

1994

The Law of Naval Warfare: Targeting Enemy Merchant Shipping

J. L. Holloway III

Richard J. Grunawalt

Follow this and additional works at: <https://digital-commons.usnwc.edu/nwc-review>

Recommended Citation

Holloway, J. L. III and Grunawalt, Richard J. (1994) "The Law of Naval Warfare: Targeting Enemy Merchant Shipping," *Naval War College Review*: Vol. 47 : No. 4 , Article 15.

Available at: <https://digital-commons.usnwc.edu/nwc-review/vol47/iss4/15>

This Book Review is brought to you for free and open access by the Journals at U.S. Naval War College Digital Commons. It has been accepted for inclusion in Naval War College Review by an authorized editor of U.S. Naval War College Digital Commons. For more information, please contact repository.inquiries@usnwc.edu.

the United States continue in a major world role, or should it concentrate on rebuilding its economy after years of neglect, improving its education system, enacting a national health program, and saving American cities? Instead, the author ends by suggesting twelve questions for the reader to think about as history unfolds. One really expected more on the subject from this ambitious book.

DONALD E. NUECHTERLEIN
Charlottesville, Virginia

Grunawalt, Richard J., ed. *The Law of Naval Warfare: Targeting Enemy Merchant Shipping*. International Law Studies, Vol. 65. Newport, R. I.: U.S. Naval War College, 1993. (Available from the Library of Congress Repository)

In this carefully edited and handsomely produced collection of professional papers, Jack Grunawalt has rendered a valuable service to the admiralty lawyers and serious military historians of our time.

The essays and commentary that constitute the basic text of this volume were presented at a symposium on naval warfare in 1990 hosted by the U.S. Naval War College. The authors are the preeminent experts in the law of naval warfare. The quality of their scholarship and the extent of their research in the particular subject of this volume, targeting enemy merchant shipping, is evident throughout.

Each paper examines in its own way the issues involved in targeting enemy shipping, with particular attention to

the validity of a 1936 London Protocol (still on the books) that states, in essence, that a warship may not sink a merchant vessel without having first placed passengers, crew, and ship's papers in a place of safety, considering the existing sea and weather conditions, the proximity of land, or the presence of another vessel which is in a position to take them on board.

Given this focus, the volume could have become a legal copybook exercise on an archaic custom of questionable relevance in today's complex environment of war at sea. Fortunately, it did not. Each paper is developed with a lawyer's logic and supported with historical facts. The essays are so well written and artfully presented that this volume is more than an essential reference work for admiralty law libraries and historians' research shelves. Taken in its entirety, it is a thoroughly readable examination in depth of an element of naval warfare that has recently been brought to the attention of the general public by several popular writers. Pulitzer Prize-winning author Barbara Tuchman, in "The First Salute," pursues the importance of commerce raiding as an element of sea power that was influential in shaping the outcome of the American Revolutionary War. In a less scholarly context, Patrick O'Brian's immensely popular series of historical "Jack Aubrey" novels about the British navy during the Napoleonic Wars deals extensively with the seizure of merchant shipping and the importance of prize money in the Royal Navy.

In general, the essays draw on more recent examples of contemporary

124 Naval War College Review

history, such as the German U-boats in the Battle of the Atlantic and the U.S. Navy's campaigns in the Pacific against Japan in World War II, the Falklands conflict of 1982, and the Persian Gulf "tanker war" of 1982–1988. Each paper and its commentary is complete within itself but also is related to the overall theme. The serious reader will be delighted to find each paper carefully documented with extensive footnotes.

Taken as a whole, Volume 65 of the U.S. Naval War College International Law Studies presents a thorough examination, from a number of varied perspectives, of targeting enemy merchant shipping. It is this comprehensive quality of the book, along with its excellent summary, extensive bibliography, and detailed index, that makes the volume especially valuable to students of contemporary warfare as well as to naval historians and admiralty lawyers. Professor Grunawalt is especially well qualified to serve as editor. He is currently the director of the Oceans Law and Policy Department in the Center for Naval Warfare Studies at the Naval War College. He has the invaluable perspective of a Navy lawyer who, during his active duty days, served as the senior advisor to both the joint theater commander in the Pacific and the Chief of Naval Operations. His preface is an especially articulate and useful summary of the issues covered in this volume.

Clearly, this book will be appealing to more than just a circle of lawyers and historians; these professionals, however, will certainly find this excellent volume

an indispensable component of their libraries.

J.L. HOLLOWAY III
Admiral, U.S. Navy, Ret.
Naval Historical Foundation
Washington, D.C.

Ocean Studies Board, National Research Council. *Oceanography in the Next Decade: Building New Partnerships*. Washington, D.C.: National Academy Press, 1992. (No price given)

It is paramount for a military leader to appreciate and understand the field on which he fights. The naval commander is unique in that he conducts operations in four dimensions: underwater, on the surface of the water, on the land adjacent to the water, and in the air above water and land. Oceanography is the science of analyzing the undersea and its dynamic relationship to the air and land. This short volume of 170 pages is an assessment of U.S. oceanography over the last twenty years and a projection of emerging priorities.

This book provides a sketch of the organization of ocean science: budgets, priorities, the roles of various institutions, scientific direction within the subfields of oceanography, and the relevance of ocean science to civilian and military national priorities. It also contains informative comparative charts and graphs delineating trends in manpower, funding, and direction of oceanography over the last decade.

The volume offers an excellent description of the architecture of federally funded oceanography. Since