAS Convention; significant new Protocols to the SUA Convention and its Protocol; and provisions for the satellite-based long-range identification and tracking (LRIT) of SOLAS-regulated ships.[196] From the time that the ISPS Code entered into force (1 July 2004), therefore, maritime safety and security became increasingly interconnected.[197] This connection also began to be applied to offshore installations in regions that were not already conflict zones. As an indicative illustration, in Australia prior to 9/11, worker safety rather than platform security had been the focus of measures to safeguard offshore installations of the oil and gas industry. However, post-9/11 risk assessments led to the national implementing legislation for the ISPS Code being amended to take into account the vulnerabilities of the offshore oil and gas industry, adding new protective security measures.[198]

Some of the most important new tools in the fight against pirates and other criminals operating at sea, and would-be maritime terrorists, are those developed under the auspices of Chapter V of SOLAS on safety of navigation. In particular, these include the ship automatic identification system (AIS), the implementation of which was hastened by 9/11; and satellite-based LRIT. Whereas AIS was originally conceived as a navigational safety measure, it may be worthy of note that LRIT was added under Chapter V also, even though long-range tracking and identification of shipping is clearly intended primarily to be a security measure. There are two explanations for this seeming anomaly. First, it is easier and less controversial, diplomatically, to negotiate measures that are framed as safety issues than it is for explicitly "security" measures. Second, Chapter V applies to a wider range of shipping (i.e., ships over 300 grt rather the 500 grt SOLAS norm).

The IMO is likely to continue to be used to further tighten security measures: not only is the IMO the primary regulatory authority, it also bestows greater political legitimacy in the eyes of many states, particularly those which are not close political allies or friends of the United States. As a sign of the new security focus to its many activities, the IMO Council announced in December 2004 that the body ought to play a leading role in the protection of vital shipping lanes "of strategic importance," with the initial emphasis on the Malacca and Singapore Straits. As a result, international conferences have been held in the Straits states to encourage user state cooperation and assistance to Indonesia and Malaysia to improve safety and security in the Straits.[199]

There are limitations to IMO authority, though, and individual states will need to take the lead in their own border protection arrangements to deal with security regulation of non-SOLAS ships, for example. The unilateral regulatory measures of individual states, especially the United States – with its raft of post-9/11 security measures such as the 24-hour rule, Container Security Initiative and so forth – and informal arrangements such as the Proliferation Security Initiative, further add to the security framework affecting the operation of shipping and maritime infrastructure.[200]

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[196] For analysis of the measures see Rupert Herbert-Burns, Sam Bateman and Peter Lehr, eds., *Lloyd's MIU Handbook of Maritime Security*, CRC Press, Boca Raton, FL, 2009.
[197] Bateman, "Capacity Building for Maritime Security Cooperation," p. 12.
[198] See Lee Cordner, "Offshore Oil and Gas Industry Security Risk Assessment: An Australian Case Study" in Herbert-Burns et al., *Lloyd's MIU Handbook of Maritime Security*.
[199] IMO, "Jakarta Statement on Enhancement of Safety, Security and Environmental Protection in the Straits of Malacca and Singapore," IMO/JKT 1/2, 8 September 2005; and IMO, "The Cooperative Mechanism between the Littoral States and User States on Safety of Navigation and Environmental Protection in the Straits of Malacca and Singapore," IMO/SGP 2.1/1, 16 August 2007.
[200] See Chris Rahman, "The Evolving U.S. Framework for Global Maritime Security from 9/11 to the 1,000-ship Navy" in Herbert-Burns, et al., *Lloyd's MIU Handbook of Maritime Security*, pp. 39-53.

Henceforth, as a result of post-9/11 concerns, for those involved in all sectors of the maritime transportation industry, as well as for lawyers and others dealing in the public international law of shipping, "maritime security" thus is a term that denotes the safety and security regulation of shipping, ports and all aspects of the international system for seaborne trade – and offshore installations – especially with regard to threats from or exploitation by piracy and other maritime crime, and terrorism, the immediate driver of the new security regime.

The concepts of security and the sea

This discussion paper does not hold a preferred "non-traditional" approach to maritime security in terms of the five perspectives discussed above. To a large degree, they are compatible, although clearly the fundamentalist approach to marine environmental security is not favoured in the current analysis; nor are the political assumptions and values underpinning the military activities approach, a perspective which could only cause damage to international security, writ large, as discussed in a later section.

Returning to the concepts of security set out earlier, each can be viewed in maritime terms. The term "collective security" has been used, for example, in respect of the U.S. *National Strategy for Maritime Security*,[201] the U.S. Navy's Global Maritime Partnership initiative (1,000-ship Navy),[202] and in the new maritime strategy,[203] although it was employed only very loosely in a literal or slogan-like sense rather than as a throw-back to the more specific meaning of the theory of collective security itself. In the collective security tradition Gwyn Prins has raised the old and misconceived idea of a UN Standing Naval Force, in addition to his proposal for an Ocean Guard that could be placed under "effective international command and control in times of rising tension."[204] Like all aspects of collective security idealism, however, such proposals are wildly impracticable. The concept of common security strongly underpins much of the thinking on naval arms control already discussed, and thus will not be repeated here. The following sections therefore focus on the applicability of the concepts of comprehensive and cooperative security to the maritime realm.

Comprehensive maritime security

The concept of comprehensive security has been strongly criticized in this discussion paper as being too inclusive and unfocused to give "security" real meaning for practical application. When it comes to maritime security, however, might not the inherently transnational nature of the sea – with no physical boundaries and many shared spaces, including the global commons of the high seas, but most particularly in East Asia, many enclosed or semi-enclosed seas – make the concept more applicable? As is often noted, fish don't recognize boundaries, and not only do terrorists or criminals who might use the sea for their nefarious purposes not respect such imaginary "lines in the water," they actively exploit the complex and often disputed jurisdictional arrangements to their own advantage.[205] Therefore, taking into consideration these problematic jurisdictional arrangements, the enforcement limitations imposed by the Law of the Sea Convention, and the

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[201] *The National Strategy for Maritime Security*, p. 2.
[202] Admiral Mike Mullen, USN, remarks delivered to the Western Pacific Naval Symposium, Pearl Harbor, HI, 31 October 2006, p. 3. For analysis see Chris Rahman, *The Global Maritime Partnership Initiative: Implications for the Royal Australian Navy*, Papers in Australian Maritime Affairs No. 24, Sea Power Centre – Australia, Canberra, 2008.
[203] *A Cooperative Strategy for 21st Century Seapower*, pp. 3-4.
[204] Prins, "Maritime Security and Common Security," pp. 38-39.
[205] See Martin Murphy, "Piracy and UNCLOS: Does International Law Help Regional States Combat Piracy?" in Lehr, *Violence at Sea*, pp. 155-182; and Murphy, "The Blue, Green and Brown: Insurgency and Counter-insurgency on the Water," *Contemporary Security Policy*, Vol. 28, No. 1, April 2007, pp. 73-74.

maritime surveillance and enforcement capacity constraints of all coastal states, but especially in the developing world, might a comprehensive security approach provide a solution?

The CSCAP memorandum, Guidelines for Regional Maritime Cooperation, explicitly "adopt[s] a comprehensive approach to regional security,"[206] stating that "issues of oceans management are closely interrelated and need to be considered as a whole,"[207] and that "a comprehensive concept of regional maritime security requires a multidisciplinary approach, necessitating cooperation and coordination among *all* interested bodies and activities."[208] The areas promoted for regional maritime cooperation, to be integrated into such a comprehensive approach to regional maritime security, include accession to, and cooperation under, the Law of the Sea Convention; conflict prevention at sea; protection and maintenance of SLOCs; the sharing of maritime surveillance information; naval cooperation (for confidence-building purposes); search and rescue; maritime safety; management of natural marine disasters (including humanitarian assistance); law and order at sea; protection and preservation of the marine environment; marine resources; marine scientific research; technical cooperation and capacity building; and training and education.

Nowhere, however, does the memorandum explain how this general, and worthy, entreaty for cooperation across many maritime activities adds up to a regional system for comprehensive maritime security, let alone how "all interested bodies and activities" might be so coordinated. Indeed, it does not really explicate at all what a regional comprehensive maritime security system might even look like. That is hardly surprising, given the inchoate nature of the concept of comprehensive security itself. Moreover, recalling Jim Rolfe's critique of the regional applicability of the concept, it is unconvincing to think that the factors listed above are somehow all interlinked across the entire Asia-Pacific region, or even across the entirety of the maritime Southeast Asia sub-region, for example. This perhaps leads to a conclusion that it is a fallacy to view maritime security in comprehensive security terms; that just because the sea is a common space and a connective, transnational medium, not all aspects of that medium are usefully described as being connected to all others in respect of regional maritime security. Thus, it is somewhat pointless to link all aspects of maritime security in, say, the Bay of Bengal, or even in the Java Sea, to maritime security in the Sulu Sea; examples which are particularly acute in those cases where there is no overlapping or even adjacent jurisdiction.

If regional comprehensive maritime security is a dubious concept, what then should we think of the idea of comprehensive maritime security applied nationally, to a single jurisdiction? There is certainly a case for policy coordination of matters relating to the sea. One way of pursuing this is to develop a national ocean policy. In Australia's case, *Australia's Oceans Policy* was an attempt to implement "integrated oceans planning and management," with a focus on marine environmental protection and development of ocean industries.[209] Although there is a section on protecting the national interest, which notes that "Oceans … are critical to our security,"[210] the security aspects of the policy are nevertheless relatively lightly dealt with, with a brief but reasonable focus on maritime surveillance and enforcement (border protection). If security was not a major focus of the overall policy, however, nor has *Australia's Oceans Policy* been integrated with defence or wider national security policy.[211] In many ways this is not surprising. Can oceans

[206] CSCAP, "Guidelines for Regional Maritime Cooperation," p. 1.
[207] Ibid., p. 4.
[208] Ibid., p. 7 (emphasis added).
[209] Senator the Hon Robert Hill in Environment Australia, *Australia's Oceans Policy*, vol. 1, Canberra, 1998, p. 3.
[210] Environment Australia, *Australia's Oceans Policy – Specific Sectoral Measures*, vol. 2, Canberra, 1998, pp. 37-42.
[211] The Parliament of the Commonwealth of Australia, *Australia's Maritime Strategy*, report of the Joint Standing Committee on Foreign Affairs, Defence and Trade inquiry, Canberra, June 2004, pp. 105-109.

policy really be truly "comprehensive" along the lines represented by the concept of comprehensive security? Probably not, for whilst proponents of the idea may get away with vagueness policymakers must deal with real world issues, especially when responsibility for the policy lies with one government department (or agency) or another. In the case of *Australia's Oceans Policy*, that responsibility lay with the Department of Environment, so it can be no surprise that environmental issues dominated. Where policy coordination between activities or agencies is required, the stark chasm that lies between the theory of comprehensive security and practice of policymaking and implementation is likely to mean that comprehensiveness is abandoned in favour of more practicable forms of interagency coordination and cooperation.

In the case of New Zealand, a Ministerial Advisory Committee established to assist the development of a national oceans policy adopted an ocean governance approach, with a strong emphasis on marine environmental management.[212] Although it claimed to be taking an holistic view of New Zealand's ocean interests, it in fact took a quite narrow perspective, with no explicit links to national or maritime security. The six-member *ad hoc* Ministerial Group charged with developing the supposedly whole-of-government approach involved only those portfolios with economic or environmental responsibilities related to ocean management.[213] This can hardly be viewed as an holistic or truly whole-of-government approach. In any case, the policy process has yet to produce an actual oceans policy, and has been fully subsumed within the Ministry for the Environment, which is now focused primarily on environmental management within the exclusive economic zone. Whereas *Australia's Oceans Policy* lies largely moribund within the confines of the Environment portfolio, New Zealand's policy seems unlikely ever to emerge as a whole-of-government effort at all.[214]

New Zealand's Defence Minister, Wayne Mapp, has spoken in general terms of taking a comprehensive security approach to matters of national security:

> New Zealand's security is entwined with that of Australia's, our Pacific neighbourhood's, and that of international society. Security is not just about making our contribution in the unfortunate event of conflict between states. It is about securing New Zealand's interests, and protecting the institutions and values that help New Zealanders to live in the ways we prefer. This involves a comprehensive view that encompasses all aspects of what security for New Zealand entails, including not just traditional national security but also the needs of nation-building, economic security, environmental security, and the protection of internationally accepted human rights. Our immediate region is faced with many of these contemporary security challenges.[215]

He continued that the New Zealand Defence Force, in providing maritime patrol capabilities, and maritime surveillance capabilities "as part of multi-agency tasking," contributes to "the whole-of-government effort required to respond to the spectrum of comprehensive security requirements"

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[212] *Healthy Sea: Healthy Society. Towards an Oceans Policy for New Zealand*. Report on consultation undertaken by the Ministerial Advisory Committee on Oceans Policy, 30 September 2001; and Oceans Policy Secretariat, "International Oceans Issues," Working Paper 11, 14 March 2003.
[213] The Ministerial Group involved the Ministers of Energy, Fisheries, and Research Science and Technology; Foreign Affairs and Trade; Conservation; Maori Affairs; Commerce; and Environment.
[214] See the Ministry for the Environment web site at http://www.mfe.govt.nz/issues/oceans/current-work/index.html; and Joanna Vince and Marcus Haward, "New Zealand Oceans Governance: Calming Turbulent Waters?" *Marine Policy*, Vol. 33, No. 2, March 2009, pp. 412-418.
[215] Minister of Defence, Wayne Mapp, "Why a Defence Review?" speech to Massey University's Centre for Defence Studies, 20 May 2009.

noted above.[216] Despite the use of comprehensive security terminology, however, and the specific example of interagency cooperation for maritime surveillance, this hardly represents a developed plan for national comprehensive maritime security.

Cooperative maritime security

The record of cooperative security in the region, as noted previously, is rather mixed. There is a need perhaps to draw a distinction here between the concept of cooperative security, on the one hand, and security cooperation, on the other: security cooperation is a functional prerequisite for cooperative security to work, but cooperation itself can take place outside of a cooperative security framework. There has been a significant proliferation of multilateral cooperative security processes, including those dealing with maritime issues. Despite being a growth industry, these processes, either singularly or collectively, have not replaced the extant security arrangements; nor do they equate, in the maritime realm, to a *system* of cooperative maritime security.

Security cooperation, including naval cooperation, whether at the bilateral or multilateral levels, within alliances, coalitions or in a non-coalition environment, as part of an ongoing security relationship or simply on an *ad hoc* basis, has also flourished.[217] The proponents of cooperative security might argue that these types of activities serve as the requisite building blocks that will enable the security multilateralism envisaged by the concept of cooperative security. This idea perhaps represents a fundamental flaw in the concept itself: why should an inclusive multilateralism be a goal, or even necessary, for the establishment or maintenance of a peaceful regional order? Nor does multilateralism provide an answer for most aspects of non-traditional security challenges at sea in Southeast Asia, for example, where suspicion of multilateralism remains strong. Indeed, the case for multilateralism, generally, is weak: coastal states such as Indonesia and Malaysia have a valid point when they argue that they hold the primary responsibility for security in their own maritime zones; and inclusive security systems are likely to be weakened rather than strengthened by inclusiveness absent a major common threat. An obvious exception to this point is the general usefulness of maritime domain awareness (MDA) information sharing.

Certainly at the sub-regional level in Southeast Asia, there is little prospect for the inclusive multilateralism of the cooperative maritime security kind, not least because of local political sensitivities over maritime rights and interests. This factor has been particularly evident in the squabbles over security in the Malacca Strait, for example, with Indonesia and Malaysia jealously protecting their coastal state rights against unwanted foreign involvement. Nevertheless, external states have become involved in capacity-building efforts in the two states, whether on a bilateral basis or via the auspices of the IMO's protection of vital shipping lanes project to encourage user state contributions to coastal state capacity for maritime safety and security.

In the Southwest Pacific, the prospects for a cooperative maritime security system may be somewhat better, albeit not without their own travails. In particular, the Niue Treaty or similar arrangements for cooperative enforcement may provide the basis for such a system.[218] Potentially, the development of Australia's Pacific Patrol Boat project for Pacific states over time could lead to

[216] Ibid.
[217] For background see Chris Rahman, *Naval Cooperation and Coalition Building in Southeast Asia and the Southwest Pacific: Status and Prospects*, RAN Sea Power Centre and Centre for Maritime Policy Working Paper No. 7, Sea Power Centre, RAAF Fairbairn, Canberra, October 2001.
[218] Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement in the South Pacific Region, July 1992.

a specifically Southwest Pacific version of Gwyn Prins' idea of an Ocean Guard.[219] Overall, though, with that possible exception of the Southwest Pacific, conflicting national interests throughout the Asia-Pacific region will continue to hinder the development of cooperative maritime security arrangements.

The U.S. maritime strategy, *A Cooperative Strategy for 21st Century Seapower*, as its title suggests, includes an emphasis on improving maritime security cooperation: "Expanded cooperative relationships with other nations will contribute to the security and stability of the maritime domain for the benefit of all."[220] Nonetheless, this should be viewed primarily as part of wider U.S. efforts to safeguard the U.S.-led global system – including its maritime and economic elements – rather than as an indication of an intent to pursue cooperative maritime security of the variety posited by the concept of cooperative security. The 1,000-ship Navy fulfils an important role in the U.S. strategy, which states that the initiative "will serve as a catalyst for increased international interoperability in support of *cooperative maritime security*."[221] Yet it poses an interesting question with regard to the *concept* of cooperative security. The U.S. Navy was quite explicit in suggesting that U.S. leadership or even participation in the regional maritime security networks envisaged by the Global Maritime Partnership initiative was not essential.[222] Might a globally linked system of regional networks not under American control thus potentially be viewed as a system of cooperative maritime security? It probably does not matter in a practical sense: if it is developed and works as planned, maritime security will be improved. Perhaps it is best to think of the scheme as being compatible both with the concept of cooperative maritime security *and* the defence of the U.S.-led system of international order.

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[219] See Sam Bateman, "Developing a Pacific Island Ocean Guard: The Need, the Possibility and the Concept" in Ivan Molloy, ed., *The Eye of the Cyclone: Issues in Pacific Security*, University of the Sunshine Coast, Sippy Downs, QLD, 2004, pp. 208-224.
[220] *A Cooperative Strategy for 21st Century Seapower*, p. 6.
[221] Ibid., p. 9 (emphasis added).
[222] Admiral Mike Mullen, USN, remarks delivered at the 17th International Seapower Symposium, Naval War College, Newport, RI, 21 September 2005. Available at: http://www.navy.mil/navydata/cno/speeches/mullen050921.txt.

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Implications for Policy and Navies

This study has thus far surveyed different perspectives on non-traditional challenges to security. It has analysed efforts to conceptualize "security," which often serve the purpose of rhetorically prioritizing non-traditional security challenges over traditional ones, in some cases in order to try to delegitimize military-strategic concerns – perhaps in a vain hope that by so doing such strategic issues may simply fade away. And it has applied the new thinking on security to the maritime sphere, identifying and assessing different perspectives on the non-traditional aspects of maritime security. The following sections briefly outline eight implications of the new thinking for maritime security policy and navies, especially for New Zealand and the Royal New Zealand Navy (RNZN), and concludes with a reminder that traditional security threats must not be disregarded in a security environment in which a full spectrum of security challenges threaten to undermine the extant system of international order.

Policy implications

1. The first policy implication of the preceding analysis is that not all things related to the sea are connected to all other such things, and that not all ocean-related activities or related policy factors are appropriately viewed as security issues. The comprehensive security perspective should therefore be rejected as holding no practicable benefit for policy – indeed it is debatable whether a truly comprehensive perspective can be practicably implemented, or even ascertained, at all. It is important also to remember the admonition against securitizing particular issues for the sake of policy prioritization, or budget politics for that matter: a policy consideration such as the prevention of, and response to, marine pollution, for example, ought to be seen as important in and of itself, not because it might conceivably, but unhelpfully, be framed as a "security" issue. Different states will have different priorities for maritime security depending on their unique national circumstances and domestic policy priorities. But the vagueness of comprehensive security is unlikely to provide any better policy guidance to, say, Indonesia, Malaysia or Fiji, than it does to New Zealand or Australia.

2. If the indeterminate nature of "comprehensiveness" is unhelpful, the fact remains that the sea is a very specific natural and operating environment that requires policy coordination amongst relevant government departments and agencies. Across the Tasman, this was a particular shortcoming in the Australian policy framework, with *Australia's Oceans Policy* failing to provide a sufficiently holistic (as opposed to "comprehensive") basis for policy coordination at the senior officials level of government. Whereas surveillance and response coordination was greatly improved through the creation of the Border Protection Command, policy coordination by comparison lagged. The problem was in theory addressed by the creation of the Strategic Maritime Management Committee (SMMC), which in terms of organizational structure, sat beneath the National Security Committee of Cabinet (NSC) in the Department of Prime Minister and Cabinet. The SMMC involved policy cooperation and coordination amongst all agencies with maritime responsibilities, including many whose remits fall outside of traditional security policy areas. Indeed,

the SMMC was established not only as a national oversight body for maritime security policy, but to coordinate policy in an holistic fashion for national maritime management. Perhaps unfortunately, the SMMC was placed in abeyance by the Rudd government, with its function replaced by a new Homeland and Border Security Policy Coordination Group. The title of the new group clearly reflects government priorities as well as its preferred political catchphrase of "homeland security." The implication of the change, though, is that there no longer exists an holistic national policy coordination body for maritime matters, aside from those connected to border protection.

In New Zealand, the 2001 *Maritime Patrol Review* led to the establishment of the National Maritime Coordination Centre. The review itself was produced by the Domestic and External Security Group (DESG), which supports the Officials Committee for Domestic and External Security Coordination (ODESC) – which in turn supports the Cabinet Committee on Domestic and External Security Coordination – within the Department of the Prime Minister and Cabinet, and was the first "comprehensive, 'whole-of-government' analysis" of maritime surveillance and response conducted by the New Zealand government.[223] Among other things, ODESC provides policy oversight for New Zealand's maritime security. The ODESC view of maritime security provides some insight into the New Zealand government's approach. Referring to a "multi-layered approach to maritime security that coastal or island states employ to protect national interests," the *Maritime Patrol Review* continued:

> In practice elsewhere, maritime security has moved well beyond the traditional concepts of naval or military threat … Notwithstanding its image as a maritime nation, New Zealand is still at a very early stage in its comprehension of the linkages among maritime security, sovereignty and oceans management…. New Zealand is not directly threatened by any other country and is not likely to be involved in widespread-armed conflict. But a maritime nation can find its sovereign interests challenged indirectly in many ways such as:
>
> - Illegal resource exploitation;
> - Disregard of national or international law;
> - Illegal transportation of goods or people;
> - Creation of environmental hazards.[224]

This represents a combination of the border protection and ocean governance approaches, although it should also be noted that the *Maritime Patrol Review* was completed prior to the 9/11 terrorist attacks, and that the security regulation of the maritime transportation system has since been incorporated into New Zealand's maritime security policy considerations. What remains lacking, however, is a New Zealand equivalent to Australia's (former) SMMC for overall policy coordination across all maritime-related agencies.

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[223] *Maritime Patrol Review*, p. 2. The review process involved personnel from the following departments: Department of the Prime Minister and Cabinet (Chair), Maritime Safety Authority (since renamed Maritime New Zealand), Ministry of Defence, Ministry of Fisheries, Ministry of Foreign Affairs and Trade, New Zealand Customs Service, New Zealand Defence Force, and Treasury.

[224] Ibid., pp. 5-6. For a more diverse range of perspectives see Cozens, *New Zealand's Maritime Environment and Security*.

Governments do need to be wary of simplistic organizational "fixes" to problems of policy coordination. In the United States, for example, the creation of the Department of Homeland Security seems to have been more an exercise in the expansion of government than in effective policy coordination and implementation. Indeed the U.S. experience suggests that simply situating different agencies under the same bureaucratic umbrella does not guarantee effective interagency cooperation within the department; nor does it assist to build cooperation with other relevant departments and external agencies. It also suggests that the Department of the Prime Minister and Cabinet may be the only location, in the antipodean examples, for situating an effective whole-of-government policy coordination body. That is because it is the only department that can take a truly holistic, national security, perspective, without being captured by the rather more narrow organizational interests inherent in the politically competitive ethos of public bureaucracies. Effective interagency cooperation and coordination is thus the focus that needs to be emphasized in a holistic approach to maritime security, not organizational sleight of hand. From a structural perspective, Canberra's establishment of both the BPC and SMMC seem to have been sound solutions to the need for cooperation and coordination which may be worthy of emulation in New Zealand and elsewhere.

3. As part of the process of holistic national policymaking, development of a national security strategy would represent a useful first step. Yet such a document is unlikely to address maritime issues either specifically or in depth. It could, however, be the framework document for the development of a genuine national maritime security strategy (or national strategy for maritime security – to borrow the American terminology). The American example provides a reasonable model, although it can be criticized for being too focused on near-term concerns with terrorism and the proliferation of weapons of mass destruction. A New Zealand version perhaps would need to more fully address ocean governance, traditional military and regional issues, as well as the obvious border protection focus; but unlike the oceans policy process it would have a national security emphasis. In the absence of a New Zealand equivalent to Australia's SMMC example,[225] ODESC would be the logical body to develop such a strategy. The concept of a national maritime security strategy is also relevant to the many regional states that are highly dependent upon the sea for their national security.

4. A further step in holistic policy management must be to ensure that all aspects of enforcement for national maritime security have the requisite domestic legislative backing. This is a problem for all coastal states, particularly in the current security environment in which all variety of maritime infrastructure may be at risk from the global Islamist insurgency. For the most part, security is a new consideration for the maritime industry, involving shipping, ports, offshore installations, pipelines and cables. In the past, safety and environmental protection have been the primary drivers of policy and legislation. There are likely to be considerable gaps and inconsistencies in legislation, particularly in complex federal systems such as Australia or Indonesia. International law can frustrate these efforts: such constraints limit the legal measures that can be put in place to secure offshore installations, for

[225] In Australia's case, a national security strategy developed within the processes of the National Security Committee of Cabinet and a national maritime security strategy developed by the SMMC (or its successor group) in collaboration with BPC would be a useful policy response to the security aspects of national maritime management.

example. Continual legislative review is likely to be necessary in the short term, therefore, to ensure that all relevant enforcement agencies have the appropriate enforcement powers to protect all maritime infrastructure and maritime security interests in national maritime zones. Australia's response is an ongoing legislative review to attempt to harmonize the maritime enforcement elements of many pieces of disparate legislation. The evolution of international law to assert greater enforcement obligations on the high seas will also need to be monitored, and appropriate domestic legislation enacted, if necessary.

5. Although this discussion paper does not object, in principle, to the term "cooperative maritime security," the concept itself remains sufficiently vague to be less helpful than the more tangible implications of "security cooperation." Perhaps the two can coexist easily enough, with cooperative security referring to inclusively multilateral cooperation, such as the relevant APEC working groups at the policy level, and the Western Pacific Naval Symposium for naval cooperation. Outside of the cooperative security processes, bilateral cooperation or more restrictive multilateralism for maritime security capacity building, and operational cooperation, such as (in theory) the MALSINDO trilateral coordinated patrols of the Straits of Malacca and Singapore, can provide more tangible results out on the water.

The Southwest Pacific is the one part of the Asia-Pacific region in which a truly multilateral cooperative maritime security system might be feasible. The Niue Treaty provides an existing political and legal foundation. Should the Pacific Patrol Boat project ever evolve into a true regional force rather than the current one based on national capabilities and international cooperation, one might justifiably claim real success for the concept of cooperative maritime security.

In Southeast Asia the doctrine of national resilience may be a sound rhetorical basis for improving national maritime security, but not a sufficient one to guarantee true regional resilience – that elusive stable maritime regime. On the one hand, regional states are paying as much attention, and perhaps expending more resources, upon preparations for external defence than upon internal security needs, including purchasing conventional submarines, larger surface combatants and modern combat aircraft. On the other, the best way forward to improve maritime security on a sub-regional basis would seem to be to build capacity for both surveillance and enforcement in individual states *and* to improve sub-regional cooperation. The transnational nature of the sea and regional political geography mandates that cooperation is necessary, but as noted earlier, political sensitivities and disputes make effective cooperation difficult at the best of times. Nevertheless, the ongoing, albeit limited, forms of security cooperation may be the best that can currently be hoped for given the state of bilateral and regional politics.[226]

Australia's current security cooperation engagement and capacity building programmes, increasingly coordinated using a whole-of-government approach to assistance, seem to be effective instruments of policy given the extant political constraints. The Australian experience with coordination and control of maritime surveillance and enforcement provides a particularly useful model for emulation, modified for local circumstances. Australia is thus involved with assisting the Philippines establish its Coast Watch South project along the principles of the Border

[226] For further analysis see Rahman, "The International Politics of Combating Piracy in Southeast Asia."

Protection Command. Such programmes contribute not only to improved maritime security in the assisted state, but also to SLOC security, and maritime security, more generally, on a sub-regional or regional basis. This type of capacity-building cooperation lies at the heart of the U.S. Navy's Global Maritime Partnership framework.[227]

Naval implications

6. Distinguishing non-traditional security issues from traditional ones is not necessarily enlightening from a policy perspective. In many ways, "non-traditional security" is an unhelpful designation, especially with regard to the sea, where navies and other maritime security forces have traditionally been required to maintain a broader remit than simply preparations for warfighting. Even the navies of countries with separate coast guards have been unable to ignore non-warfighting roles. Indeed, the U.S. Navy, for example, has been in the vanguard of efforts to strengthen good order at sea, most notably with its Global Maritime Partnership initiative.

Strategic context matters in this regard: the security of shipping increasingly is viewed in non-traditional security terms, for example, because the gravest threats to seaborne trade currently are posed by terrorist attacks and, secondarily, from piracy and armed robbery at sea; that is, by irregular and non-state sources. During the Cold War, by contrast, SLOC security was associated primarily with the threat of attack by Soviet maritime forces in the event of an outbreak of hostilities. Thus, as we can see, the idea of SLOC security evokes a similar mission in each of the two eras – protection of shipping – which in the current threat environment, however, has assumed a different character than it possessed during the twentieth century. The role of navies in SLOC security in the current era is paradoxically both diminished, given the new regulatory focus and the need for the collection and sharing of MDA information involving a far wider extent of forces and agencies than just navies – as envisaged by the Global Maritime Partnership initiative, for example[228] – and also ubiquitous, as the terrorist enemy is both elusive and globally postured, demanding a greater naval presence at sea, all in a period of ever diminishing naval force structures.

Moreover, although operations in support of the mission to counter the global Islamist insurgency are conducted against irregular and unconventional enemies, is it really productive to think of such missions as a part of the non-traditional security agenda? Counter-insurgency is hardly a novel mission; after all, it often requires combat operations, and is conducted against a politically motivated enemy who operates strategically. Counter-insurgency certainly is different in character than fighting conventional warfare, but it is still a form of warfare: counter-insurgent forces therefore need to think and operate strategically, also.

Further still, it simply is ahistorical to claim or imply that piracy is a non-traditional security issue. Countering pirates was one of the earliest of naval tasks stretching back to antiquity.[229] It has been argued that some navies of the ancient world in fact

[227] Rahman, *The Global Maritime Partnership Initiative*, pp. 3-7 & 23-26.
[228] Ibid., pp. 4-8.
[229] Clark G. Reynolds, *Navies in History*, Naval Institute Press, Annapolis, MD, 1998, chap. 2.

evolved from pirate origins.[230] Indeed, for much of history – perhaps until as recently as the eighteenth century – piracy often has been indistinguishable from politically motivated uses of force at sea. That held true as far back in time as ancient Egypt,[231] and was even more apparent in sixteenth century Europe, for example, where there was "no clear distinction … between piracy and commerce, religious, political, and economic motivation, individual acts and acts as an agent of government."[232] In the nineteenth century, with the evolution of more identifiably "modern" navies, countering piracy and other constabulary operations became commonplace missions for Western navies, especially for the Royal Navy, which used its era of maritime dominance to police the world's oceans.[233] As noted previously, the US Navy fulfils a broadly comparable role today, albeit increasingly in a way that co-opts the forces and capabilities of other like-minded states to enforce good order at sea.

7. The implications of supposedly "non-traditional" maritime security factors for naval roles and maritime doctrine may in fact be quite limited for those navies with a long tradition of fulfilling a constabulary function or for those navies which are, in effect, coast guards. The good order at sea mission nonetheless is a growth industry in contemporary circumstances, and increasing demands for constabulary capabilities are placing added pressures on naval force structures. Thus, whilst these roles may be familiar to most navies, including the Royal New Zealand Navy, naval forces may be required to do more of it in the future.

Two roles that are not altogether familiar also are growing in importance. First, the potential obligations to police the high seas in specific cases allowed by the evolution of international law. New Zealand and Australia already face this issue with regard to high seas fisheries enforcement in the Western and Central Pacific Fisheries Convention (WCPFC) area, a convention to which each is a party.[234] The unfamiliarity derives more from legal and geographical factors than from the nature of the naval role, however: that is, fisheries protection. The Royal New Zealand Navy's two new 85 metre offshore patrol vessels (OPVs), to be delivered by the end of 2009 as part of the Project Protector programme of new surface patrol assets, will potentially be important force elements to fulfil that role.

The second role is maritime counter-insurgency, assuming that the global Islamist insurgency is going to stretch into the medium or long term. The MDA collection and sharing requirement for the prevention of terrorist attacks is one aspect of this mission, whether under the Global Maritime Partnership moniker or not. Nevertheless, navies are not the sole, and unlikely to become the primary, collection instruments for MDA information. The second aspect of maritime counter-insurgency is to deter and defeat insurgents in the littorals, both on the water and on land, and provide support to land, special operations and interagency forces. To

[230] See Gregory P. Gilbert, *Ancient Egyptian Sea Power and the Origin of Maritime Forces*, Foundations of International Thinking on Sea Power No. 1, Sea Power Centre – Australia, Canberra, 2008, pp. 107-108.
[231] Ibid., p. 108.
[232] John Francis Guilmartin, *Gunpowder & Galleys: Changing Technology & Mediterranean Warfare at Sea in the 16th Century*, rev. ed., Conway Maritime Press, London, 2003, p. 36; and see also Reynolds, *Navies in History*, chap. 4.
[233] See Semmel, *Liberalism and Naval Strategy*, esp. chap. 3; and Reynolds, *Navies in History*, chap. 10.
[234] See Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean, 2000; and Martin Tsamenyi and Lara Manarangi-Trott, "The Implications of the WCPFC for Australia's Maritime Regulation and Enforcement" in Heath and Snushall, *Protecting Maritime Resources*, esp. pp. 100-102.

some extent this mission has to be relearnt by Western maritime forces, with virtually no demand for this role since the conflicts of the 1950s to the early 1970s such as the Malayan Emergency, Confrontation with Indonesia (*konfrontasi*) and the Vietnam War.[235] U.S. maritime forces have been conducting this post-9/11 mission in Africa, Southeast Asia (i.e., the southern Philippines) and Colombia,[236] whilst Coalition forces, including the Royal Australian Navy (RAN), have been active in the northern Persian Gulf.[237]

The span of maritime operations expounded in the Royal Australian Navy's *Australian Maritime Doctrine* includes most of the types of operations involved with counter-insurgency, such as aspects of combat operations at and from the sea, logistic support to land operations (including naval platforms acting as sea bases), the coercive element of shaping operations, and peace enforcement.[238] These missions are also consistent with the guidance of the RAN's Future Maritime Operating Concept 2025.[239] The Royal New Zealand Navy also includes these roles amongst its operational capabilities across the spectrum of operations.[240] Nevertheless, it may be worthwhile for both navies to consider explicitly the needs of counter-insurgency in future plans and documents. In the RAN's case, these needs could be incorporated into the next edition of the doctrine (to be released in 2010), including relatively unfamiliar aspects such as riverine operations. Many navies do not have formalized maritime doctrine, however, yet the development of such a document may be a useful way by which to assert the need for better surveillance and response capabilities, especially in developing states. Assistance in doctrine development for regional states would thus be a useful capacity-building activity for navies such as the RAN.

8. The naval force structure implications of the growing demand to assure good order at sea and counter insurgency will differ depending on the particular navy in question. Navies already structured primarily for constabulary roles are unlikely to be greatly affected by new demands to maintain good order at sea, although numbers of platforms do count in the final determination of their effectiveness in fulfilling the task. This is especially the case in extensive archipelagos such as those found in Southeast Asia. Even if one counts civil and paramilitary maritime assets in the total available response capability, states such as Indonesia, the Philippines and Malaysia require significantly larger numbers of small or smallish, relatively unsophisticated platforms such as patrol boats and OPVs. Numbers also count for states with vast maritime zones to surveil and protect, such as Australia and New Zealand. For the Royal New Zealand Navy, the induction into service of the Project Protector fleet significantly enhances its ability to perform good order at sea tasks.

More problematic for the RNZN, though, and the NZDF more generally, is the extent to which the New Zealand government will be prepared to maintain a credible

[235] On Britain's post-War maritime counter-insurgency experiences, for example, see Tim Benbow, "Maritime Forces and Counter-insurgency," *Contemporary Security Policy*, Vol. 28, No. 1, April 2007, pp. 80-95.
[236] *Naval Operations Concept 2006*, p. 20.
[237] See, for example, Greg Nash and David Stevens, *Australia's Navy in the Gulf: From Countenance to Catalyst, 1941-2006*, Topmill, Silverwater, NSW, 2006, pp. 78-90.
[238] Royal Australian Navy, *Australian Maritime Doctrine*, RAN Doctrine 1, Department of Defence, Canberra, 2000, pp. 55-68.
[239] Royal Australian Navy, *Plan Blue 2006*, Department of Defence, Canberra, 2006, pp. 10-11.
[240] Royal New Zealand Navy, *2008 Strategic Plan*, RNZN 148, p. 7, figure 1.

maritime combat capability over the medium to long term, with the two *ANZAC*-class frigates badly in need of combat capability upgrades, and which will come to the end of their service lives around 2025.[241] Wellington's attitude to combat capability is potentially problematic. Unfortunately, the *Maritime Patrol Review*'s somewhat complacent attitude towards the potential for New Zealand to become embroiled in armed conflict is perhaps indicative of Wellington's *Weltanschauung*. It is all too easy to suggest that from the perspective of February 2001 it was impossible to predict that the NZDF would soon be fighting in an unconventional war in Afghanistan, yet that example aptly demonstrates the inherent unpredictability of the international strategic environment. The next shock might as easily involve conventional warfare at sea: we simply can not know in advance. The *Maritime Patrol Review*'s view, then, as an example, that "New Zealand does not need to maintain a maritime patrol force that includes an anti-submarine capability,"[242] based on a Defence Policy Framework focused on the New Zealand EEZ and the near neighbourhood,[243] seems incredibly short-sighted.

Indeed, the review takes a rather insular perspective of the sea as a strategic barrier rather than as a medium for commercial and strategic mobility: "New Zealand, protected as it is by large ocean distances, enjoys a degree of isolation from many of the threats to maritime security that concern other countries."[244] Yet as the great American naval strategist, Alfred Thayer Mahan, liked to emphasise, "the sea presents itself from the political and social point of view … [as] a great highway."[245] Distance itself is no guarantor of security, as New Zealand's own history demonstrates,[246] and as contemporary concerns with the Islamist terrorist threat remind us. If the irresponsible, bipartisan political habit of meagre defence spending (at only one per cent of GDP) and deemphasising of combat capabilities continues, however, and the true nature of the strategic environment is not fully understood in Wellington, there is a real danger that maritime elements of the NZDF, which perform primarily coast guard-like functions during peacetime, will morph over time into an actual coast guard in all but name, *sans* warfighting capabilities and thus of minimal utility when warfare next beckons.

For larger, high technology-focused navies, however, the demand for greater constabulary and counter-insurgency presence at sea poses perhaps even more difficult questions of balancing future force structure priorities and financial resources "between the hard and soft variants of maritime security."[247] Thus there are two competing needs for the larger and more sophisticated navies. First, there is a continuing need to maintain a modern warfighting force, which increasingly has become concentrated in fewer and fewer hugely expensive platforms. Second, there are growing demands for forces to conduct constabulary operations and operations in benign environments, such as humanitarian assistance and disaster relief missions, which require small numbers of large but relatively unsophisticated amphibious

[241] Ibid., p. 26.
[242] *Maritime Patrol Review*, p. 23.
[243] New Zealand Government, "The Government's Defence Policy Framework," June 2000, esp. pp. 3-4.
[244] *Maritime Patrol Review*, p. 5.
[245] A.T. Mahan, *The Influence of Sea Power upon History, 1660-1783*, 5th ed., Dover Publications, New York, 1987 (reprint of 1894 ed.), p. 25.
[246] See, for example, I.C. McGibbon, *Blue-water Rationale: The Naval Defence of New Zealand 1914-1942*, Government Printer, Wellington, 1981.
[247] Till, *Globalization*, p. 12.

platforms, and large numbers of patrol assets, such as patrol boats, OPVs, corvettes and frigates and maritime patrol aircraft.

The RAN shares this problem to a certain extent. However, because of its relatively small size and its specialized manpower constraints, RAN force structure already is tightly designed. The future fleet is similarly constrained and will continue to be based around a small number of sophisticated multi-mission ships.[248] There are, therefore, next to no opportunities to trade any of those ships for greater numbers of smaller or less sophisticated platforms. Australia's 2009 Defence White Paper has a strong maritime focus in recognition of the increasingly tense regional strategic environment, and actually plans to increase the size, sophistication and capabilities of future naval platforms[249]; which may in turn create added dilemmas for the RNZN if it becomes less capable over time, therefore making interoperability between the two forces more difficult. Further, if permanent specialized platforms are required in the future by Australia for high seas fisheries enforcement or patrolling in Antarctic waters, these need not necessarily be naval assets; as is the case with the ship currently leased for Southern Ocean operations, the *Oceanic Viking*, such vessels could be operated by Customs or another civilian agency.

System defence: The need for constant strategic vigilance

Lastly, a cautionary note regarding the dangers of perhaps overemphasizing the so-called non-traditional aspects of maritime security needs to be sounded. Whilst many non-traditional aspects are important, especially those of border protection and homeland security, and good order or management throughout the world's oceans, they must coexist with more traditional strategic concerns. States, or at least those states supportive of, and dependent upon, the liberal international *maritime* system of international order, including both New Zealand and Australia, can not choose to focus on either one form of security challenge or the other. We in fact live in an era characterized by a full spectrum of threats: from great power and rogue state challengers to the system, to global insurgency to non-traditional challenges to order. Above all else, however, defence of the maritime system itself is necessary if threats across the spectrum are to be deterred or defeated.

It is fortunate, then, that modern, capable navies are amongst the most highly flexible instruments of policy, able to operate across the spectrum of threats. In order to be able to remain effective agents of system defence, though, freedom of navigation principles must be protected, especially for warships. This comports with Geoffrey Till's identification of a post-modern spin on the concept of sea control, which in a "globalized world … is now less a question of 'securing' the sea in the sense of appropriating it for one's own use, and more of 'making it secure' for everyone but the enemies of the system to use."[250] "Making it secure," however, requires that U.S. and allied maritime power maintains a degree of preponderance and the ability to take full advantage of the strategic mobility afforded by the sea.

The need for continued freedom of navigation poses potentially difficult diplomatic considerations for New Zealand – and even more so for Australia given its geographical

[248] *Plan Blue 2006*, p. 13.
[249] Commonwealth of Australia, *Defending Australia in the Asia Pacific Century: Force 2030*, Canberra, May 2009. For analysis see Jack McCaffrie and Chris Rahman, "Australia's 2009 Defense White Paper: A Maritime Focus for Uncertain Times," *Naval War College Review*, Vol. 63, No. 1, (forthcoming Winter 2010).
[250] Till, *Globalization*, p. 8.

circumstances and its continued close alliance relationship with the United States – due to the assertive positions held by many East Asian coastal states with the intent, or at least ambition, to restrict navigational freedoms. Moreover, some of the non-traditional perspectives on maritime security, ironically themselves a product of liberal thought, also seek to place limitations on that freedom. It is difficult to envisage how a system of good order at sea or ocean governance could be maintained, however, if the international system itself was breaking down. Therefore, the defenders of the international system – not just the United States but also its allies and coalition partners – need to take a strong collective position on maintaining freedom of navigation rights for the naval instruments which are so essential for system defence and maintenance. It is both interesting and encouraging that New Zealand seems to at least imply a right to conduct NZDF operations in the exclusive economic zones of other states by acknowledging explicitly the right of other states to high seas freedoms, including navigation and overflight, in the New Zealand exclusive economic zone.[251]

In fact, it needs to be understood that effective management of the oceans and prioritization of other non-traditional maritime security issues will be unsustainable in times of widespread conflict or chaos. The self-serving and ahistorical assumption held by many proponents of the alternative concepts of security that large-scale wars and dangerous strategic competition are obsolescent or, at least unlikely, is bound to be dashed by future experience – a future that almost certainly will be, like the past, "war prone."[252] For war is a phenomenon that has always existed in human civilization[253]; violent conflict is an inherent characteristic of human nature itself.[254] As military historian Jeremy Black concluded in one of his many studies on the topic: "One prediction seems safe: talk of the obsolescence, even end, of war will prove misplaced, and will be mocked by the rictus on the face of the dead."[255] The current liberal international political system, based around the globalized connections of a sea power-protected order of international trade, is thus facing a multitude of challenges from across the threat spectrum.[256] Defending that U.S.-led maritime system is in the interests of all who benefit from it, and system defence will remain a vital prerequisite for the promotion of liberal ideals and institutions, including the non-traditional security notions of protection and management of the oceans.

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[251] Ministry for the Environment, "Cabinet Paper: Proposal for Exclusive Economic Zone Environmental Effects Legislation," Cab 07-C-0751, Office of the Minister for the Environment, Cabinet Policy Committee, para. 271.b., updated 10 July 2008.
[252] Colin S. Gray, *Another Bloody Century: Future Warfare*, Weidenfeld & Nicolson, London, 2005, esp. chap. 2.
[253] Azar Gat, *War in Human Civilization*, Oxford University Press, Oxford, 2006.
[254] Robin Fox, "Fatal Attraction: War and Human Nature," *The National Interest*, No. 30, Winter 1992/93, pp. 11-20.
[255] Jeremy Black, *War and the New Disorder in the 21st Century*, Continuum, London, 2004, p. 173.
[256] See, for example, Niall Ferguson, "Sinking Globalization," *Foreign Affairs*, Vol. 84, No. 2, March/April 2005, pp. 64-77.

List of Acronyms

AIS	Automatic Identification System
AMIS	Australian Maritime Identification System
APEC	Asia Pacific Economic Cooperation [forum]
ARF	AEAN Regional Forum
ASEAN	Association of Southeast Asian Nations
BPC	Border Protection Command
CBM	confidence-building measure
CSCAP	Council for Security Cooperation in the Asia Pacific Region
CSCE	Conference on Security and Cooperation in Europe
DESG	Domestic and External Security Group
EEZ	exclusive economic zone
IMO	International Maritime Organization
INCSEA	incidents at sea [agreement]
ISPS [Code]	International Ship and Port Facility Security [Code]
IWCO	Independent World Commission on the Oceans
JOPC	Joint Offshore Protection Command
LOSC	UN Convention on the Law of the Sea
LRIT	long-range identification and tracking
MDA	maritime domain awareness
NATO	North Atlantic Treaty Organization
NMCC	National Maritime Coordination Centre
NPCSD	North Pacific Cooperative Security Dialogue
NPD	non-provocative defence
NSC	National Security Committee of Cabinet
NZDF	New Zealand Defence Force
ODESC	Officials Committee for Domestic and External Security Coordination
OPV	offshore patrol vessel
OSCE	Organization for Security Cooperation in Europe
RAN	Royal Australian Navy
RNZN	Royal New Zealand Navy
SLOC	sea line of communication
SMMC	Strategic Maritime Management Committee
SOLAS [Convention]	International Convention for the Safety of Life at Sea
SUA [Convention]	Convention on the Suppression of Unlawful Acts against the Safety of Maritime Navigation
WCED	World Commission on Environment and Development
WCPFC	Western and Central Pacific Fisheries Convention

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