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## "THEY WERE PLAYING CHICKEN"

### The U.S. Asiatic Fleet's Gray-Zone Deterrence Campaign against Japan, 1937–40

*Hunter Stires*

**T**he United States is facing a significant strategic challenge to its interests, allies, and leadership of the liberal world order from an increasingly wealthy, well-armed, and assertively nationalistic China. Whether through the seizure of maritime features and the construction of artificial island fortifications in the South China Sea, the aggressive use of maritime law enforcement to articulate and impose its nationalistic territorial claims on its neighbors, or attempts to restrict military and civilian freedom of navigation in international waters, Chinese forces are working to undermine and revise the political and geopolitical status quo in East Asia.<sup>1</sup> These subtly assertive steps, which stop short of open warfare, constitute a category of activity known to contemporary military thinkers as *gray-zone aggression*.<sup>2</sup> Current U.S. policy makers and the forces at their com-

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mand struggle to find effective countermeasures against this strategy, which operates by incremental "salami-slice" actions that individually fall below the thresholds that normally would justify a military response but cumulatively achieve the political-strategic revision to the status quo that conventional deterrence aims to prevent.<sup>3</sup>

However, this is not the first time the United States has faced such a destabilizing challenge in the western Pacific. Starting in 1937, Japanese forces invading metropolitan China undertook a concerted campaign to expel U.S., British, and other Western interests from that country as part

of imperial Japan's broader effort to dominate East Asia and actualize the popular jingoistic slogan of "Asia for the Asiatics."<sup>4</sup> Japanese moves against the West during this period bear striking resemblance to those of China today, including blockades of key foreign outposts, attempts to infringe on free navigation in recognized international waterways, and the harassment (and at times open attack) of foreign warships.<sup>5</sup>

Against this Japanese gray-zone campaign stood the U.S. Navy's small but highly experienced forward-deployed contingent in the western Pacific, the U.S. Asiatic Fleet, with its thirty-nine warships and five thousand "old China hands" under the command of longtime Asia specialist Admiral Harry E. Yarnell, USN. With a combination of individual initiative and delegated authority from Washington, Yarnell adopted a policy that U.S. naval forces would protect American citizens in China wherever they were in danger for as long as necessary and assume a forward-leaning force posture of deterrence through persistent presence and engagement. During the period of its implementation between 1937 and 1940, Yarnell's assertive and dynamic approach was markedly successful at protecting American nationals and comprehensively deterring Japanese encroachments against American interests. Eighty years on, the dynamics of imperial Japan's gray-zone aggression against the United States and its Western partners during the invasion of China and the U.S. Asiatic Fleet's experience in countering these efforts offer an important, yet thus far little-known, case study for contemporary American policy makers and commanders seeking to contextualize and find solutions to twenty-first-century gray-zone challenges.

## CHINA AS CHESSBOARD

An examination of the operating environment in 1930s China provides important points of comparison to circumstances prevailing now. Although that era is remembered (not least by today's ruling Chinese Communist Party) for the colonized-colonizer relationship between a largely prostrate China and the foreign powers that had dominated it since the nineteenth century, China in its weakness was also very much a playing field among the imperial powers themselves.

### *Position of the Foreign Powers in China*

With the virtual elimination of German, Austro-Hungarian, and Russian imperial influence from China following the First World War and the Bolshevik Revolution, the chief foreign powers in China in the 1930s were Japan, Great Britain, the United States, and France. Each of these countries had significant economic interests in China and maintained forward-deployed military and naval forces for their protection. As Yarnell reported in a January 1938 letter to U.S. High Commissioner for the Philippines Paul V. McNutt, before the start of Sino-Japanese hostilities in the July 1937 Marco Polo Bridge Incident, Japan had the largest

foreign presence, with one hundred thousand nationals living in China and three hundred million yen (roughly U.S.\$89 million) in trade with China in 1934.<sup>6</sup> By Yarnell's assessment, Great Britain was next in importance, with fifteen thousand nationals in-country, one thousand business firms, and one billion dollars in investment. After Japan and Britain came the United States, with ten to eleven thousand citizens and \$230 million in investment, including the property of two to three thousand missionaries. France was a distant fourth, with three thousand citizens and two hundred firms. Germany and Italy also were present, but to a lesser degree.<sup>7</sup>

By 1937, the foreign powers maintained two general international settlements in China, one at Shanghai on the south shore of the Whangpoo River and one at Amoy on the island of Kulangsu, as well as a number of national concessions, particularly the British and the French at Canton and the British, French, and Italians at Tientsin.<sup>8</sup> According to Kurt Bloch, writing for the Institute of Pacific Relations' *Far Eastern Survey* in May 1939, "the bulk of China's foreign trade is handled by foreign and Chinese merchants resident in concessions and settlements. Indeed, for eighty years prior to the outbreak of the present conflict, no less than 50% of China's foreign trade passed through Shanghai alone."<sup>9</sup>

#### *Rights of Foreign Powers in China Enshrined by Treaty—Relevant Analogue to Today's International Legal Landscape*

In its capacity as a chessboard, China held a unique legal status as an imperial—if not quite global—commons that contributes to its usefulness as an analogue to the present. In that era, the process of formal codification of global international law had progressed primarily to issues of nationality and armed conflict rather than the more expansive system today that seeks to regulate state conduct across a far wider spectrum of activities.<sup>10</sup>

However, international law was codified more extensively inside China than it was outside, with imperial activity in China regulated through a series of treaties between China and the great powers that expressly delineated foreign rights and privileges there. This patchwork body of accumulated bilateral and multilateral jurisprudence operated on a general international basis in accordance with the accepted principle of equal opportunity and equal treatment of foreign powers and citizens engaged in commerce in China. This had key implications for questions of freedom of navigation and maritime law in particular.<sup>11</sup> Unlike on the broader oceans, which remained subject only to customary international law until the postwar United Nations Convention on the Law of the Sea, on Chinese waterways international freedom of navigation was enshrined specifically as far back as the Tientsin Treaties of 1858–59.<sup>12</sup> International settlements and concessions were given similar legal recognition.<sup>13</sup> Accordingly, Japanese gray-zone aggression and attempts at coercion took place against a backdrop of the defenders'

explicit legal rights—as Chinese gray-zone aggression and coercion in the South and East China Seas typically do today.

*The U.S. Asiatic Fleet in 1937: Strategic Predicament of Western Forward-Deployed Naval Forces*

During the interwar period, the Asiatic Fleet was the latest incarnation of the U.S. Navy's forward-deployed force in the western Pacific, maintained continuously since 1835 except for a brief interruption during the American Civil War.<sup>14</sup> In 1937, the Asiatic Fleet was composed of thirty-nine ships: two cruisers, thirteen aging destroyers, six small submarines, three oceangoing gunboats, seven river gunboats, three minesweepers, two tankers, two tenders, and one armed yacht.<sup>15</sup> Although its nominal area of responsibility stretched from the Persian Gulf to the international date line, its limited resources meant that the Asiatic Fleet's chief purpose was of a diplomatic and constabulary nature—specifically, safeguarding American interests in East Asia.<sup>16</sup> “Interests” were taken to mean lives, property, commerce, diplomatic outposts, treaty rights, and, after 1898, colonial possessions in the Philippines, which the U.S. Asiatic Squadron under Commodore George Dewey first acquired in the opening action of the Spanish-American War. The Asiatic Fleet's focal point was unquestionably China, given the significant American economic and diplomatic interests and foreign imperial activity there.

Despite its small size, after 1919 the Asiatic Fleet's commander was always a four-star admiral, one of just four in the U.S. Navy at the time. This practice was meant to ensure that the senior American naval representative in China would not be outranked by his European and Japanese naval and military counterparts in the vital diplomatic exchanges that were at the center of the Asiatic Fleet's role.<sup>17</sup>

Western forward-deployed naval forces, specifically the U.S. Asiatic Fleet, the Royal Navy's China Station, and the French navy's Far East Squadron, faced a strategic situation that starkly resembles the one faced by the Japan-based elements of the U.S. Seventh Fleet today. Each of these formations were and are relatively small contingents of large but distant navies, facing down the concentrated forces of an increasingly avaricious, regionally based peer competitor whose heavy battle squadrons would take only hours to sortie from their home bases to the locations of the interests at stake, as opposed to the weeks of steaming time that separated—and continues to separate—the China seas from major Western fleet concentration areas on the U.S. West Coast and in the Mediterranean. As a result, the Western fleet commanders were faced with the challenge of safeguarding their nations' interests and international treaty law from an unescapable position of local material disadvantage and military inferiority in the event of a hostile contingency.

*Militant Ultrationalism and Lack of Civilian Oversight as Sources of Factional Complexity, Unaccountability, and Danger*

Over the course of the interwar period, Japan was riven by political turmoil and spates of assassinations fomented and conducted by nationalist and pan-Asianist officers in the Imperial Japanese Army and Navy (IJA and IJN, respectively). This was followed in 1931 by the IJA's abandonment of any remaining pretense of subservience to civilian authority when it seized Manchuria from China on its own initiative—and, according to Yarnell, “without the knowledge or consent of the Premier or responsible civil officials in Tokyo.”<sup>18</sup> In the interim between the takeover of Manchuria and the Marco Polo Bridge Incident, the IJA and IJN secured near-complete domination over the political scene at home, with the IJA the more powerful of the two rival services. The civilian government, although nominally still in charge, was essentially powerless and largely blind to the actions being taken in its name. This had significant implications for American diplomacy, as Yarnell observed in July 1939:

During the present controversy, the rights of Americans in the Far East have been upheld vigorously by the State Department. Had our notes been addressed to a government which retained control over its armed forces, some recognition of our rights might have been obtained. . . . It should be recognized however that the Tokyo government is generally impotent to deal with or give decisions regarding affairs and incidents in China. In many cases it is entirely ignorant of what is going on. It has been stated on good authority that the Foreign Minister was not aware of the seizure of the Spratley [*sic*] Islands by the Japanese Navy until a few hours before a protest was made by the French Ambassador.<sup>19</sup>

Beyond the breakdown in Japanese civil-military relations, the Japanese armed forces, and the IJA in particular, were themselves split between higher-ranking commanders and their virulently nationalistic field-grade subordinates. The latter sought to dictate strategy, and at times even national policy, through their actions in the field. Yarnell wrote:

The “younger officer” element in the Army, and to a lesser extent in the Navy, is a factor which renders uncertain any policy which may be formulated by officials in Tokyo. These officers may in certain cases dictate to their superiors as to policies to be followed. Failure to be guided by the young officers may result in assassination. Conservative or liberal minded senior officers of the Army and Navy naturally hesitate to assert themselves and may in self defense be forced to assume a chauvinistic attitude.<sup>20</sup>

These twin dynamics had several important implications for Yarnell and the Asiatic Fleet. First, State Department channels to the civilian government in Tokyo would have little impact and could not be relied on to produce

material results in the operational theater. Military-to-military diplomacy among in-theater commanders would be considerably more valuable from a practical standpoint, thereby stressing the function of the Commander in Chief, Asiatic Fleet as naval diplomat. At the same time, however, interacting with and affecting the calculus of leaders on the strategic level would not be enough to deter Japanese field-grade subordinates from taking local, aggressive actions against American interests. The combination of the lack of political oversight with the independence of Japanese officers at low levels of command reduced accountability, increased situational uncertainty, and raised the risks associated with U.S. deterrent actions, while accentuating the need for effective U.S. deterrence down the chain of command to a very localized scale.

Today, although Chinese president Xi Jinping has been at least outwardly successful in his campaign to subordinate the People's Liberation Army (PLA) to the Chinese Communist Party and his own will, there are in contemporary China some disturbing echoes of the conditions that led to interwar Japan's breakdown in civil-military relations and command and control. From an institutional organization standpoint, there is but one civilian (Xi Jinping) in the Central Military Commission atop the PLA chain of command, which is a tenuous arrangement for the oversight of an armed force with a long-standing independent streak that now is being repressed severely by that lone civilian autocrat.<sup>21</sup> Xi and his close uniformed partner, Central Military Commission vice-chair General Xu Qiliang, have purged over sixty generals as part of the national anticorruption campaign, which reports indicate already has contributed to an atmosphere of restiveness and instability in the ranks, officer corps, and associated civilian elites.<sup>22</sup> On the grassroots level, the Chinese Communist Party since 1989 has used a heavy hand inculcating popular nationalism to legitimate its rule to the generation that has grown up since the Tiananmen Square crackdown and now has begun entering the junior levels of the PLA.<sup>23</sup>

With the present strongman-oriented governmental organization and nationalist propaganda campaign likely to persist in the short-to-medium term, the combination of weak institutional civilian oversight and popular nationalism in the ranks could prove explosive. Recent military veteran protests against poor retirement benefits and job prospects similarly bode ill for stability across China's broader military community.<sup>24</sup> This combination of factors leaves open the likelihood that Xi and Xu's personal vise grip on China's armed forces conceivably could weaken over the course of their tenure or fail to transfer to their successors, all the while agitating those officers desiring more political autonomy or more hardheaded nationalism in Chinese policy abroad than the party leadership is willing to countenance. Such a situation could lead to an increase in incidents involving subordinate PLA commanders taking aggressively risky independent



action or to a potentially dangerous PLA institutional move back toward independence from civilian political control.<sup>25</sup> Given these presently existing circumstances in China today, the case study of the military and civil-military politics of interwar imperial Japan and the resulting dynamics for foreign forces is worth consideration, both now and in coming decades.

## JAPAN INVADES CHINA

### *"A Short, Sharp Campaign": Then and Now*

In July 1937, the IJA embarked on what its general staff envisioned would be a limited expeditionary operation to seize five northern Chinese provinces, an operational concept that Yarnell later characterized as "a short, sharp campaign of two or three months."<sup>26</sup> Yarnell's analysis of imperial Japanese anticipation (and, ultimately, wishful thinking) of a brief rather than a protracted military action would be echoed hauntingly in the Chinese context in 2014 by Captain James E. Fanell (USN, Ret.), then deputy chief of staff for intelligence and information operations for the U.S. Pacific Fleet. On a panel at the 2014 WEST Conference, Fanell publicly stated his assessment that the contemporary PLA "has been given a new task: to be able to conduct a short, sharp war to destroy Japanese forces in the East China Sea, followed by what can only be expected [to be] a seizure of the Senkakus or even the southern Ryukyus, as some of their academics write about."<sup>27</sup>

In 1937, however, Nationalist Chinese leader Chiang Kai-shek defied misguided Japanese expectations that he would either consent to the seizure of his northern provinces or fight Japan's preferred limited, localized war in the remote north.<sup>28</sup> Chiang instead surprised the Japanese by laterally escalating the conflict, sending his best divisions to attack the small IJN garrison in Shanghai. The Japanese then counterescalated vertically by significantly increasing the resources allocated to China and expanding Japanese war aims to include the occupation and domination of China in its entirety and the destruction of the Nationalist Chinese government.<sup>29</sup> After two months of intense urban combat in Shanghai, Chiang's forces were compelled to withdraw, and as winter approached the Japanese moved inland toward the Nationalist Chinese capital at Nanking.

### *Japan Enters the Gray Zone*

The above sequence of events is remembered in hindsight as the initial phase of the conflict known as the Second Sino-Japanese War. Yet this modern nomenclature is largely retrospective. When the Japanese invaded China in 1937, neither side formally declared war, so the fighting, despite its high intensity and heavy casualties, was referred to in Japanese (and later also American) writings as a Sino-Japanese "incident," with the rhetorical implication that this outbreak was



just the latest in a long sequence of local clashes between an imperial power and a country under varying degrees of foreign occupation and domination.<sup>30</sup> This seemingly euphemistic terminology had implications for the conflict's legal status and, by extension, for the conduct of the belligerents and the neutral powers. By not declaring war, both Japan and China legally denied that one existed, forgoing for themselves any claim to "belligerent rights," such as the right to declare a blockade and enforce it on neutral commerce. The unique landscape of international law in China also was unaffected by hostilities, declared or undeclared. All past agreements and treaties providing for international freedom of navigation on Chinese rivers remained in effect, and indeed stipulated that neutral powers could continue to sail Chinese waters even if China was in a declared state of war with another foreign power.<sup>31</sup>

In this legal environment, Japanese attempts to dictate affairs in the international settlements or impose restrictions on neutral freedom of navigation in Chinese waterways under Japanese military control were neither in accordance with law nor legally binding on neutral powers. Therefore, Japanese revisions to the status quo vis-à-vis neutral Western powers in China would require either the use of force to compel change or the de facto assent of a cooperative adversary. Since the greater portion of the Japanese officer corps, apart from the most extreme, recognized the at least momentary undesirability of open war with the West, Japan's revisionist gray-zone campaign against Western interests manifested itself in a mixture of outwardly innocuous requests, more-menacing impositions, and occasional outright intimidations designed to gain this assent.

Japan's gray-zone assertions against neutral powers started in August 1937, around the time its forces began to gain the upper hand in Shanghai. These early probing actions took the form of attempts to impose Japanese will in various respects on the other powers. For example, they closed the area of the Shanghai international settlement normally patrolled by Japanese forces in peacetime to nationals of other powers, and then after the fighting had moved on they required passes and permissions for residents to reenter to inspect or remove their property.<sup>32</sup> This action disregarded rights to free movement within the international settlement and infringed on the administration of the multinational Shanghai Municipal Council.<sup>33</sup>

More pressingly, the Japanese attempted to restrict international navigational rights—which soon became a key sticking point. These restrictions began with a proclamation by Vice Admiral Kiyoshi Hasegawa, commander in chief of Japanese naval forces in the Shanghai area, without advance notice to Yarnell or any of the other foreign admirals in China, of a "peacetime blockade" of the China coast, directed against Chinese shipping, with the caveat that foreign ships "will

be liable to boarding by Japanese naval authorities bent on ascertaining their true nationality in case of doubt."<sup>34</sup> Hasegawa followed with a request on September 1, 1937, in response to an inquiry on the matter from Yarnell, for notification of movements by American vessels in the proscribed zone.<sup>35</sup> Most importantly, with the victory in Shanghai and movements west toward Nanking, the Japanese gained military control of the Yangtze River and began to assume the right to grant or refuse permission to navigate it to other powers—contrary to treaty rights.<sup>36</sup> This issue would become the key point of gray-zone contention between Japan and the West between late 1937 and mid-1939.

The gray-zone confrontation took on new urgency as Japan and China reached a battlefield stalemate between 1938 and 1939. After a series of operationally successful Japanese offensives nevertheless failed either to bring the Chinese government to terms or to impose Japanese control over the restive countryside, the Japanese came to regard the Nationalist Chinese bullion reserves, some of which were held in the vaults of Western banks within the international settlements and concessions, as a potential means of forcing an end to the war through economic strangulation. In mid-1939, therefore, the Japanese embarked on their most aggressive gray-zone offensive yet: blockading the British and French concessions in Tientsin, introducing landing troops into the foreign concession on Kulangsu in Amoy Harbor, and seeking to close China's last open seaports—Swatow, Foochow, Wenchow, and Ningpo—to foreign shipping. According to Yarnell, "the taking over of these Concessions, giving them absolute control of [China's] trade and finance, and the capture of the silver stocks now in Concession banks would be equivalent to many victories on the battle field."<sup>37</sup>

## THE YARNELL STRATEGY AND ITS IMPLEMENTATION

Yarnell's responses to the spectrum of Japanese impositions show a consistent approach of polite but firm resolve, characterized by

- Continuous military-to-military diplomatic contact asserting American rights and challenging Japanese infringements on the spot
- Persistent physical U.S. force presence at the point of Japanese gray-zone attack
- Development of the Asiatic Fleet's organizational culture around the principles of forward presence, particularly regarding the exercise of independent judgment and action by on-scene commanders and subordinates

With these approaches, Yarnell accepted inherent risk attendant to maintaining presence in war zones and defending U.S. interests against gray-zone aggressions from a malignant, militaristic force unchecked by civilian control.

### *Sending U.S. Force Presence toward the Sound of the Guns*

Backed by an American national policy of “standing adamantly on all American rights of property and person,” Yarnell laid out the foundations of his strategy in a statement of policy of the U.S. Asiatic Fleet on September 22, 1937.

The policy of the Commander in Chief during the present emergency is to employ U.S. naval forces under his command so as to offer all possible protection and assistance to our nationals in cases where needed. Naval vessels will be stationed in ports where American citizens are concentrated and will remain there until it is no longer possible or necessary to protect them or until they have been evacuated. This policy . . . will continue in full force even after our nationals have been warned to leave China and after an opportunity to leave has been given. . . . In giving assistance and protection our naval forces may at times be exposed to dangers which will in most cases be slight, but in any case these risks must be accepted.<sup>38</sup>

This approach was assertive and forward leaning, placing U.S. warships in the midst of active combat to protect American interests. Indeed, Yarnell deployed the bulk of the Asiatic Fleet to Shanghai within hours of the initial outbreak of fighting there. Charles Henry Kretz, who served between 1937 and 1938 as first lieutenant and gunnery officer of the destroyer USS *Bulmer* (DD 222), offers a vivid account of his ship’s arrival at Shanghai on September 1, 1937. The ship entered the mouth of the Yangtze

during the actual landing of the Japanese at Woosung. We went right through the Japanese fleet as they were bombarding the shore, with troops along the shore and landing craft on the beach. . . . We were right in the middle of the combat, with shells flying around all around us. We proceeded on up the Whangpoo River to the Texaco compound, where we moored to a pontoon . . . to guard the Texaco compound. We were there for months . . . we were right in the midst of most of the fighting. It was all around us. . . . The Japanese would come up with their destroyers and cruisers firing point-blank into the opposite bank of the river. When they’d get near us, they’d stop firing, turn around and salute us, and as soon as they passed, open fire again.<sup>39</sup>

As the Japanese expanded the conflict beyond Shanghai to different ports, U.S. Asiatic Fleet ships would steam toward the sound of the guns, shadowing Japanese operations and taking up station to guard American interests and maintain comprehensive deterrence.

Presence operations of this type proved their value in 1939 with the start of the Japanese economic strangulation campaign against the Western concessions and the remaining open Chinese ports. An illustrative example is the Swatow incident in June of that year, when a Japanese expeditionary force took the treaty port of Swatow, where approximately forty American and eighty British missionaries resided, and demanded the withdrawal of the destroyers USS *Pillsbury* (DD 227)

and HMS *Thanet*. Yarnell replied by ordering *Pillsbury* to remain; dispatching a second U.S. destroyer to the scene (a move that the British emulated); and communicating to his Japanese naval counterpart, Admiral Koshiro Oikawa, "that the paramount duty of the United States naval vessels is the protection of American citizens and that they will go wherever necessary at any time to carry out that mission and will remain in such place as long as American citizens are in need of protection or assistance."<sup>40</sup> Faced with this unambiguous commitment, the Japanese relented.

### *Operational Hazards from Both Mistaken and Intentional Attack*

The dangers of accidental damage or mistaken attack during these operations were considerable—during the first phase of the battle of Shanghai, U.S. warships were bombed mistakenly five times by Chinese aircraft and struck by errant anti-aircraft shells and shrapnel on numerous occasions. Yarnell's flagship, USS *Augusta* (CA 31), was nearly a victim of a Chinese bomb that fell just twenty yards wide of the ship, less than half an hour after arriving at the mooring buoy on the Whangpoo on the afternoon of August 14, 1937. It suffered one man killed and seventeen wounded when an anti-aircraft shell exploded on the ship's well deck six days later.<sup>41</sup> In October of that year, Yarnell himself was conversing with his chief of staff on *Augusta's* bridge wing when a piece of shrapnel wounded a radio-man standing between them. Most infamously, Japanese naval aircraft mistakenly bombed and sank the gunboat USS *Panay* (PR 5) on December 12, while *Panay* was escorting three merchantmen engaged in noncombatant evacuation operations from Nanking.<sup>42</sup>

The pursuit of Yarnell's strategy frequently required Asiatic Fleet ships to place themselves in tactically vulnerable positions as they interposed themselves between a militaristic, unpredictable, aggressive adversary and coveted objectives. The risk to American forces was only "slight" so long as the Japanese—which is to say, whichever Japanese officer happened to be in tactical command in the vicinity—did not choose to start a fight with the United States by simply destroying the vulnerable American unit before them. While the bombing of *Panay* was a genuine case of misidentification by overzealous Japanese fliers without a strike plan, outright deliberate attacks did take place.<sup>43</sup> Earlier on December 12, an ultranationalist Japanese artillery officer, Colonel Kingoro Hashimoto, chose to open fire on a pair of British gunboats operating off Wuhu, and subsequently sent soldiers under his command to machine-gun the decks of the sinking *Panay* a few hours later.<sup>44</sup>

At the time of the attack on *Panay*, the destroyer *Bulmer* was riding at anchor in Tsingtao between two Japanese cruisers. According to Kretz's later recollection, *Bulmer's* crew was acutely aware of the ship's all-but-certain fate should

war break out between the United States and Japan at that juncture: “When we learned of the sinking of the *Panay*, we immediately put warheads on our torpedoes. We kept six torpedoes trained on each of these Japanese cruisers day and night. . . . They didn’t have the torpedoes, but they had their guns . . . they were trained on us. But if we weren’t going to get out, there were two Japanese cruisers that weren’t going to get out either.”<sup>45</sup>

### *Deploying Four Stars*

Yarnell was particularly effective in his use of the diplomatic stature associated with his own four-star rank to assert American rights in the face of Japanese navigational restrictions and blockades. In June 1938, the Japanese delivered letters to U.S. ambassador to China Nelson T. Johnson requesting that neutral ships evacuate a 326-mile zone of the Yangtze between Wuhu and Hankow and provide notification of future movements. In addition, in light of past difficulties regarding identification of neutral vessels from the air, the letters expressed that Japanese air commanders “earnestly hope[d] . . . that the Powers concerned would find out a new method to make their vessels more distinguishable, for example, such as painting the greater part of the vessels SCARLET [emphasis original] or in other colours.”<sup>46</sup> Yarnell flatly refused to repaint or restrict the movements of U.S. warships on the Yangtze and reiterated that Japanese forces must hold themselves accountable for damage to American lives and property.

Later that month, Yarnell cruised aboard the Asiatic Fleet’s armed yacht and relief flagship USS *Isabel* (PY 10) from Shanghai without Japanese naval escort to Nanking, downriver of the purported “danger zone” but nevertheless penetrating an area that the Japanese previously had pronounced impassable to foreign shipping.<sup>47</sup> Yarnell then repeated the maneuver with U.S. consul Clarence Gauss aboard in January 1939, proceeding as far as Wuhu and proclaiming to reporters that, in light of the area’s lack of fighting, clearance of previous navigational barriers, and presence of many Japanese transport ships on the river, he saw no reason why the Yangtze should not be open to international shipping.<sup>48</sup> Since the Japanese could not well impede the passage of an American four-star admiral on an inspection tour without causing a serious incident, Yarnell used himself as a powerful diplomatic chess piece to ensure the success of what today would be labeled “freedom of navigation operations” that asserted American navigational rights on the Yangtze while undermining the public Japanese position that the river was not physically safe.

### *Fostering a Mission Command Culture*

Yarnell also harnessed and nurtured his force’s distinctive organizational culture, which encouraged independent action and judgment on the part of relatively

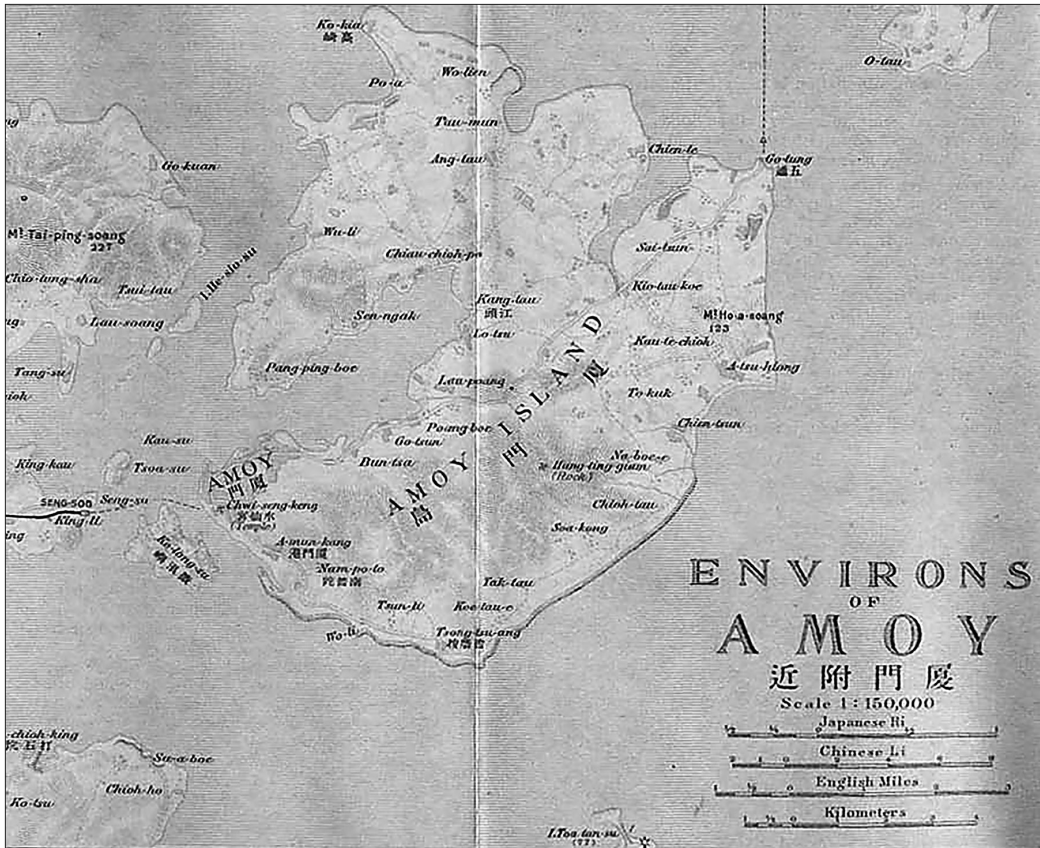
junior officers in high-stakes political-military-diplomatic situations. This sensibility was inculcated well down the chain of command, as was the case with Kretz's ship, USS *Bulmer*, at Amoy in July 1938. The Japanese had conducted an amphibious landing on Amoy Island in early May of that year, leading to a significant exodus of civilians from Amoy into the international settlement on the adjacent island of Kulangsu. Japanese troops occupied Amoy Island, while the Chinese held the shore of the mainland. Yarnell sent *Bulmer* to relieve the destroyer *Edsall* (DD 219) at Amoy in early July with broad, mission-type orders, which *Bulmer*'s commanding officer, Walter Ansel, later recounted were simply "to protect American interests' . . . that's all I could get out of him."<sup>49</sup> Ansel described his approach to this tasking with a frank, clear-eyed assessment of the potential range of action open to on-scene commanders with such instructions and of the implications of a captain's performance on his career prospects: "If you protected them [American interests] and met emergencies which couldn't be anticipated and you did something that was a little extreme or maybe impulsive and succeeded, you were a duke. But if it turned out sour and you caused trouble, if the problem intensified, why, of course, you . . . weren't doing very well and you could be yanked out."<sup>50</sup>

The anchorage for U.S. station ships in Amoy was chosen to ensure line of sight to the two major American interests in the vicinity: the U.S. consulate facing Amoy on Kulangsu and a Standard Oil installation on the Chinese mainland on the far side of Kulangsu from Amoy (see figures 1 and 2).<sup>51</sup> With *Bulmer* anchored in this key position, Japanese artillery began to fire directly over the American ship to hit purported Chinese positions on the mainland, and as Kretz later explained, "periodically, they'd land a shell as close to us as they possibly could."<sup>52</sup> On the third day, Ansel resolved as follows:

It was obvious to me that they were shooting to get me out of that anchorage, just to show me they could do it. So I got in my gig, with my dress clothes on, my sword, and a pennant flying and landed on the Japanese shore. . . . There was a Japanese naval aide . . . and they [the aide and an interpreter] carried me up to the boss Admiral. I told him that shells were flying every day right over my ship. . . . The admiral asked right away, is it interfering with any of your instruments? I said, 'No, we have no instruments that shelling could hurt. However, if one of your gunners makes a mistake and the shell doesn't go over us, I would have to reply with everything that the United States ship *Bulmer* has. . . .' And he said, 'I have great confidence that we will never make a mistake like that.' I had to reply that I had great confidence in the capabilities of the United States ship *Bulmer* to defend herself, and we looked at each other and laughed. They didn't fire over us again.<sup>53</sup>



**FIGURE 1**  
**ENVIRONS OF AMOY**



This figure shows detail of environs of Amoy. The Standard Oil plant is at the terminus of the railway (black line) marked Seng-su, to the west of Kulungsu. Sources: *An Official Guide to Eastern Asia*, vol. 4, *China* (Tokyo: Imperial Japanese Government Railways, 1915), available at [www.lib.utexas.edu/](http://www.lib.utexas.edu/); P. W. Pitcher, *In and about Amoy* (Shanghai: Methodist Publishing, 1910), pp. 215, 266, e-book.

Ansel’s narrative is not, however, the whole story. While the captain and the executive officer were meeting with the Japanese, Kretz, as first lieutenant, had command of the ship. Kretz recounts that, during this period while the senior officers were engaged in their diplomatic tête-à-tête ashore, “the Japanese let one go right on our bow.”<sup>54</sup> Accordingly, Kretz demonstrated his own Asiatic Fleet initiative and steely nerve: “I went to general quarters and aimed our 5-inch guns on this gun emplacement, which I could see not more than 500 yards from us. And they stopped firing on us.” Reminiscing years later, Kretz aptly described the deterrence dynamics at work both in this specific situation and more broadly in the Japanese gray-zone campaign with a succinct summation: “they were playing chicken.”<sup>55</sup>

**JAPAN EXITS THE GRAY ZONE**

Despite its successes on the operational level at checking and deterring Japanese gray-zone aggression against American interests in China, the small Asiatic Fleet



**FIGURE 2**  
**HSIA-MEN (AMOY), 1945, DETAIL OF KULANGSU**



American consulate marked, facing Amoy across Amoy Harbor. Approximate distance from Kulangsu to Amoy is one-half mile. Standard Oil plant on mainland at Seng-su is one mile to the west of Kulangsu (not on map). U.S. destroyers seeking to maintain line of sight to both the consulate and Standard Oil therefore had to moor to the north of Kulangsu, close to Amoy Island; as Kretz indicates, *Bulmer* was five hundred yards from the offending Japanese artillery position at the time of the shelling incident in July 1938.

Source: U.S. Army Map Service, 1945, available at [www.lib.utexas.edu/](http://www.lib.utexas.edu/).

nevertheless was subject to the larger political and strategic forces that were impelling the United States and Japan toward a direct confrontation. It was not long after Yarnell handed off command of the Asiatic Fleet to his Naval Academy classmate Admiral Thomas C. Hart, USN, in July 1939 that Japan's ally Germany opened hostilities in Europe with its invasion of Poland, deepening the international crisis. With the sudden collapse of France in midsummer 1940, one of the major European powers in China and Southeast Asia effectively became neutralized. Hart and his fleet worked successfully to ensure that the Japanese would not use that occasion as an opening to move on French and other Western interests in China. But Hart's fleet was not in a position to stop the Japanese from seizing the

northern part of France's colony in Indochina, the first step on Japan's southward advance toward Malaya and Singapore.

With tensions on the rise between the United States and Japan, Hart reached the difficult conclusion that the strategic competition with Japan soon would change the Asiatic Fleet's mission from contesting subtle yet aggressive Japanese moves to fighting Japan in overt hostilities. He later described his reasoning: "By mid-October, 1940, I became convinced that the place for me was with the Fleet, and for the Fleet in the Philippines, that our main job was to get ready for war; that being on the China Coast protecting American interests and all that was not reduced in importance, but it was no longer the main issue; that as such it must be dropped; that I myself should get south with the Fleet and get ready for the war which I felt more and more every day was coming."<sup>56</sup>

With strategic-level conditions darkening the clouds over the Pacific, Hart discontinued his predecessor's strategy for countering Japan's creeping aggression against U.S. interests and withdrew his force to Philippine waters to begin working up for combat.

Hart was proved prescient a little over a year later in December 1941, when the Asiatic Fleet was one of the few Allied formations in the Pacific to weather the initial wave of Japanese attacks unsurprised and relatively unscathed.<sup>57</sup> However, the Asiatic Fleet subsequently would be lost after the inexperienced and incompetent Dutch vice admiral Conrad Helfrich politically engineered Hart's removal from command in February 1942 and threw the combined Allied naval forces in Southeast Asia into the poorly conceived and badly planned battle of the Java Sea. Helfrich gave no regard for the logistical and command-and-control arrangements needed for an ill-equipped, multinational, multilingual fleet to achieve victory against a homogeneous, well-coordinated foe with numerous advantages over the Allied striking force, including superior scouting and night-fighting capabilities, powerful (and reliably functional) ship-launched torpedoes, and near-complete control of the air.<sup>58</sup> The Java Sea action and those that followed led to the vast majority of the U.S. naval losses in the Philippines and Dutch East Indies campaigns, totaling twenty-two ships sunk, 1,826 men killed or missing, and 518 sailors captured by the Japanese.<sup>59</sup>

There are several takeaways from this study of Japanese gray-zone aggression against the West and the U.S. Asiatic Fleet's actions to deter it. The situation among the imperial powers in China in the 1930s is, in several important ways, similar to contemporary conditions. Japan's gray-zone efforts against the other treaty powers sought to subvert a well-codified and unambiguous international law environment inside China that bears a close resemblance to key elements of

the current worldwide international legal architecture, particularly with respect to the law of the sea.

Many of Japan's maneuvers in the 1930s should be recognizable to contemporary China observers. China today demands prior notification of transit and insists on a right to grant explicit permission to foreign warships and aircraft conducting innocent operations in Chinese territorial waters and exclusive economic zones (EEZs).<sup>60</sup> China has made assertive increases in maritime law-enforcement and naval patrols around disputed maritime features and—similarly to the Japanese blockade at Tientsin—physically interposed China Coast Guard and PLA Navy assets to harass U.S. and allied ships and aircraft during routine operations in EEZs and international waters.<sup>61</sup> Chinese forces even attempted a strategic-level version of the 1938 *Bulmer* shelling affair at Amoy with their infamous (and politically counterproductive) firing of ballistic-missile salvos into the approaches of major Taiwanese ports, endeavoring to disrupt commercial shipping traffic and influence an upcoming Taiwanese election during the third Taiwan Strait crisis, in 1996.

Admiral Yarnell's policy—that "United States naval vessels . . . will go wherever necessary at any time . . . and will remain in such place as long as American citizens are in need of protection or assistance"—can be characterized as the imperial era's equivalent to the modern American mantra that "the United States will fly, sail, and operate wherever international law allows."<sup>62</sup> Yarnell's strategy for gray-zone deterrence—incorporating continuous military-to-military communication, persistent physical forward presence, and the inculcation of a culture of independent judgment and mission command down to junior levels of responsibility—allowed the Asiatic Fleet to "punch above its weight" by leveraging all its assets, from its commander's four-star rank to the adaptive thinking and independence of its junior officers on the spot. Although political and strategic dynamics beyond the control of forward-deployed naval forces would lead the United States and Japan into an open conflagration in late 1941, the Asiatic Fleet's counter-gray-zone campaign against the Japanese in China between 1937 and 1940 offers a valuable case study with critical insights for those seeking to craft strategies to deter and defeat gray-zone aggression in the contemporary western Pacific.

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#### NOTES

For place-names in China and similar references, this article uses the names used in U.S. and Western sources from 1937 to 1940, which tended to follow the Wade-Giles system of romanization of Mandarin.

1. James Holmes and Toshi Yoshihara, "Small Stick Diplomacy in the South China Sea," *National Interest*, April 23, 2012, [nationalinterest.org/](http://nationalinterest.org/).

2. Philip Kapusta [Capt., USN], "The Gray Zone" (white paper, U.S. Special Operations Command, September 9, 2015), p. 1, available at [info.publicintelligence.net/](http://info.publicintelligence.net/). Kapusta's white paper was the first document to popularize the term *gray zone* in the modern military context. He defines gray-zone challenges as "competitive interactions among and within state and non-state actors that fall between the traditional war and peace duality. They are characterized by ambiguity about the nature of the conflict, opacity of the parties involved, or uncertainty about the relevant policy and legal frameworks. . . . [G]ray zone challenges rise above normal, everyday peacetime geo-political competition and are *aggressive, perspective-dependent, and ambiguous*" (emphasis original).
3. The specific phrase "salami tactics" reportedly was coined by Hungarian communist Mátyás Rákosi in the late 1940s to describe his consolidation of power. "HUNGARY: Salami Tactics," *Time*, April 14, 1952, available at [content.time.com/](http://content.time.com/).
4. "Asia for Asiatics' Is Japan's Slogan," *The Mail* (Adelaide, SA, Austral.), April 22, 1933, available at [trove.nla.gov.au/](http://trove.nla.gov.au/).
5. Michael Green et al., *Countering Coercion in Maritime Asia: The Theory and Practice of Gray Zone Deterrence* (Washington, DC: Center for Strategic and International Studies, May 2017), pp. 52–65, 148–68, 169–201, available at [www.csis.org/](http://www.csis.org/).
6. Lawrence H. Officer, "Exchange Rates between the United States Dollar and Forty-One Currencies," *MeasuringWorth*, 2017, [www.measuringworth.com/](http://www.measuringworth.com/); Harry E. Yarnell [Adm., USN] to High Commissioner Paul V. McNutt, January 20, 1938, p. 3, in *Sino-Japanese Incident (1937): Correspondence of C-in-C, Asiatic Admiral H. E. Yarnell, U.S.N., box 18, folder 3, Record Group [RG] 8, Naval Historical Collection, Naval War College, Newport, RI.*
7. Yarnell to McNutt, January 20, 1938, pp. 9–11. Germany had 2,700 citizens and 340 firms in China but no combat forces present to protect them. Although nominally allied with Japan through the Anti-Comintern Pact, Germans in China were disposed more toward China than Japan, and Germany sent a military mission that gained a trusted advisory place in Chiang Kai-shek's government. The best Chinese divisions, sent to Shanghai in 1937, were German trained. Italy in 1936 was reported to have 756 citizens and thirty-three business firms in all of China and the Regia Marina had gunboats on the Yangtze. In 1937, Italy used the pretext of the protection of its 140 citizens at Shanghai to send a cruiser and eight hundred troops there. Yarnell observed to McNutt that the Italians "are making the most of their alliance with Japan, and are demanding representation on the Shanghai Municipal Council and have hopes of obtaining a concession in Shanghai in the final settlement." On account of this close relationship with Japan, Yarnell quickly discounted Italy as a useful partner in maintaining neutral rights in China.
8. William C. Johnstone, "International Relations: The Status of Foreign Concessions and Settlements in the Treaty Ports of China," *American Political Science Review* 31, no. 5 (October 1937). By way of definition, according to Johnstone: "The terms 'settlement' and 'concession' have often been used indiscriminately, but the word 'settlement' has most often been applied to a foreign-controlled area in which all the Treaty Powers have equal rights. Such an area is governed by a locally elected municipal council of foreigners. . . . Its chief characteristic is the fact that land can be leased by foreigners directly from the Chinese owner, the deeds being registered through the consulate of the foreigner and with the local Chinese authorities. The term 'concession,' on the other hand, has been applied to a grant of land by the Chinese government to a single foreign nation, either directly by treaty or indirectly under general treaty terms by the local Chinese authorities. A concession is governed by the consular representative of the nation controlling the grant, sometimes with the assistance of an elected municipal council. The chief characteristic of a national concession is that the grant is in the form of a long-term or perpetual lease on which the nation concerned pays a nominal ground rent to the Chinese government. The nation controlling the concession, in turn, acts as landlord by sub-leasing plots to individuals, either foreign or Chinese."
9. Kurt Bloch, "The Basic Conflict over Foreign Concessions in China," *Far Eastern Survey* 8, no. 10 (May 10, 1939), pp. 111–16.



10. "Origin and Background: League of Nations Codification Conference," *International Law Commission*, July 31, 2017, [legal.un.org/](http://legal.un.org/).
11. Westel W. Willoughby, *Foreign Rights and Interests in China* (Baltimore, MD: Johns Hopkins Univ. Press, 1920), chap. 9.
12. "Old Treaty Permits U.S. Patrol; Ships Not on Aggressive Mission," *New York Times*, December 13, 1937. The Treaties of Tientsin between 1858 and 1859 formally granted Great Britain, France, the United States, and Russia freedom of navigation on the Yangtze and access to Chinese ports.
13. Johnstone, "International Relations."
14. Robert Erwin Johnson, *Far China Station: The U.S. Navy in Asian Waters 1800–1898* (Annapolis, MD: Naval Institute Press, 1979), e-book. From 1835 to 1861 the force was known officially as the East India Squadron; from 1868 to 1901 the force was known officially as the Asiatic Squadron.
15. "39 U.S. Warships Ready off China," *New York Times*, August 15, 1937.
16. Reminiscences of Henri Smith-Hutton [Capt., USN (Ret.)], vol. 1, p. 112, U.S. Naval Institute Oral History Program, accessed at Naval Historical Collection, Naval War College, Newport, RI.
17. Reminiscences of Thomas C. Hart [Adm., USN (Ret.)], Columbia University Oral History Research Office (New York), microfiche, accessed at Naval Historical Collection, Naval War College, Newport, RI.
18. Yarnell to McNutt, January 20, 1938, p. 6.
19. Memorandum by Harry E. Yarnell [Adm., USN] to the Secretary of the Navy, "Far Eastern Situation," July 20, 1939, p. 10, box 18, folder 1, RG 8, Naval Historical Collection, Naval War College, Newport, RI. The IJN seized control of the Spratly Islands in February 1939.
20. Yarnell to McNutt, January 20, 1938, p. 4.
21. "CMC," *ChinaMilitary.com*, [english.chinamil.com.cn/](http://english.chinamil.com.cn/).
22. Bill Gertz, "China's Most Powerful General, a Xi Jinping Henchman, Meets Mattis," *Washington Free Beacon*, July 2, 2018, [freebeacon.com/](http://freebeacon.com/).
23. "575: Poetry of Propaganda," December 18, 2015, in *This American Life*, produced by WBEZ Chicago and distributed by Public Radio Exchange, podcast, [www.thisamericanlife.org/](http://www.thisamericanlife.org/).
24. Chris Buckley, "Marching across China, Army Veterans Join Ranks of Protesters," *New York Times*, June 25, 2018, [www.nytimes.com/](http://www.nytimes.com/).
25. Robert Farley, "USS *Cowpens* Incident: Rule Bending in the South China Sea," *The Diplomat*, December 25, 2013, [thediplomat.com/](http://thediplomat.com/).
26. Yarnell, "Far Eastern Situation," p. 4.
27. U.S. Naval Institute, "WEST 2014: What About China?," *YouTube*, February 13, 2014, video, [www.youtube.com/](http://www.youtube.com/).
28. In his July 1939 farewell memo to the Secretary of the Navy, Yarnell characterizes the Japanese general staff as having "showed incredible stupidity and ignorance in assuming that the Chinese would not fight, or if they did, that their resistance would not be serious." Yarnell, "Far Eastern Situation," p. 4.
29. Yarnell reported at the end of his tenure in July 1939 that Japan had sent eight hundred thousand to one million soldiers to China and had engaged approximately one-quarter of its merchant marine, or one million tons, in transport duty. *Ibid.*, p. 6; Yarnell to McNutt, January 20, 1938, p. 5.
30. William A. Angwin, "The China Incident," 1938, Harry E. Yarnell Papers, box 13, Manuscript Division, Library of Congress, Washington, DC.
31. Treaty of Peace, Amity, and Commerce [also known as Sino-American Treaty of 1858], China-U.S., art. XXVI, June 18, 1858, T.S. No. 46.
32. Angwin, "China Incident," pp. 60–63.
33. See Johnstone, "International Relations," note 8, for more on municipal councils.
34. Harry E. Yarnell [Adm., USN] to Vice Admiral Kiyoshi Hasegawa, August 28, 1937, quoting an item from the *North China Daily News*, August 27, 1937, "Communications regarding Japanese Blockade," Harry E. Yarnell Papers, box 13, folder 1, Manuscript Division, Library of Congress, Washington, DC.
35. Angwin, "China Incident," p. 78.
36. *Ibid.*, p. 80.
37. Yarnell, "Far Eastern Situation," p. 8.

38. Angwin, "China Incident," pp. 1–2.
39. "Movements of Naval Vessels," *New York Times*, September 2–3, 1937; *Dictionary of American Naval Fighting Ships*, s.v. "Bulmer (DD-222)," [www.history.navy.mil/](http://www.history.navy.mil/); Reminiscences of Charles H. Kretz Jr. [Capt., USN (Ret.)], pp. 49–51, U.S. Naval Institute Oral History Program, accessed at the Naval Historical Collection, Naval War College, Newport, RI.
40. "Admiral Yarnell, U.S. Sentry in the Far East," and "Mounting Japanese Pressure Strains Patience of British," *Newsweek*, July 3, 1939, Harry E. Yarnell Papers, scrapbook of clippings, box 13, Manuscript Division, Library of Congress, Washington, DC.
41. Angwin, "China Incident," pp. 22–24, 27.
42. Kemp Tolley, *Yangtze Patrol: The U.S. Navy in China* (Annapolis, MD: Naval Institute Press, 1971), chap. 7, e-book.
43. Ibid.; Masatake Okumiya, "How the *Panay* Was Sunk," U.S. Naval Institute *Proceedings* 79/6/604 (June 1953).
44. Hallett Abend, "Rift in Army Seen," *New York Times*, December 20, 1937; Tolley, *Yangtze Patrol*, chap. 7. Hashimoto, "the artilleryman who gave the order to 'fire on anything that moves on the river[.]' was a dedicated, ascetic, supernationalist member of a secret organization that was above government—The Black Dragon Society. Hashimoto was proved by events to be untouchable, both by General Matsui, the CinC in China, and by the War Minister." In 1936 Hashimoto had been a prime mover in a failed coup d'état against the civilian administration, which resulted in the sole repercussion of being placed into the reserve before he was remobilized as part of the Japanese war effort in China.
45. Reminiscences of Kretz, p. 64.
46. Text of letters addressed to Ambassador Johnson by Mr. Tani, Japanese Minister Plenipotentiary, June 11, 1938, Harry E. Yarnell Papers, box 13, Manuscript Division, Library of Congress, Washington, DC.
47. "Japanese Warning Is Rejected by U.S.," *New York Times*, June 14, 1938.
48. "Thousands Leave Chungking in Raids," *New York Times*, January 24, 1939.
49. "Movements of Naval Vessels," *New York Times*, June 30 and July 6, 1938; Reminiscences of Walter C. W. Ansel [Rear Adm., USN (Ret.)], p. 65, U.S. Naval Institute Oral History Program, accessed at Naval Historical Collection, Naval War College, Newport, RI.
50. Reminiscences of Ansel, pp. 65–66.
51. Ibid., p. 66.
52. Reminiscences of Kretz, p. 66.
53. Reminiscences of Ansel, p. 67.
54. Reminiscences of Kretz, p. 66.
55. Ibid.
56. Reminiscences of Hart, pp. 131–32.
57. Thomas C. Hart [Adm., USN], "Narrative of Events, Asiatic Fleet Leading Up to War and from 8 December 1941 to February 15, 1942," p. 37, manuscript item 603, Naval Historical Collection, Naval War College, Newport, RI.
58. Jeffrey Cox, *Rising Sun, Falling Skies: The Disastrous Java Sea Campaign of World War II* (London: Bloomsbury, 2014), pp. 129, 250–53. The Dutch officer in question, Vice Admiral Conrad Helfrich, had never commanded a ship and had limited to no experience commanding task forces at sea. Thomas C. Hart [Adm., USN], "Supplementary Narrative," pp. 37–41, manuscript item 603, Naval Historical Collection, Naval War College, Newport, RI.
59. 126 Cong. Rec., p. 1896 (March 1, 2000) (statement of Senator Durbin).
60. John Burgess et al., eds., *Law of the Sea: A Policy Primer* (Medford, MA: Fletcher School of Law and Diplomacy, 2017), chap. 3, available at [sites.tufts.edu/](http://sites.tufts.edu/).
61. "No. of Vessels Identified within the Contiguous Zone (Total/Month)," *Japanese Ministry of Foreign Affairs*, December 8, 2017, [www.mofa.go.jp/](http://www.mofa.go.jp/).
62. "Carter Says U.S. Will Sail, Fly and Operate Wherever International Law Allows," *Reuters*, October 13, 2015, [www.reuters.com/](http://www.reuters.com/).