

1973

## Book Review

The U.S. Naval War College

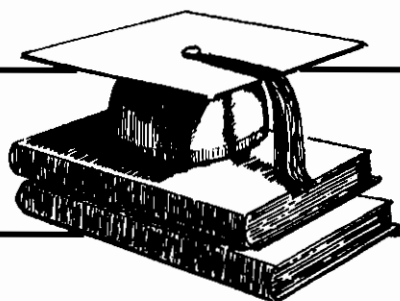
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## PROFESSIONAL READING

Burdick, Brittin H. and Watson, Lise-lotte B. *International Law for Seagoing Officers*, 3d ed. Annapolis, Md.: Naval Institute Press, 1972. 536p.

Admirers of previous editions of *International Law for Seagoing Officers* will be pleased to learn that the newly announced third edition of the work retains those characteristics which established it as one of the benchmarks in its field. The third edition, aimed like its predecessors at presenting "the law in a meaningful way to those who use the sea," features readability, brevity of style, and the familiar lexicon. However, the third edition also signals a new endeavor for this treatise which has served the maritime professional so well in the past. Working within their old framework, authors Brittin and Watson have not only accomplished ably the typical revisory process of inserting new material and editing previous discussions where necessary, but they have also selected pertinent features of the contemporary law of the sea for enlightening and extended commentary.

The arduous process of beating swords into plowshares is essentially consensual, accomplished primarily through agreements often memorialized by treaty, convention, and the like. The resulting information explosion in international law defies orderly perusal by any but the full-time scholar; yet ignorance or unfamiliarity with the practical impact of these agreements often falls hardest on a country's military officers, whose very existence is predicated on

representing national interests in transnational contexts. The third edition of *International Law for Seagoing Officers* will help fill the gap between need (to know) and opportunity (to learn) for officers in the Naval Establishment and allied professions. As a lexicon, it can provide immediate, accurate discussions limited to the principle at issue. For this reason alone, no OOD of a ship operating outside American territorial waters should be without access to it. Yet the importance of this new revision, attested also by the wide following of the previous editions, is not confined to that rationale. Since each principle is discussed in the context of the larger topic it goes to comprise, readers who want more than a conclusory, field-manual approach will find its more expansive treatment extremely helpful. Commanding officers, for example, will find it a convenient means of acquiring perspectives on broader questions such as width of territorial seas, pollution, and status-of-forces agreements.

*International Law for Seagoing Officers* is no longer an esoteric work aimed at a limited readership. Rather, it stands as a solid review of principles found in the law of the sea, useful both to the naval officer with a question at hand and to the reader who wants to learn some of the parameters in this rapidly burgeoning area of international law. The third edition will serve equally well in both capacities.

As with any text, this book is not without its limitations. At \$16.00 the new edition seems to be priced a bit

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high, though such figures are often associated with legal treatises. More importantly, however, daily developments in the international community tend rapidly to overtake international positions which serve as the basis for analysis and discussion. Absent a means for keeping apace of these developments, any text can quickly become dated. An example of immediate significance is the projected 1973 Conference on the Law of the Sea; if the Conference is held and if agreement on salient issues is reached, then a revision of the new text will probably become necessary. Since the authors undoubtedly considered that possibility in selecting the current date of publication, it might accordingly be surmised that they view that event as a potential catalyst for a revision already scheduled to prevent the passing of another decade between editions. Such a view would help ensure the continued service of this significant and valuable treatise.

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Kirkpatrick, Lyman B., Jr. *Captains Without Eyes*. New York: Macmillan, 1969. 303p.

It must seem obvious that the evolution of national strategy—especially in wartime—is as much a product of the assessment of the enemy as it is of one's own military capabilities. Strategic plans based on inadequate or faulty intelligence are analogous to making moves in a chess game while seeing only half of the chessboard. Such decisions are not only dangerous but often disastrous, as the author of this book tells us.

It is intelligence that provides the foresight, that gives the captains their vision. If the captain is provided with complete and accurate intelligence of the enemy and uses it properly, it can lead to victory. If the captain is not given adequate intelligence on the

enemy, or disregards what intelligence is provided, it can lead to disaster. (p. 2)

It is just such disasters that are the subject of this book. Dr. Kirkpatrick has compiled a thoroughly readable and fascinating account of the greatest intelligence failures of the Second World War. In five case studies, woven together in a superb narrative, he demonstrates clearly how the lack of intelligence, or the abuse of available information, can and has led to military catastrophe.

The most exhaustive study deals with the surprise attack on Pearl Harbor. The evidence that such an attack was imminent in December of 1941 is impressive, and when all of it is laid end to end, it forms a shocking indictment of the American military commanders who allowed themselves to be surprised. But what must be kept in mind is that this information was accumulated along with hundreds of other clues that the Japanese would move in another, different direction, and that often messages culled from the Japanese "Purple" code were considered so secret that they were given only very limited distribution. Furthermore, there was no central office where all the intelligence reports regarding Japanese intentions could be compiled and interpreted. So while the evidence as presented by Kirkpatrick appears overwhelming, military commanders in December of 1941 did not have the benefit of his presentation, aided as it is by hindsight. Kirkpatrick himself concludes that "It would be erroneous to fault the U.S. leaders. . . ." (p. 152) The fault, it would seem, lay in the system of intelligence gathering and processing. In 1941 Americans were only beginning to piece together an intelligence organization—the lines of communication were untested and therefore unsure.

The United States was not the only victim of faulty intelligence in 1941. In a chapter entitled "Case Barbarossa," which describes the Nazi attack on

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Soviet Russia, it is difficult to determine which of the combatants was more obtuse: The German high command chose to ignore evidence that the Russian tank corps was larger and more efficient than it had previously judged it to be, and the Soviet leaders refused to believe that Hitler would ignore the nonaggression treaty. One of the most incredible episodes of intelligence-blindness took place just prior to the June 1941 attack. A Czech deserter from the German Army reported to the Soviets the exact time and date of the German invasion, even detailing the disposition of several German units. But despite corroborating evidence of German concentrations on the frontier, Stalin refused to accept the information and ordered the Czech informer shot as a spy only 2 hours before the first German units began crossing the border.

The basic error on both sides lay once again in the lack of a central authority for the collection and interpretation of intelligence. Military intelligence was kept distinct from the data compiled by the Foreign Office, and the escapades of the party security forces on both sides—the NKVD and the Gestapo—only further complicated any attempt to draw available information together to form a meaningful picture. In the words of the author: "There was overlapping and wasteful duplication." (p. 47)

The curious thing about this volume is that it is not really a serious indictment of American intelligence so much as a simple recognition that things seldom work out exactly the way they are planned. Although he chastises Allied intelligence for its inability to accumulate data, Kirkpatrick goes on to explain why that information was unavailable, and on balance it seems that circumstances were more responsible for these five disasters than were the planners, the captains without eyes, or the intelligence agents themselves.

The disastrous Allied landing at

Dieppe, for example, was not an intelligence failure at all. To be sure, there were gun emplacements that had been missed by Allied reconnaissance, but the real reason for the failure of the expedition was a breakdown in communications more than a breakdown in intelligence. Even Dr. Kirkpatrick admits that the expedition accomplished more in the long run than anyone had a right to expect. While the Canadians and British failed to secure even temporary control of the city, the landing had residual benefits in persuading the Germans that an invasion could be stopped at the beaches. It was this belief that caused Hitler to construct the "Atlantic Wall" and deploy his forces along the northern beaches, denying himself a ready mobile reserve.

As at Dieppe, a lack of adequate intelligence is only a partial explanation of the Allied disaster at Arnhem where lightly armed British and American paratroops were dropped literally on top of two German Panzer divisions. While it is conceivable that complete and detailed information regarding the disposition of German troops would probably have led to the cancellation of the drop, the great Allied strategic error was in underestimating a defeated and retreating enemy. Complete and detailed intelligence was not demanded by the Allied planners because they were convinced that the German Army was incapable of serious resistance. This was the same error, incidentally, made by the Allies in the fifth of Kirkpatrick's case studies, the Battle of the Bulge. It is a common error in the annals of military history, whether by General Grant at Shiloh or by General Von Kluck at the Battle of the Marne.

Intelligence, then, is only part of the game, and not the major part. Nonetheless, it is a vital component of a successful strategy. Professor Kirkpatrick expresses the hope that an appreciation of the importance which intelligence, or the lack of it, played in World War II

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will help prevent such failings in the future. But it is doubtful. As long as we remain imperfect, we can expect intelligence failures—whether as a result of missing information, inadequate communication of that information, or faulty interpretation. This fact, however, should not deter us from continuing our efforts. Vigilance is essential, says Kirkpatrick, for “Intelligence can help avert surprise. Powerful and alert defenses may deter attack. Together they may prevent war.” (p. 157)

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Schultze, Charles L., et al. *Setting National Priorities: The 1973 Budget*. Washington: The Brookings Institution, 1972. 468p.

In his budget for Fiscal Year 1973, President Nixon proposed that the Federal Government spend \$246 billion with revenues estimated at \$221 billion. The difference is to be met by deficit spending in the neighborhood of \$25 billion. The principles of Keynesian economics are generally understood well enough so that a deficit of this size in and of itself is not particularly alarming. What is alarming is that there are very definite limitations to the funds available for Federal spending within the next 5 years and that we have just about reached them. The Brookings Institution report on the 1973 budget makes a notable contribution by describing precisely and in some detail the parameters of these limitations.

Tax revenues are generally predicted on the basis of a percentage of the gross national product. When the GNP increases, the total amount of taxes increases with it. Since appropriations are made in specific dollar figures, an increase in the GNP can conceivably produce a revenue surplus. Historically this has been the case in peacetime.

The Brookings report does not discount an increase in the GNP. But it

does point out that even in a full employment economy any revenue surpluses will be more than consumed by a built-in growth of spending under existing and currently proposed programs. The report clearly warns that we are at the outer limits of rational expenditures at least until 1977.

The Federal budget is “the most comprehensive single vehicle for examining practically every aspect of public policy.” It not only indicates where public money is being spent, but it also indicates how it is being spent. Traditionally, the budget was seen as a means for the allocation of national resources: Who gets how much money. Underlying this viewpoint was the assumption that if money were allocated to a certain purpose, the job would be done. However, the U.S. Government now provides direct services to many people, especially to the poor. Underlying this relatively recent development is the assumption that poverty can be eliminated not so much by cash income as by the provision of medical care, preschool programs, job training, and so forth. Today the standards of performance are measured not so much by the simple establishment of a program and the expenditure of funds as they are by the achievement of specific social objectives: Are the children better educated, not, do they have more books? Are people healthier, not, is treatment available?

The Brookings report is quite frank when it confesses that little is known of what does or does not work in the area of social and institutional behavior covered by these newer programs. Indeed, this observation crystallizes what can best be described as a public malaise that in many instances government just does not seem to be working.

Today the budget process is no longer just a method of allocating resources, but it comprises a determination of how national purposes can be best achieved. The adoption of many

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extensive social welfare programs (and weapons systems) does not always produce an immediate major budgetary effect; that is, an outlay of funds. This effect is usually experienced only after a program has been adopted for a few years. The Brookings report sensibly recommends a 5-year budget, with annual review, in order to take into account the longer range effects of current or proposed programs.

Not too long ago there was a spirited public debate over the propriety and even the wisdom of the Federal Government undertaking various social programs. The Brookings report does not revive this debate, but it does point out that there are at least three areas which the Federal Government can handle much better than State or local governments: (1) Research, demonstration, experimentation, and dissemination of information. (2) Regulation and inspection of national industries. (3) Redistribution of resources through taxation and subsidy.

The section on taxation is particularly interesting and useful, because it is a concise, but thorough, discussion of present taxes and proposed reforms. Rather than advocate one reform or another, the Brookings report discusses the effects of the various possibilities. In this respect it illumines a complicated area that is frequently discussed with far more heat than light. There are similar illuminating discussions on income sup-

port, health insurance, child care, fiscal problems of the cities, education, and the environment.

The defense budget is discussed first, because it comprises the largest single Federal expenditure. The Brookings report notes that reasonable men with approximately the same outlook can differ to the extent of \$20 billion in the FY 73 Defense budget. This wide range of difference is the result of an analysis of the size and composition of striking, sea, ground, and air forces necessary to accomplish the same missions. Obviously, it represents the upper and the lower ends of the risk spectrum.

The message of the Brookings report for the professional military officer is loud and clear: we cannot count on the fiscal dividend in the years ahead to make more funds available for defense purposes. This means the military professional must more than ever before clearly identify and recommend to the President and to the Congress a rational national military policy and its derivative, strategy. Rather than deal with the hypothesis of the one-and-a-half war strategy, the professional military must establish an order of priority of those areas and situations which the United States must control and then ensure that the size and composition of the U.S. military forces are appropriate for the purposes desired.

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Books, we are told, propose to *instruct* or to *amuse*. Indeed! A true antithesis to knowledge, in this case, is not *pleasure*, but *power*. All that is literature seeks to communicate power; all that is not literature, to communicate knowledge.

*Thomas De Quincey: Letters to a Young Man*