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**By Invitation, Mostly:
the International Politics of the US Security Presence,
China, and the South China Sea**

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ABSTRACT

Much attention has been devoted to the Obama Administration's "Pacific Pivot" and the vocal reassertion of an upgraded security, economic, and diplomatic presence in East Asia by the United States. Commentators have ascribed various rationales to these efforts, including speculation that this is part of a "containment" strategy towards China, a reaction to the US presidential election cycle, or, more benignly, an effort to forestall concerns of American withdrawal from the region. These explanations have some elements of truth, but also fall short of fully describing or understanding the strategic rationale behind these moves.

Significantly, these public steps to assert American power in Southeast Asia have been largely welcomed by, and come at the invitation of, Southeast Asian states. This does not suggest that these states support or are participating in a "containment" policy towards China, but rather that Southeast Asian states have actively sought to ensure a continued American security presence in the face of increasing Chinese assertiveness and aggressiveness over the South China Sea. The South China Sea has therefore become a bellwether in Southeast Asia for how a more powerful China would act.

While responses have varied within ASEAN, the willingness of the United States to pursue successful diplomatic efforts through ASEAN-led venues like the East Asia Summit suggest that Chinese actions have resulted in the very thing Beijing has sought to avoid – an increasingly legitimized American security presence within Southeast Asia. For the states of Southeast Asia, the attractiveness of the United States' presence stems from a strategy of hedging or potential insurance should China act more aggressively in the future.

While China retains important advantages in Southeast Asia, including proximity and the allure of continued economic growth, these also remain issues that elicit some concern amongst Southeast Asian states – particularly over the PLA Navy's (PLAN) substantial budgetary and strategic expansion. Chinese leaders face difficult decisions over the South China Sea: unable to back off its initial claims due to nationalistic sentiment or to aggressively assert its military advantage over fellow claimants due to the (invited) security presence of the United States and undoubted backlash that would certainly occur, it is forced to pursue its claims in multilateral forums in which it is outnumbered, or attempt to pressure other claimants bilaterally, a tactic that may confirm fears many Southeast Asian states have

about what form a “rising China” may take in the future. China retains the most power over how the South China Sea situation will be resolved, but the present options available will likely force some compromise of China’s maximalist territorial claims within the Sea.

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By Invitation, Mostly: the International Politics of the US Security Presence, China, and the South China Sea

Introduction

In November 2011, President Barack Obama travelled to Indonesia to attend the East Asia Summit (EAS), becoming the first American president to do so. Both in advance of the Summit and during the Summit itself, Obama strongly asserted a continuing and upgraded American presence in the Asia-Pacific, declaring that “in the Asia Pacific of the 21st Century, the United States is all in.”¹ He described the United States as a Pacific power, detailing the long-standing importance of the Asia-Pacific to the United States and the continuing commitment of the United States to the region. While on this trip, Obama also attended to important matters outside the EAS itself, including participating in the 3rd ASEAN-US Summit. Prior to the EAS, he also said that the United States welcomed a “peaceful, rising China” – before adding, somewhat pointedly, that China also needed to “play by the rules of the road” in pursuing its interests.²

These comments were not made in isolation, and represent a sustained public effort by Obama to signal a shift in American priorities to both domestic and foreign audiences. Prior to the Bali summit, Obama hosted the APEC summit in his home state of Hawaii, where he announced an agreement in principle to significantly expand the Trans-Pacific Partnership, aimed at reducing trade tariffs between members and an important part of Obama’s economic policy towards Asia. In a noteworthy essay published before Obama’s Asia trip, Secretary of State Hillary Clinton described a “substantially increased investment – diplomatic, economic, strategic, and otherwise – in the Asia-Pacific” going forward, which she described as America’s “pivot” toward the Asia Pacific.³ In a July 2011 speech in Hong Kong, she had previously declared the United States a “resident power – not only a political or military power – but a resident economic power” in Asia.⁴ In October 2011, Secretary of Defense Leon Panetta said that budgetary pressures would not lead to the United States downgrading its troop presence in East Asia; in June 2012 he announced that the United States would deploy the majority of its fleet to the Pacific by 2020 rather than have it split equally between

¹ David Nakamura, “Obama heads to Bali after touting partnership to Australian lawmakers, troops”, *The Washington Post*, 17 November 2011. Available at: http://www.washingtonpost.com/world/obama-rallies-australian-troops-around-new-us-military-partnership/2011/11/17/gIQA5p2rTN_story_1.html

² David Nakamura, “Obama at APEC Summit: China must ‘play by the rules’”, *Washington Post*, 13 November 2011.

³ Hillary Clinton, “America’s Pacific Century”, *Foreign Policy* (November 2011).

⁴ David Pilling, “Hillary’s Charm Offensive in China’s Backyard”, *Financial Times*, 27 July 2011. <http://www.ft.com/intl/cms/s/0/211105fa-b883-11e0-8206-00144feabdc0.html#axzz1t1mAGHkz>

eastern and western deployment.⁵ A strategy document produced by the Department of Defense in January 2012 said the United States would “rebalance towards the Asia-Pacific region”, while adding that China needed to demonstrate “greater clarity of its strategic intentions in order to avoid causing friction in the region.”⁶

Reaction to these developments has been mixed. Australian academic Hugh White, speaking on the agreement between the United States and Australia to base up to 2500 U.S. Marines in Darwin, described the moves as dangerously provocative and suggested that they “make no sense, because America is as interdependent with China as anyone”; former Australian Prime Minister Paul Keating was also highly critical and warned of the deal’s implications for Sino-Australian relations.⁷ More recently, it was announced that American Global Hawk unmanned drones will be based at the remote but strategically sensitive Australian-held Cocos Islands in the Indian Ocean. Critics of these announcements have pointed to the potentially aggressive nature of these moves, particularly in relation to China. After a relatively subdued official reaction initially, in early December Chinese President Hu Jintao advised the People Liberation Army Navy (PLAN) to “accelerate [the] transformation and modernization” of its operational capabilities and “make extended preparations for warfare.”⁸ Indonesian Foreign Minister Marty Natalegawa expressed concern that the Darwin announcement could lead to a “vicious circle of tension and mistrust” in the region.⁹ Some Chinese commentators dismissively claimed that Obama’s “Pacific Pivot” reflected the priorities of the American presidential race and/or attempts to divert attention from the perilous state of the American economy.¹⁰

⁵ Elisabeth Bumiller, “U.S. Pivots Eastward to Address Uneasy Allies”, *The New York Times*, 24 October 2011. <http://www.nytimes.com/2011/10/25/world/asia/united-states-pivots-eastward-to-reassure-allies-on-china.html>; Julian E. Barnes, “U.S. Plans Naval Shift Toward Asia”, *Wall Street Journal* (2 June 2012).

⁶ Department of Defense, “Sustaining U.S. Global Leadership: Priorities for 21st Century Defense”, January 2012, p. 2.

⁷ Hugh White, “Dear Mr. President, we beg to differ on Asia”, *The Age* 16 Nov 2011, <http://www.theage.com.au/opinion/politics/dear-mr-president-we-beg-to-differ-over-the-future-of-asia-20111115-1nh36.html>; Paul Maley, “Paul Keating talks to Kevin Rudd but it’s all about China”, *The Australian*, 21 February 2012. <http://www.theaustralian.com.au/national-affairs/kevin-rudd-talks-to-paul-keating-but-its-all-about-china/story-fn59niix-1226276426024>

⁸ “Hu Jintao urges China’s navy to prepare for combat”, Channelnewsasia.com (6 December 2011). http://www.channelnewsasia.com/stories/afp_asiapacific/view/1169776/1.html. For an alternative view on Hu’s comments, see M. Taylor Fravel, “No, Hu didn’t call for war”, *The Diplomat*, 10 December 2011. <http://the-diplomat.com/china-power/2011/12/10/no-hu-didnt-call-for-war/>

⁹ Untung Suropati, “US troops in Indonesia: What should Indonesia do?”, *The Jakarta Post*, 15 Dec 2011. Available at <http://www.thejakartapost.com/news/2011/12/15/us-troops-australia-what-should-indonesia-do.html>.

¹⁰ Yu Tiejun, a professor of International Studies at Peking University, said that “the priorities of the White House are still domestic and we cannot rule out this re-engagement is a campaign tactic for Obama.” “Beijing Questions US military push in Australia”, *Global Times*, 17 November 2011.

Others have responded more optimistically. Not surprisingly, in announcing the Darwin agreement Australian Prime Minister Julia Gillard said that the moves reflected the “bedrock of stability” offered by the US-Australia alliance.¹¹ Though leading figures in regional states were generally circumspect in expressing overt enthusiasm for the deal – in part, no doubt, for fear of provoking Beijing – outright opposition to the move was noticeably subdued in official reactions. Criticism was largely expressed through concern for potential tension in the region, implicitly suggesting that China’s increasing strength could also be a contributing factor to regional instability and conflict. The importance of maintaining a benign regional strategic environment, particularly concerning external powers, was one of the central founding principles of ASEAN and remains a key goal of Southeast Asian diplomacy. Nonetheless, it is particularly noteworthy that this unquestioned statement of intent by the United States has largely been met with such mild or even seemingly perfunctory criticism throughout the region.

This last point is unquestionably significant. The “Pacific Pivot” (hereafter referred to as the Pivot) takes place as Southeast Asia continues to grapple with two fundamental and global strategic issues, both of which are arguably more relevant to Southeast Asia than any other region of the world. One relates to the unquestioned rise of China and the resulting impact on regional politics and security, both today and in the future. The second factor relates to concerns within the region about a decrease in the relative power held by the United States. Though this could manifest itself in many different ways, one of the most discussed involves a potential strategic withdrawal from Southeast Asia by the United States, perhaps owing to some combination of retrenchment due to pressing budgetary constraints, an unwillingness by regional states to continue to support existing strategic relationships in the United States (perhaps due to China’s appeal or coercion), or a lack of political support domestically for continuing the existing security relationship within the region. Regional security in Southeast Asia would look extremely different should such a turn of events occur.

Without question, these two factors are closely linked in the minds of regionally relevant actors and states, including most of all Beijing and Washington. Indeed, one of the primary reasons for the Pivot was precisely to reassure regional actors of the continued willingness, and ability, of the United States to maintain and expand existing regional security, diplomatic, and economic arrangements. But for all of the attention generated by

<http://www.globaltimes.cn/DesktopModules/DnnForge%20-%20NewsArticles/Print.aspx?tabid=99&tabmoduleid=94&articleId=684393&moduleId=405&PortalID=0>

¹¹ “Gillard, Obama detail US troop deployment”, ABC News, 16 November 2011,

<http://www.abc.net.au/news/2011-11-16/gillard2c-obama-announce-darwin-troop-deployment/3675596>

this supposed new focus towards East Asia by Washington, it is by no means a new development. While the public attention given to the Pivot is unquestionably important from a public signalling standpoint, tactically and strategically it represents more of an acceleration of policies developed over most of the past decade than a definitive shift.¹² Similarly, uncertainty about what form the increasing reality of Chinese power will take has been a phenomenon for a far longer period of time than the past few years.

It is the argument of this paper that the high levels of uncertainty potentially caused by both major strategic factors – concern over what direction future Chinese actions will take, coupled with the potential weakening of U.S.-provided common goods, including regional security and freedom of maritime navigation – have created a compelling regional justification for states to lower the political, economic, and diplomatic costs of the American security presence in order to maintain its viability. Clearly, the United States is happy to accept such a shift, even while some in Washington suggest such predictions overrate the likelihood of an abrupt regional withdrawal by the United States. There is clearly some justification for cautious optimism for a continued American role, given the still immense operational advantages enjoyed by the United States Navy, and pending some adjustments these will likely hold for some time.

The end result of this complex, multi-tiered strategic logic to this point has been witnessed most obviously in tensions over the South China Sea (SCS). Competing territorial claims over the SCS – most notably between China, Vietnam, and the Philippines, though other territorial claimants include Malaysia, Brunei, and Taiwan – have caused the dispute to become a bellwether for how Chinese power could impact regional security and architecture. China, in the eyes of many observers, became notably more “assertive” in its foreign policy over the 2009-2010 period.¹³ This development, while not in isolation, caused several states to develop closer security ties with the United States, as has harassment of American naval

¹² Examples predating the announcement include National Security Strategies published in 2006 and 2010 (<http://www.whitehouse.gov>); a 2007 US Navy report on maritime strategy (<http://www.navy.mil/maritime/Maritimestrategy.pdf>); the 2008 National Defense Strategy (<http://www.defense.gov/news/2008nationaldefensestrategy.pdf>); and the 2010 Quadrennial Defense Review (<http://www.defense.gov/qdr>).

¹³ As Michael Swaine helpfully argues, blanket claims of increased Chinese ‘assertiveness’ can be problematic. For one, in many areas – counterterrorism, anti-piracy, and international governance measures come to mind – a more active Chinese role has been encouraged by the U.S. and, to some degree, regional neighbours. ‘Assertiveness’ can also involve varying levels of involvement from official or unofficial channels. For this paper, a more ‘assertive’ Chinese foreign policy is defined as Chinese actions that have, rightly or wrongly, been interpreted as threatening or potentially destabilizing by non-Chinese actors. Michael D. Swaine, “China’s Assertive Behavior – Part One: On ‘Core Interests’”, *China Leadership Monitor*, no. 34 (Winter 2011).

vessels by People's Liberation Army Navy (PLAN) in areas surrounding the South China Sea.¹⁴

The ability of the United States to develop closer security relationships with key regional states, largely through invitation due to concern over future Chinese intentions, represents an important new definition of “smart power” for Washington. Importantly, the United States has simultaneously sought to lower the domestic costs borne by Southeast Asian leaders in developing such relationships. Rather than raising concern amongst regional actors in Southeast Asia, the Pacific Pivot and concerns over Chinese behaviour have made it easier for regional leaders to embark on closer relations with the United States. This has been assisted by American diplomatic strategies, including advocating for a peaceful multilateral solution to the South China Sea dispute. These have taken on different forms with different states, and clearly some states have invited a larger role for the United States more vigorously than others. Overall, American engagement with the region has been largely welcomed by Southeast Asian states, which has in turn created incentives and opportunities for the United States to capitalise on regional goodwill.

Policy options available to Beijing at this stage are unenviable. China's preference to date has been to negotiate sovereignty disputes bilaterally, though without investing a great deal of political capital in the process. Increasing power disparities caused by continued Chinese growth have resulted in Southeast Asian claimants advocating a multilateral process that aims to find a “grand bargain” between all parties. Following the announcement of the “Pacific Pivot” and the increased profile of the United States in the region, this process increasingly involves the United States, and therefore restricts the ability of China to maximize the clear power advantage it holds over other regional states. Short of claiming contested SCS areas by some form of compulsion or coercion (including potentially outright force) – actions that would certainly generate enormously negative reactions regionally and further validate a continued (and likely increased) American security presence – the imperatives facing Chinese leaders at this stage represent choosing the least bad of several increasingly unattractive tactical and strategic options.

¹⁴ The most significant incident occurred in March 2009, when several PLAN ships and planes harassed the USNS *Impeccable* approximately 120km off the coast of Hainan. Washington claimed the ship was conducting scientific and cartographic research; Beijing argued that the *Impeccable*'s purpose was to track Chinese submarines at Yulin Naval Base and violated international law. Washington presented formal protests to Beijing, which were predictably rejected. US National Intelligence Director Dennis Blair described the incident as the “most serious in 8 years”. See Mark Valencia, “The *Impeccable* Incident: Truth and Consequences”, *China Security*, Vol. 5 No.2 (2009) and Oriana Skylar Mastro, “Signaling and Military Provocation in Chinese National Security Strategy: A Closer Look at the *Impeccable* Incident”, *Journal of Strategic Studies* Vol. 34 No. 2 (April 2011), pp. 219-244.

Background to the South China Sea Conflict

Conflicting sovereignty claims in the South China Sea between regional states have long been a feature of Southeast Asian maritime security, while estimates of enormous resource deposits – minerals, oil and especially natural gas – have substantially raised the stakes in such disputes. The SCS is also one of the most important and productive fishing grounds in the world, responsible for approximately ten percent of global fishing consumption and a crucial component of global food security.¹⁵ More generally, the immense growth of East Asia's economies and the corresponding explosion of global trade since the end of the Cold War have resulted in free passage and navigation through the SCS becoming a vital “global commons” issue, with approximately half of the world's merchant fleet (by tonnage) passing through SCS waters annually.¹⁶

While isolated incidents over SCS territory did occur during the Cold War – most notably in the 1974 Chinese seizure of the Paracel islands from Vietnam and again in 1988 – it was not until the early 1990s that disputes over SCS sovereignty became a major regional security issue.¹⁷ Tension and occasional skirmishes throughout the 1990s, largely between fishing boats and naval or coast guard forces of rival claimants, significantly escalated the long-standing (but to this stage largely peaceful) disagreements over territorial and sovereignty claims. Clashes increased once predictions of major oil and natural gas deposits under the seabed grew.¹⁸ Spurred by the economic reforms of the late 1970s, China's rapid economic growth led to an expanding definition of China's international interests – and as a major importer of oil (most of which comes to China via the South China Sea) energy security also became an increasingly central preoccupation for Beijing. Following a series of clashes between claimants, ASEAN member states and China agreed in 2002 to the Declaration on the Conduct of Parties in the South China Sea (DOC). Though a plan to operationalize the agreement was not included, the DOC laid out general (if somewhat vague) principles between signatories – including that the signatories affirmed support for the UN

¹⁵ *Regional Workshop/Expert Consultation on the Identification of Critical Fishing Grounds and on Regional Habitat Rehabilitation and Management Approach*, Bangkok, 11-13 October 2011.

http://www.seafdec.or.th/download/2011/Prospectus_Critical_Fishing_Grounds.pdf

¹⁶ David Rosenberg, “Governing the South China Sea: From Freedom of the Seas to Ocean Enclosure Movements”, *Harvard Asia Quarterly*, Vol. 12 No. 3 & 4 (December 2010).

¹⁷ In 1988, PLAN forces moved to occupy nine vacant features in the SCS; a violent clash with Vietnamese forces over Johnson Reef left 74 Vietnamese deaths. China ended up controlling six of the nine features in the original plan. M. Taylor Fravel, “China's Strategy in the South China Sea”, *Contemporary Southeast Asia* Vol. 33 No. 3 (Dec 2011), p. 298.

¹⁸ Due to the tensions caused by exploration in contested areas, much of the area has not been fully explored. As a result, oil and gas estimates vary widely and are largely based upon speculation.

Convention on the Law of the Sea (UNCLOS) and that disagreements over competing sovereignty claims would be settled peacefully rather than by force.¹⁹

China's much-hyped "charm offensive" towards Southeast Asia – an evolving process of developing closer diplomatic, economic, political and military ties with neighbouring states from roughly the late 1990s until the late 2000s – decreased tensions over the issue as China attempted to downplay concerns of other states regarding what form Chinese power would look like in the future.²⁰ Significantly, however, this public diplomacy effort and more conciliatory tone did little to resolve underlying issues related to conflicting sovereignty claims, most notably over the Spratly and Paracel Islands.²¹ Though several different domestic and international factors contributed, following the Global Financial Crisis of 2008-9 a more forceful and assertive Chinese foreign policy clearly took shape. Economic weakness throughout the developed world, coupled with the continued robust growth of the Chinese economy, convinced some commentators that this represented a broader shift in power from the West to Asia²², while an increasingly vocal nationalist and populist reaction amongst Chinese "netizens" (online community) created pressure for Beijing to press its claims more directly and to firmly repudiate China's "century of humiliation".²³ What followed was a period of skirmishes and clashes in the South China Sea as China attempted to protect its claims to sovereignty over nearly all islands and reefs in the SCS²⁴ – despite the Chinese government's goal of promoting "peace, development and cooperation" in a

¹⁹ "Declaration on the Conduct of Parties in the South China Sea (2002)", ASEANweb. Available at: <http://www.aseansec.org/13163.htm>

²⁰ Joshua Kurlantzick, *Charm Offensive: How China's Soft Power is Changing the World* (New Haven, CT: Yale University Press, 2007); David Shambaugh, "China Engages Asia: Reshaping the Regional Order", *International Security* Vol. 29 No. 3 (Winter 2004/5), pp. 64-99. On China's willingness to "agree to accept the preferred positions of its smaller [ASEAN] neighbors" to alleviate 'China as threat' fears, see Avery Goldstein, *Rising to the Challenge: China's Grand Strategy and International Security*, Stanford, CA: Stanford University Press (2005), pp. 118-136.

²¹ China claims both island groups, the most significant land masses in the South China Sea.

http://blog.canpan.info/oprf/img/858/dr.bateman_presentation.pdf

²² Michael D. Swaine, "Perceptions of an Assertive China", *China Leadership Monitor* No. 32 (May 2010), pp.4-8.

²³ Linda Jakobson and Dean Knox, "New Foreign Policy Actors in China". Stockholm International Peace Research Institute Policy Paper 26 (September 2010), pp. 41-6; Alison Adcock Kaufman, "The 'Century of Humiliation', Then and Now: Chinese Perceptions of the International Order", *Pacific Focus* Vol. 25 No. 1 (April 2010), 1-33.

²⁴ China's claims are reflected in the so-called "9-dashed line map", first officially published in 1947 by the Kuomintang government and part of a 2009 submission to the United Nations. China seems to argue that its claims are based on "historical control" dating back centuries, though an internationally recognized legal claim has not been made. The map has been protested by all other claimant states and by Indonesia. Taiwanese claims of sovereignty mirror those of Beijing. Robert Beckman, "South China Sea: How China Could Clarify its Claims", RSIS Commentary No. 116/2010, 16 September 2010; Fravel, "China's Strategy in the South China Sea", p. 297.

“harmonious world marked by sustained peace and common prosperity”.²⁵ In many ways, events reflected a return to the tension of the 1990s – but on a substantially larger scale with significantly greater implications given China’s growing power and naval capabilities.

In keeping with this theme, in private meetings with American officials in 2010 Chinese officials allegedly asserted that its claims over nearly the entire South China Sea represent a “core interest”.²⁶ Though neither officially confirmed nor denied by Beijing, this designation had previously had been reserved for the highly sensitive areas of Taiwan, Tibet, and Xinjiang, and therefore would represent a major statement of Chinese intent – both because other ‘core interests’ are more recognizably internal, rather than multilateral, territorial issues and because the term has come to be associated with “a rigid, uncompromising diplomatic or military stance” by China.²⁷

Throughout Southeast Asia, and particularly in Vietnam and the Philippines, this announcement drew concern over Chinese intentions for the disputed areas, even as Chinese officials seemed to waver over the term’s usage and application to the SCS following the diplomatic backlash.²⁸ At the 2010 ASEAN Regional Forum, Secretary of State Hillary Clinton declared that the United States had an important national interest in maintaining freedom of navigation in the South China Sea and not only supported a multilateral approach to settling the dispute, but offered to play a mediating role.²⁹ By any measure, this represented a strong challenge to Chinese diplomacy. China unsurprisingly argued that the US should not thrust itself into the middle of the territorial disputes, and that it would not accept outside interference. But having backed itself into a corner over the issue, it had little choice but to move to reassure its suspicious fellow claimants – a situation hardly helped by perceived Chinese belligerence towards Japan following an incident in contested East China

²⁵ “China’s Peaceful Development Road”, State Council Information Office (Beijing), 22 December 2005.

Available at <http://www.china.org.cn/english/2005/Dec/152669.htm>

²⁶ Da Wei, “A clear signal of ‘core interests’ to the world”, *China Daily* (2 August 2010), http://www.chinadaily.com.cn/usa/2010-08/02/content_11083124.htm

²⁷ Michael D. Swaine, “China’s Assertive Behavior – Part One: On ‘Core Interests’”, *China Leadership Monitor*, No. 34 (Winter 2011). This was at least in partial response to a joint submission by Vietnam and Malaysia to UNCLOS that claimed territory China views as its own. This submission was noteworthy both due to the predictable Chinese objections that ensued and because it represented a departure from the multilateral approach usually preferred by ASEAN states.

²⁸ Swaine, “On ‘Core Interests’”. It is unclear which Chinese official(s) used the term, but the *New York Times* reported the term being used during meetings in March and May 2010. The latter included Hillary Clinton, who later claimed the term was used by State Councillor Dai Bingguo. The term has not been used in reference to the South China Sea in public PRC documents or statements. Beijing has not confirmed unambiguously whether the SCS is a “core interest” because, in Swaine’s view, explicit confirmation would likely provoke an even more negative international reaction, while denying this could imply weakness or a changing position.

²⁹ “Offering to Aid Talks, U.S. Challenges China on Disputed Islands”, *New York Times*, 23 July 2010. <http://www.nytimes.com/2010/07/24/world/asia/24diplo.html>; “U.S. Takes on Maritime Spats”, *Wall Street Journal*, 24 July 2010. <http://online.wsj.com/article/SB10001424052748703294904575384561458251130.html>

Sea waters in September 2010.³⁰ In July 2011, China and ASEAN member states agreed to a set of guidelines to implement the 2002 DOC, which led to largely cosmetic modifications to the original agreement. Importantly, however, the document – like the 2002 DOC – is not considered legally binding.

The implementation guidelines, despite being praised in some quarters as “an important milestone document in the cooperation among China and ASEAN”³¹, did little to cool tensions over the contested areas. 2011 witnessed numerous clashes over these areas, a trend that continued throughout early 2012. Recently, tensions have flared up between China and both Vietnam and the Philippines. In April 2012, American troops conducted military exercises with both Vietnam and the Philippines, which US Defense officials claimed were long-planned and not tied to the recent spike in tensions.



Territorial claims in the South China Sea. Source: David Rosenberg (<http://www.southchinasea.org>)

³⁰ “China’s Charm Blitz in ‘Shambles’ over Regional Spats”, *Bloomberg News*, 27 September 2010. <http://www.bloomberg.com/news/2010-09-26/china-s-asian-charm-offensive-in-shambles-over-disputes-with-neighbors.html>

³¹ “South China Sea guidelines agreed”, *The Jakarta Post* (21 July 2011). <http://www.thejakartapost.com/news/2011/07/21/south-china-sea-guidelines-agreed.html>

South China Sea Conflict as Bellwether for “China’s Rise”

Chinese actions and behaviour over the SCS have become a barometer for future Chinese intentions for many, both inside and outside the region. One analyst has gone so far as to argue that “the South China Sea is the future of conflict”.³² The rise in tensions – particularly in early 2012 following the arrest of Vietnamese fishing boats by PLAN forces and Chinese protests over Manila’s tender for hydrocarbon development in areas claimed by China – has therefore caused considerable concern throughout the region about the trajectory of Chinese diplomatic and military intentions. After seemingly settling down somewhat at times over the course of 2011, this sense of rising tension has returned the issue to the front burner of Asian security.³³ These diplomatic skirmishes with the Philippines and Vietnam have done little to reassure either individual states or ASEAN of Chinese intentions. Chinese plans to formally map the SCS, though in some ways no different from the actions of other claimant states, have also raised concerns throughout the region.³⁴ Countless words have already been written discussing the regional and global implications of China’s rise. Less examined have been the dynamic responses of the less powerful states of Southeast Asia to such a fluid strategic situation. While the economic relationship with China has yielded substantial benefits for Southeast Asian states, the South China Sea dispute has reinforced and deepened the perceived need throughout the region for an active, engaged American presence.

The Role of the United States

The United States has grown increasingly vocal about the South China Sea dispute. Hillary Clinton’s landmark speech at the 2010 ARF in Hanoi, as well as the much-discussed Pacific Pivot announcement of late 2011, went some way towards making American intentions clearer. While the policies underlying the Pivot have been in the making for some time, the public signalling – towards China and the states of Southeast Asia – associated with such a move were particularly important. Southeast Asian diplomats and leaders have frequently expressed concern about the United States losing focus on the region; the Pivot was intended to address this perceived shortcoming directly.

In recent years, Southeast Asia and the surrounding region have become an increasingly active focus of American security policy. In addition to the previously

³² Robert D. Kaplan, “The South China Sea is the Future of Conflict”, *Foreign Policy* (Sept/Oct 2011).

³³ “Nearly 7000 US, Filipino Troops start exercises near disputed South China Sea Waters”, *Washington Post*, 16 April 2012. http://www.washingtonpost.com/world/asia_pacific/nearly-7000-us-filipino-troops-start-exercises-near-disputed-south-china-sea-waters/2012/04/16/gIQA9EfaKT_story.html

³⁴ Zou Le, “South China Sea mapping underway”, *The Global Times* (27 March 2012).

mentioned agreement with Australia, Singapore has agreed to host up to four of the U.S. Navy's cutting-edge Littoral Combat Ships. Vietnam and the Philippines have each held bilateral military exercises with the American military while devoting substantial energy and political will towards developing closer security relationships overall. US Secretary of Defense Leon Panetta has discussed expanding the American naval presence at Vietnam's Cam Ranh Bay, one of Southeast Asia's most important strategic harbours. The 2012 "Cobra Gold" military exercises, hosted annually by Thailand since 1980, featured over 10,000 military personnel from the United States, Thailand, Indonesia, Japan, Singapore, Malaysia, and South Korea.

Broader strategic relations between the United States and Southeast Asia have also flourished in recent years. In late 2010 the United States and Indonesia formalized a "comprehensive partnership" first proposed by Indonesian President S.B. Yudhoyono. Speaking at the inaugural US-ASEAN meeting in 2008, Singapore Foreign Minister George Yeo unequivocally stated "no major strategic issue in Asia can be resolved without the active participation of the US."³⁵ As mentioned earlier, in 2011 Barack Obama became the first American president to attend the East Asia Summit, where he emphasized ASEAN's central role in regional dialogue. In April 2012, the United States and the Philippines held their first-ever "2+2" meeting between the respective foreign and defense ministers of each state. While such moves should not be read in isolation, and regional states are concerned about antagonizing China, they nonetheless represent a clear desire for continued and expanded American engagement within the region.

Rising tensions between China and several Southeast Asian states over competing sovereignty claims have provided revealing insights into regional concerns over China's future intentions. This represents a vital characteristic of the recent American shift in strategic focus towards Asia, and specifically Southeast Asia: it has been welcomed and sought after by important regional states. While ASEAN diplomacy has demonstrated some flexibility in dealing with China and the United States and is generally consistent in its efforts to diminish tension between the two powers, states such as Singapore, the Philippines, Vietnam, and (to a lesser degree) Indonesia have proactively developed closer bilateral relations with Washington. One of the most striking elements, therefore, of the increased focus of the United States upon the region – including on a security basis – has not been the predictable

³⁵ "Opening Remarks by Mr. George Yeo, Minister for Foreign Affairs, Singapore and Co-Chair of ASEAN-US Dialogue Relations, at the ASEAN Post Ministerial Conference 10+1 Session with the United States of America, Singapore, 23 July 2008", available at <http://www.aseansec.org/21797.htm>.

opposition and unease expressed by China about Washington's recent moves, but the welcome invitation offered by important regional powers. With some exception, the increased American presence of the Obama Administration has been largely through invitation from Southeast Asian states.

The United States, for its part, has simultaneously also sought to lower the domestic costs borne by Southeast Asian leaders when developing closer relations with Washington. This has been achieved through numerous means, including effective diplomacy, but unquestionably the public signalling of American commitment has played a critical role. While weaker states have traditionally aligned with more powerful (often distant) states to offset power asymmetries with neighbouring states, rarely has such logic been used across nearly an entire region. In addition to the closer military ties throughout the region, the closer security and economic relationships forged between regional states and Washington have resulted from Washington's strategic shift towards the Pacific. Washington's attractiveness to Southeast Asian states comes from precisely the "hard power" advantages it maintains relative to China, as well as the shared concerns about China's seemingly aggressive actions over the South China Sea. Chinese actions, having raised concerns across the region, have clearly offered the US an opportunity to expand existing relationships within the region. Both Washington and the major states of Southeast Asia have actively sought to do so.

This presence – crucially, not through Washington's imposition or coercion, but rather from the relative "attractiveness" of an engaged American regional presence – also offers regional states greater clout due to China's well-known preference for a more limited American role. Chinese unhappiness with the expanded American political, economic, and security presence of recent years, as well as Beijing's resistance to American efforts to internationalise the dispute via a multilateral settlement, has forced China to pay more attention to Southeast Asian concerns and perspectives. While policy coordination remains a major concern for Chinese leaders (discussed below), the more conciliatory approach by China in mid-2011 can be attributed in part to concerns over well-publicized American gains made at China's expense. This shift in Chinese diplomacy, however short-lived, makes it unlikely for Southeast Asian states to back away from this strategy and represents a key benefit derived from the American Pivot. Before Clinton's 2010 ARF speech in Hanoi, a Vietnamese diplomat said China did not take Vietnamese interests seriously; following the speech, he said "they listen to us now".³⁶

³⁶ "Stirring up the South China Sea", International Crisis Group, Asia Report No. 223 (23 April 2012), fn 66.

Chinese Responses and Options

China has a number of diplomatic, political, and security options available to it in attempting to pursue the varied interests associated with its SCS claims. Clearly, China's extensive claims reflect several critical, overlapping factors, including the vast economic riches of the SCS, strategic considerations, fear of being encircled by the United States and/or an unfriendly coalition of regional states in China's near periphery, energy and maritime security, and national pride. China clearly sees American maritime superiority in an area so close to its coast as a potential choke point that could be used against China should Sino-US tensions escalate in the future.

The particular importance of describing Chinese policy options stems from both Beijing's claim over nearly the entire SCS as well as the central reality of growing Chinese power. Realistically, it is highly likely that some combination of various policy options, encompassing a number of different diplomatic, economic, and security-related policies, will likely be settled upon. Broadly speaking, these options include the following:

- Continuing status quo ambiguity over competing claims, which could include joint management of resources without explicitly clarifying sovereignty.
- Coercive diplomacy and political pressure, up to and including outright seizure of contested territory or military conflict.
- Bilateral diplomacy with individual claimant states to clarify competing claims.
- Multilateral diplomacy, either through existing organizations or through an ad hoc arrangement specifically tied to the SCS.

All options offer at least some benefit to Beijing, but various policy options will clearly result in vastly different outcomes. Should Chinese leaders choose to largely continue the status quo – deemphasizing final settlement of sovereignty claims, perhaps in conjunction with joint exploration and development of oil and gas resources with other claimant states – tensions over the SCS might abate, and with it some broader regional (and American) concerns over China's growing power. Limited joint resource development projects have commenced, and Chinese leaders since Deng Xiaoping have argued for such a policy.³⁷ Some regional voices have also expressed limited support.³⁸ Continued ambiguity in the short-term

³⁷ Deng's policy was described as "sovereignty is ours, set aside disputes, pursue joint development", and in August 2011 President Hu Jintao affirmed support for the policy. Fravel, "China's Strategy in the South China Sea", p. 312.

³⁸ S. Jayakumar, "Consider joint development in disputed areas", *The Straits Times* (A34), 18 June 2011.

would allow China's military advantage to grow, making more forceful actions a future option.

Conversely, China could attempt to pressure or coerce much weaker states to accept Chinese claims now, either through diplomatic pressure, economic pressure, military pressure, or some combination thereof. This could include outright seizure of contested areas, or a more muscular response to perceived violations of Chinese sovereignty by Vietnamese, Filipino, or other nationalities' forces. China's substantially improved naval capabilities, while still significantly inferior to those of the United States, still far outstrip those of any potential regional rival. While the US has upgraded its naval presence in the SCS, Chinese strength could potentially seize territory unilaterally by overwhelming local foes quickly, presenting regional actors and Washington with a *fait accompli*.

Regardless of what degree of pressure or conciliation China applies to the SCS dispute, negotiations will undoubtedly continue on some level. China's preference for bilateral settlements stems from two main points: the complexity and difficulty in reaching a 'grand bargain' between all claimant states at once, and the obvious additional leverage Beijing can apply in bilateral rather than multilateral settings. Uncertainty over the strength of commitment to ASEAN solidarity could allow China to effectively reach settlements with individual states. China's economic growth, the China-ASEAN Free Trade Agreement, and China's willingness to supply foreign aid have integrated the economies of China and ASEAN states more closely together, creating potential leverage.³⁹ If a settlement with one ASEAN state is reached, there could conceivably be a rush to reach individual settlements for fear of missing out on lucrative development deals. In such a situation, China could be well-placed to profit.

Alternatively, China could also pursue negotiations over the SCS in a multilateral setting, as preferred by ASEAN. This would represent an implicit recognition that recent Chinese diplomacy over the SCS has been counterproductive and set off alarm bells of concern throughout the region. China has clearly indicated that it would not accept outside actors – most notably the United States, but also Japan and India – as part of any negotiation process. But, as China knows, the SCS conflict represents as much a test for ASEAN unity

³⁹ As one example, during a particularly tense period of Sino-Filipino relations over (not surprisingly) the SCS in September 2011, Filipino President Benigno Aquino visited Beijing, where he secured over \$13 billion in Chinese investment for the Philippines. Notably, at nearly the same time, the Philippines Navy bought two ships from the United States specifically designated for the South China Sea. Such events demonstrate both the overlapping strategic and economic issues at play, as well as China's potential ability – should it decide to utilize it – to make aid and investment contingent upon other issues, including the SCS. "‘Bundling Strategy’ over South China Sea will be disillusioned", *Xinhua News Service* (26 September 2011).

and function as it does for China.⁴⁰ Having invested a considerable amount of political and diplomatic capital in supporting ASEAN's central role in East Asian regionalism, China could agree to engage in a multilateral setting to settle disputes with all claimants. While this would undoubtedly be an enormously complex undertaking (and no doubt take years to settle), such a reassertion of ASEAN's importance (and peaceful settlement of conflicting claims) could result in a major opinion shift in China's favour.

It is almost certain that China will continue to employ aspects of all of these strategies – reconciliation, pressure and/or coercion, and varying negotiation strategies and formats – in attempting to achieve its SCS-related goals. Unfortunately for China, in addition to potential benefit, these strategies all carry costs and potentially negative consequences, particularly when considered in conjunction with the strategies employed by other interested parties. In particular, the mutual invitation between Southeast Asian states and the United States to develop closer security and strategic relationships has presented China with an unenviable set of policy options moving forward. Simply put, Chinese actions have shifted regional attitudes amongst relevant actors from caution to concern.

This trend would undoubtedly accelerate enormously should China threaten or attempt to seize disputed areas by force, as suggested by at least some public and military figures.⁴¹ Not only would such behaviour serve as confirmation of aggressive Chinese intentions, the political backlash caused by such actions would almost certainly be dramatically greater than any potential short-term gains. Similarly though less dramatically, the recent rise in tensions with the Philippines and Vietnam has made bilateral settlement unlikely even if tensions do eventually subside. While the strategies of Southeast Asian states do demonstrate individual differences, as weaker states they have also largely demonstrated a common understanding that maximizing the likelihood of positive outcomes (including the prevention of *de jure* or *de facto* Chinese dominance over the SCS) requires sticking together. This has been witnessed by attempts to find agreement amongst ASEAN claimants in order to present a common front in negotiations with China. While China will undoubtedly continue to attempt to undermine this common ASEAN negotiating stance – in part through complaints over Filipino and Vietnamese aggression in areas claimed by China – the states of

⁴⁰ Ernest Bower, "The Quintessential Test of ASEAN Centrality: Changing the Paradigm in the South China Sea", *CSIS Commentary* Vol. 2, No. 10 (22 June 2011).

⁴¹ According to one source, Associate Professor at the College of the Air Force Command Zhou Erquan urged China to "attack early, attack quickly, and attack heavily". "China Economy: China Should Attack the Philippines Militarily". <http://www.chinascopes.org/main/content/view/4510/105/> (3 May 2012). Major General Luo Yuan said that if other claimants were to insult China on SCS issues, the Chinese people must be willing to "wield their swords". "Stirring Up the South China Sea", fn 374.

Southeast Asia have more to gain collectively through a common front than bilateral settlement with China.

The remaining options include some form of continued legal ambiguity over disputed areas, potentially involving joint development of resources, or a multilateral negotiated settlement. It is difficult to see how China's claims over the SCS could conceivably be upheld with either strategy, but it is equally clear that Chinese strategy has sought to consolidate its claims over time and prevent resource development projects that exclude China.⁴² It is also clear that China has no significant backup plan if or when other states reject joint development proposals, which other states have done in part due to Beijing's condition that such projects must first acknowledge Chinese sovereignty claims.⁴³ Chinese claims to nearly the entirety of the SCS, either based on the formula of islands plus surrounding EEZ or of the entire territory within the 9-dashed line, have been criticized by fellow claimants and outside observers as failing to meet the standards of recognized international law.⁴⁴ If disputes over sovereignty are shelved, rather than solved, it is highly unlikely that the security presence provided by the United States (and to varying degrees invited by Singapore, Malaysia, Vietnam, Indonesia, and the Philippines) would disappear anytime soon. If anything, it would provide further and continued justification for such a presence as a potential hedge against future Chinese aggression.

But should a multilateral approach be undertaken, not only will China's considerable leverage be diluted in place of a far more legalistic outcome (including potentially involving an external arbiter) but expectations would be high that such an agreement would be internationally binding – and more than likely the United States would be involved in some capacity as a guarantor of the agreement, explicitly or implicitly. Furthermore, any compromise involving supposedly central national interests would require some step back from China's existing claims, which would be difficult to square with the aggressive rhetoric emanating from certain parts of the media and military circles. This rhetoric seems to carry the imprimatur of the Chinese Communist Party leadership. Clearly, at this stage, none of these policy options represents an optimal outcome for Beijing. It is highly unlikely, based on current perceptions of Chinese intentions at a regional level, that they could be effectively combined in a manner to achieve China's stated goals.

⁴² Fravel, "China's Strategy in the South China Sea", pp. 292-319.

⁴³ *International Crisis Group*, "Stirring up the South China Sea", p.29.

⁴⁴ Greg Poling, "Arguing Over Blocks: Do China and the Philippines Both Have a Claim?", *CSIS Cogitasia Blog* (14 April 2012), <http://www.cogitasia.com/arguing-over-blocks-do-china-and-the-philippines-both-have-a-claim/>

There are many contributing factors to this, but at its core it is fuelled by two basic perceptions shared by most key states throughout the region. First, the United States, for its many significant faults and blunders, nonetheless remains perceived as a benign off-shore power; second, that China's increasingly muscular and assertive approach to South China Sea diplomacy represents a dangerous, destabilizing, and undesirable trend. Tensions, currently running high, will likely ease over time, in part due to the significant costs incurred to China's reputation across the region by such claims and rhetoric. As a result, it is likely that Chinese claims over the contested areas of the South China Sea will have to be modified in some significant manner in either practice or in fact, as few alternatives seem viable or realistic.

Recent actions seem to bear this point out, at least on a limited basis. In explaining the March 2012 arrest of Vietnamese fishermen in contested waters, a Chinese Foreign Ministry spokesperson claimed that the SCS dispute concerned "islands and their adjacent waters".⁴⁵ This much-analysed statement seems to mark a departure from past statements that emphasized Chinese sovereignty over nearly the entire SCS. This is important because this seems to suggest that Chinese claims do not encompass the entirety of the 9-dashed line area, but only the 12 nautical mile perimeter around the islands in that area.⁴⁶ However, without explicit clarification, it is difficult to ascertain the exact nature of China's claims. This "strategic ambiguity", just as the supposed "core interest" designation, seems to be an important part of Beijing's overall strategy.⁴⁷

From a strictly foreign policy-based perspective, it seems Chinese leaders would be well served by adjusting current policies to better align with regional perspectives. Clearly, this would involve some moderation of Chinese SCS claims, and therefore a potentially substantial 'loss' over the SCS dispute in the short term. However, such actions would go some way towards calming regional sensibilities towards China's rising power, in the same way that periodic tensions raise concerns about China's future trajectory. It would also put a not insignificant amount of pressure on the United States: if China takes a more conciliatory approach to rival SCS claims and is understood to be "playing by the rules", it would be

⁴⁵ "Foreign Ministry Spokesperson Hong Lei's Regular Press Conference on March 22, 2012", available at <http://www.fmprc.gov.cn/eng/xwfw/s2510/t917058.htm>

⁴⁶ Beckman argues that China's 2009 submission to UNCLOS, with the attached 9-dashed line map, represents claims on the islands within the 9-dashed line, not the entirety of the perimeter. Robert Beckman, "The China-Philippines Dispute in the South China Sea: Does Beijing have a Legitimate Claim?", RSIS Commentary No. 036/2012 (7 March 2012).

⁴⁷ Gregory Poling, "Time to End Strategic Ambiguity in the South China Sea", *Southeast Asia from the Corner of 18th and K Streets*, Vol. 3 No. 13 (5 July 2012), <http://csis.org/publication/time-end-strategic-ambiguity-south-china-sea>

incumbent upon the United States to clearly demonstrate that it is willing to work productively with China, as it declares it is, rather than ‘containing’ it as some (Chinese and non-Chinese) commentators have claimed. This would mark, on some level, a return to China’s “soft power” diplomacy of the early 2000s, and in doing so could conceivably, over time, undermine a prime advantage held by the United States. More fundamentally, short of outright forceful seizure of disputed territory, it is difficult to imagine China’s claims being upheld under current conditions should these sovereignty disputes be settled, be it through international auspices, negotiations with ASEAN, or even bilaterally with individual states. If China will be forced to compromise on its claims at some stage, it would be advantageous to do so before regional perceptions of Chinese ‘assertiveness’ harden into perceptions of Chinese belligerency over the issue.

But if foreign policy generally is at least partially rooted in the domestic politics and concerns of states, this is particularly the case with China. There are several potential problems facing Chinese leaders should a decision be associated with a substantial revision of existing claims. Chinese leaders and academics have stated explicitly that foreign policy goals are secondary to domestic political stability. China’s new generation of leaders will take power this year, with Xi Jinping expected to become President. This comes as the CCP deals with the most threatening and public political scandal since the 1989 Tiananmen Square uprising: the Bo Xilai affair. While the CCP has seemingly closed ranks to present a united front and has characterized Bo as a power-hungry and corrupt official, the salacious and public nature of the scandal has nonetheless shaken the CCP’s standing. Simultaneously, the treatment of blind activist Chen Guangcheng has raised familiar questions about power abuses by local officials.

This is important for several reasons. As suggested, an increasingly vocal Chinese nationalism has militated against conciliatory rhetoric towards other SCS parties and, at times, virulently opposed any softening of China’s positions.⁴⁸ (Public reactions in other claimant states have demonstrated similar behaviour at times.) While it is impossible to quantify exactly what impact this has had on policy formulation, it is highly implausible that the rhetoric from populist and semi-official (and even official mouthpieces) would not constrain policy options at the top of the CCP. Furthermore, while the International Monetary

⁴⁸ Responding to recent tension with the Philippines over mutually claimed islands, an editorial in *The Global Times* – a popular nationalist tabloid that frequently espouses populist viewpoints – said that the crisis “reflects the recklessness and arrogance of the Philippines” and that China should “bring shame upon Manila”. Editorial, “Manila can’t dictate dispute progress”, *The Global Times*, 25 April 2012. (<http://www.globaltimes.cn/NEWS/tabid/99/ID/706523/Manila-cant-dictate-dispute-progress.aspx>)

Fund expects the Chinese economy to slow only modestly this year, China's economy remains (in the words of Premier Wen Jiabao) dangerously "unstable, unbalanced, uncoordinated, and unsustainable".⁴⁹ Should the Chinese economy slow noticeably – perhaps due to weakness in Europe and the United States, or internal imbalances – new CCP leaders, already under pressure following the Bo and Chen cases, could conceivably attempt to mitigate popular unrest through taking a more aggressive, less conciliatory approach towards the SCS and its neighbours in order to divert attention from domestic shortcomings.

The role of the PLAN is clearly important here, though it is unclear what standing or credibility the new leadership will have with senior military officials amidst a time of considerable tension. There are some indications that the PLAN leadership is far from united on the SCS, to say nothing of bureaucratic and strategic differences with the land-based PLA. Furthermore, the foreign policy-making process in Beijing has diversified considerably over the past decade. Policy coordination has not kept pace with this diversification of voices and views, in part because of the Foreign Ministry's lack of resources and authority. But it has also failed because of the many different voices and agencies, both civilian and military, involved in the process of foreign policy, many of which have very different (and often opposing) agendas.

These include reasons not related to Chinese strategy towards the SCS, but instead more parochial reasons such as seeking increases in bureaucratic power, profile in decision-making, policy responsibility/agenda, or budget.⁵⁰ It is not strictly a national-level concern either: local governments (most notably Hainan province) committed to rapid economic growth have sent fishing vessels to contested areas and attempted to develop tourism on Chinese-held SCS islands.⁵¹ The result has been that China has become "its own worst enemy" as tensions continue to rise over the SCS, some of which China has seemingly attempted to calm or prevent. The CCP's process of evaluating its strategic options in the SCS dispute is one thing; the implementation of any particular decision has proven to be a far more difficult challenge.

⁴⁹ Alan Wheatley, "Calculating the Coming Slowdown in China", *Reuters* (23 May 2011). Wen publically used the terms to describe the Chinese economy in 2007 and again in 2011.

⁵⁰ International Crisis Group, "Stirring up the South China Sea".

⁵¹ One potential reason tourism development has not been stopped is that it potentially helps strengthen Chinese claims to contested areas, both in customary international law and because under UNCLOS, "rocks which cannot sustain human habitation or economic life" are not awarded an EEZ. By promoting tourism to these areas, China may hope to prove that economic life is in fact viable. Other claimant states have employed similar strategies. *United Nations Convention on the Law of the Sea*, Part VIII, Article 121.

While opinions remain mixed, there is some evidence to suggest that China, at least at official levels, has made some efforts to moderate its stance towards the SCS.⁵² That China has submitted its claims through the UNCLOS mechanism is of some consequence, as is the fact that statements by Beijing (at times) have purposefully avoided fanning the flames of regional conflict. This leads to two possible conclusions, or some combination thereof. In the grand scheme of things, the Sino-American bilateral relationship encompasses far-ranging issues of considerable importance to global and regional outcomes. There are obvious reasons why the relationship between China and the United States has been described as the most important bilateral relationship in the world. China's strong stance on SCS issues, even if occasionally counterproductive to its overall strategic goals by raising regional concerns, may be a result of China willing to push hard on an issue where it feels it maintains an advantage. Washington would likely consider this reckless, which in turn could cause some to question the value of reassuring China of America's peaceful intentions.

An alternative explanation is that what is commonly seen by outside observers as Chinese assertiveness is, in fact, a reflection of China's difficulty in effectively coordinating the SCS-related policy process. This lack of coordination has been described as "nine dragons stirring up the sea", a reference to a traditional Chinese myth and, currently, to the difficulty Chinese leaders face in coordinating policy amidst a growing body of bureaucratic actors.⁵³ In part, this can be attributed to the multifaceted nature of the SCS dispute, which incorporates three major (and other minor) issues: territorial sovereignty, potential economic exploitation of contested areas, and conduct allowed within the EEZ of coastal states.⁵⁴ Distinctions between these different aspects of the dispute are often poorly delineated, meaning that the SCS can mean quite different things to the plethora of bureaucratic actors involved. As such, policy coordination can prove tremendously problematic for any state. But this portends a potentially dangerous future for the SCS disputes particularly in the event that China is unwilling or unable to effectively coordinate policy.

⁵² This can be dated from roughly mid-2011 in an effort to defuse tensions. In addition to agreeing to the Implementation Guidelines for the DOC in July, a September 2011 White Paper that emphasized joint development of contested areas and China's role as "a good neighbour, friend and partner of other Asian countries", and efforts to strengthen SCS policy coordination through the MFA. Statements from the PLAN-affiliated researchers and retired officers became notably less aggressive from this period as well. International Crisis Group, "Stirring up the South China Sea", pp.32-34; M. Taylor Fravel, "Maritime Security in the South China Sea and the Competition over Maritime Rights" in Patrick M. Cronin (ed), *Cooperation from Strength: The United States, China and the South China Sea*, Center for a New American Security, (January 2012), p. 44.

⁵³ International Crisis Group, "Stirring up the South China Sea", pp.8-13, fn69. ICG suggests 11 different agencies or bodies involved in SCS-related policy.

⁵⁴ Peter Dutton, "Three Disputes and Three Objectives: China and the South China Sea", *Naval War College Review* Vol. 64 No. 4 (Autumn 2011).

The Ministry of Foreign Affairs (MFA) is far weaker bureaucratically than the PLA both in terms of organizational hierarchy and the PLA's central role within the State Council.⁵⁵ Perhaps more significantly, the MFA seems to have lost significant ground to civilian rivals in its efforts to coordinate policy. Though Beijing's policy of ambiguity on important aspects of the SCS dispute does serve a strategic purpose, this ambiguity could also result from some combination of new policy entrepreneurs weakening the MFA's supposed autonomy on foreign policy matters as well as the striking lack of consensus or political will over Chinese strategy towards the SCS. If policy divergences continue to grow, as the most recent spate of tensions seem to suggest, the result could be an even more fractured and potentially unstable situation within China than presently exists. The implications for regional security could be significant – particularly as the MFA has been associated with the more conciliatory approach described above, in contrast to a more assertive and nationalistic response favoured by the military and increasingly important civilian bureaucratic actors.

South China Sea: Future Implications

The United States still maintains enormous advantages in naval capabilities over China, and this will likely hold for the foreseeable future despite tightening budgetary constraints in the US and considerable expansion in China's PLAN budget and operational capabilities.⁵⁶ Nonetheless, this narrowing gap, and in particular Beijing's development of "anti-access/area-denial"-capable weapons systems, has been the source of considerable concern amongst some Washington policymakers. This represents more than just posturing on the part of the United States. However, as has been argued, the US is far from alone in its concern over China's future trajectory or intentions. No other Southeast Asian state can match China's military capabilities today or in the foreseeable future, and this situation will cause these weaker states to seek closer security and political relationships with the United States accordingly.

As a result – and the desire throughout Southeast Asia for a resolution to competing sovereignty and territorial claims that does not involve force – "China will continue to remain the most crucial actor in any major development in the South China Sea for the foreseeable

⁵⁵ International Crisis Group, "Stirring up the South China Sea", pp. 14-5.

⁵⁶ Ronald O'Rourke, "China Naval Modernization: Implications for U.S. Navy Capabilities – Background and Issues for Congress", Congressional Research Service Report for Congress (23 March 2012); Christopher D. Yung et al, "China's Out of Area Naval Operations: Case Studies, Trajectories, Obstacles, and Potential Solutions", *China Strategic Perspectives* No. 3, Institute for National Strategic Studies (December 2010).

future.”⁵⁷ China can claim, with some legitimacy, that its actions have been dictated or even provoked by those of other claimants. This may be true, but it is also somewhat beside the point. Unfortunately for Beijing, irrespective of the truth of this claim, the perceived ‘assertiveness’ of Vietnam or the Philippines does not materially impact Southeast Asian security perceptions in the same way that China’s unquestioned superiority in naval capabilities and relative power over its Southeast Asian neighbours do. At the 2010 ASEAN Regional Forum, Chinese Foreign Minister Yang Jiechi asserted that “China is a big country and other countries are small countries, and that’s just a fact”. Interpreted as a veiled threat – he was reportedly staring at Singapore Foreign Minister George Yeo when the comment was made – Yang’s summary also provides the precise rationale for the weaker states of Southeast Asia to seek a more prominent role for the United States.⁵⁸

This is not to suggest that the United States does not have a central role to play in the evolving dispute, but rather that any eventual resolution to the dispute will be shaped more by decisions and actions taken by Beijing than by any other actor. The development by the United States of closer security ties with regional states, coupled with the larger diplomatic effort of the “Pacific Pivot”, have become critical tools of the United States. There is strong evidence that these actions by the United States have left China, in the words of two analysts, “off balance”.⁵⁹ Numerous predictions of major conflict – far greater than the relatively small-scale military clashes and diplomatic skirmishes witnessed so far – over disputed areas have not eventuated to this point.⁶⁰ Whether they will occur in the future certainly does not depend exclusively on China. Unquestionably, however, Chinese decisions and actions are central to any resolution of the competing claims of sovereignty over this critical regional issue.

⁵⁷ Mingjiang Li, “Reconciling Assertiveness and Cooperation? China’s Changing Approach to the South China Sea Dispute”, *Security Challenges* Vol. 6 No. 2 (Winter 2010), p. 49.

⁵⁸ John Pomfret, “U.S. Takes a Tougher Tone with China”, *The Washington Post*, 30 July 2010.

⁵⁹ Bonnie Glaser and Brittany Billingsley, “US Pivot to Asia Leaves China off Balance”, *CSIS Comparative Connections* (January 2012).

⁶⁰ Andrew Tanzer, “Asia’s Next Flash Point?”, *Forbes*, vol. 150 no. 10 (1992).

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