

Responding to China's Assertiveness in the South China Sea

BY *James R. Holmes*

In territorial disputes with the Philippines and Vietnam, China has taken to deploying coast guard vessels and other nonmilitary assets as its instruments of choice to consolidate its claims to South China Sea islands, atolls, rocks, and waters. Naval warships, combat aircraft, and other weaponry have kept a low profile or remained over the horizon—and out of sight—altogether. This makes for a peculiar maritime contest pitting fleets of unarmed or lightly armed ships against each other.

U.S. leaders must discern the nature of the imbroglio in the South China Sea, undertake some soul-searching about how much they and American society prize their aims, and allocate resources—diplomatic effort, ships and aircraft, manpower, and so forth—to bring about an acceptable result. Having thought these things through, officials may glimpse stratagems whereby they can manage events in the region.

THE NATURE OF THE STRATEGIC COMPETITION

How should we classify the struggle in the South China Sea? It is shaping up to be a protracted peacetime strategic competition among China, rival Asian seafaring states, and the United States to determine whether China can modify the U.S.-led international order by unilateral fiat. If successful, Beijing will set a precedent for occupying waters assigned to fellow coastal states by the law of the sea and for abridging freedom of the seas as it sees fit. China will transmute the waters bounded by the

first island chain into a closed sea ruled by Chinese domestic law. And it will loosen U.S. alliances in the process.

Why will the competition be protracted? To all appearances, China defines not just land but the sea as territory to be ruled. Chinese commentators depict the waters within the “nine-dashed line” enclosing most of the South China Sea as “blue national soil” where Beijing rightfully exercises “indisputable sovereignty.” Having defined its policy in terms of sovereignty—a concept that rouses elemental passions among officialdom and ordinary people alike—the Chinese leadership has staked out a public commitment that would be exceedingly difficult to walk back. Although Chinese leaders might postpone their plans if they were to encounter effective pushback, it is tough to envision China forswearing its territorial claims altogether for the sake of, for example, a maritime code of conduct.

What is China attempting to accomplish? China is prosecuting a sort of hub-and-spoke strategic competition against both its Asian rivals and the United States. Chinese diplomats try to keep each competition separate, in hopes of overpowering each opponent *mano-a-mano* while forestalling a hostile coalition. With regard to the United States, China is pursuing an access-denial strategy by deploying aircraft, antiship missiles, and ships capable of exacting a heavy toll from U.S. forces operating in Asia in wartime. In short, Beijing wants to dishearten Washington while discrediting U.S. alliance commitments. With regard to Asian rivals, China covets control of islands, seas, and skies. It starts matter-of-factly policing disputed seas while daring woefully outmatched antagonists to reverse its efforts. Rather than reach for the big stick of naval force, Beijing prefers to brandish the small stick manifest in the China Coast Guard. This approach has worked to date.

How determined is the United States? Faced with this multifaceted strategy, the United States must decide whether it treasures its alliances—and its stewardship of freedom of the seas—enough to mount an open-ended effort of major proportions to defend them. The upfront expenses of halting China’s creeping expansionism threaten to be steep, while confronting a major trading partner and fellow nuclear-weapon state entails perils and uncertainty. Many strategists would counsel against such a venture unless U.S. leaders place a very high value on the United States’ strategic position in Asia and its custodianship of the international system. It is gut-check time, as sportscasters say.

POLICY OPTIONS

Suppose Washington proceeds. How does it beat a strategy like China’s?

First, refuse to be drawn into armed conflict over the Spratlys and Paracels. Given that the claims and counterclaims to these flyspecks are murky at best, Washington should wage “lawfare” instead. The regime of islands set forth in the UN Convention on the Law of the Sea (UNCLOS) defines what constitutes an island in legal terms. Few geographic features at issue in the South China Sea qualify. An island without its own freshwater, for example, cannot sustain human life or economic activity, and thus is not an island at all from a legal vantage point. Its owner can claim only a 12-nautical-mile territorial sea around it, not a 200-mile exclusive economic zone (EEZ). Taiwan appears to control the only bona fide island in the South China Sea. If so, the remainder of that body of water is mostly high seas, open to all. Seafaring states should exercise that freedom to its maximum, flouting China’s nine-dashed line. Washington should encourage Asian governments to seek a ruling from an international tribunal

confirming the status of islands, atolls, and rocks. The United States will have prevailed if Asian states can defend the waters washing against their homeland shores.

Second, wage the competition on Beijing’s terms—in one sense. Thinking about the South China Sea as territory clarifies matters. Viewed this way, Chinese fishermen operating within 200 nautical miles of Palawan, for example, are poaching Philippine natural resources as surely as if they had landed on the island. China Coast Guard vessels accompanying the fishing fleet equate to an invasion force protecting poachers. Framing matters thus may help the United States summon up some urgency for this endeavor while putting China on the defensive.

Third, consider committing U.S. Navy and Coast Guard forces to Asia in more than their usual training capacity, creating combined naval and law-enforcement fleets with Asian allies. U.S. mariners would help police offshore waters the way soldiers helped police NATO soil throughout the Cold War. The Philippines, for instance, will never be able to fend off Chinese encroachment on its EEZ. Its maritime resources are too sparse. But a beefed-up U.S. Coast Guard forward-deployed to Southeast Asia—and backed by heavy U.S. Navy firepower—could give regional states a fighting chance of upholding their legal rights.

Are these good alternatives? Hardly. They are just the least awful ones available. ♦

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