

## CHAPTER 13



### CONTESTING THE SOUTH CHINA SEA

Denny Roy

*The South China Sea is far more dangerous  
than the Taiwan Strait.<sup>2</sup>*

— Retired PLA Senior Colonel Zhou Bo, 2023

#### Introduction

Xi Jinping's People's Republic of China (PRC) is aggressively pursuing territorial ambition, often veiled as irredentism, presenting significant challenges to the United States and its

partners. This is most prominently manifested in the South China Sea.

The essence of the issue is that Beijing is attempting to compel the international community, through means that include military intimidation, to accept the Chinese claim that the South China Sea is PRC territory rather than an international waterway. China is not the only claimant that has taken controversial actions, but China's claims are by far the most expansive, and its behavior the most forceful.

The situation is disruptive in several ways. China interferes with other countries in the region carrying out what should be normal activities, such as peaceful military patrols on the high seas and the extraction of resources by countries in their own exclusive economic zones (EEZ).

China's actions violate and therefore undermine international law, particularly the United Nations Convention on the Law of the Sea (UNCLOS or Law of the Sea), to which Beijing itself is a signatory. While up to now remaining in the gray zone, Chinese actions contribute substantially to an atmosphere of high tension that makes the South China Sea a possible flashpoint for a war that would cause global economic hardship, not to mention the possibility of combat between two nuclear-armed major powers.

The problem of how to deal with this PRC expansionism has divided the region. The Philippines and Vietnam have taken the strongest positions. The governments of Malaysia

and Indonesia have pushed back more quietly. At the other end of the spectrum is Cambodia, which has partnered with Beijing to suppress criticism of China.<sup>3</sup> The issue seriously compromises the cohesion and effectiveness of the Association of Southeast Asian Nations (ASEAN). Governments that would prefer not to choose sides are under conflicting pressures from Washington and Beijing.

The South China Sea dispute exacerbates the competition for regional leadership between China and the United States. Beijing has said its policy relies on historical arrangements that precede and therefore take precedence over modern international law, which the Chinese complain disproportionately reflects the outlook and interests of Western countries. The PRC's position supports suspicions that today's Chinese government hopes to restore a modernized version of the ancient Sino-centric tributary system. Washington, on the other hand, promotes a system that will keep U.S. friends and allies in the region free from Chinese military and economic coercion, and that more generally upholds U.S. security interests and commercial opportunities.

This analysis adopts a comparative historical methodology to scrutinize China's tactics and policies in these contested maritime regions, providing a detailed understanding of Beijing's strategies across different scenarios and historical moments. The focus is mainly on the South China Sea, where China's extensive territorial claims have weak legal

justification. A geopolitical analysis will probe how ambitions for territorial control, regional dominance, and power projection drive China's actions.

While U.S.-led efforts have so far thwarted China's ambitions for an easy victory, they have not deterred China's incremental advances. As China strengthens its position, the risk of regional states acquiescing to its pressure grows, threatening to diminish the global commons. Countering China's expansionism may require bolder measures, entailing higher costs and risks for the United States and its partners.

### **Strategizing Sovereignty: Unpacking China's Ambitions and Methods in the South China Sea**

While Beijing has not explicitly articulated its policy in these terms, the primary objective seems to be establishing a Chinese sphere of influence over the South China Sea. Beijing's actual stated claim underscores this ambition in the vague, simple statement, "China has indisputable sovereignty over the South China Sea islands and their adjacent waters,"<sup>4</sup> as demarcated by the nine-dash line on Chinese maps.

This broad claim essentially declares sovereignty over nearly the entire South China Sea, including areas recognized by UNCLOS as other countries' EEZs. Despite being one of 170 parties to ratify UNCLOS,<sup>5</sup> Beijing paradoxically rejects the treaty's framework when advancing its South China Sea claims. Instead, it cites historical usage as the basis for its claim, a stance starkly contrasting with UNCLOS principles,

prioritizing recent, legally defined maritime boundaries over historical narratives.

In practice, China does not interfere with the passage of civilian cargo ships and tankers through the South China Sea but frequently objects to the presence of foreign military units and the taking of resources by foreigners without Beijing's approval. This accords with the typical understanding of a sphere of influence in international politics.<sup>6</sup>

Historically, Beijing has used military force to assert its claims in the South China Sea. Notably, in 1974, Chinese sailors and soldiers skirmished with Vietnamese forces for control of the Paracel Islands. Again, in 1988, China used military force to seize Johnson South Reef in the Spratly Group from Vietnam. The fact that Vietnam was not a member of ASEAN during these confrontations likely influenced the regional dynamics.

Subsequently, Beijing has adopted more subtle strategies in the South China Sea, characterized by "creeping expansionism,"<sup>7</sup> "lawfare,"<sup>8</sup> and gray-zone tactics. A primary example was the 2012 Scarborough (Masinloc) Shoal incident, where China barred Filipino fishermen from the shoal within the Philippines' EEZ, reneging on a withdrawal agreement.

As part of its lawfare strategy, China uses legal rhetoric and domestic legislation to bolster its claims, framing the sovereignty issue in the context of ancient maritime history.<sup>9</sup>

Laws enacted in 1992 and 1998 not only unilaterally affirm China's claims but also declare them legally binding on foreign governments.

Beijing also suggests administrative control over the South China Sea, as exemplified by the 2012 designation of Sansha City in the PRC-occupied Paracel Islands as the administrative center for the Paracels, Spratly Group, and Macclesfield Bank. Furthermore, during military exercises, the Chinese government occasionally restricts foreign ships and aircraft from certain areas of the South China Sea.

Beijing's strategy in the South China Sea hinges on non-kinetic but coercive "gray-zone" tactics, including dangerous close-quarters maneuvers by military and paramilitary vessels, laser attacks, and high-pressure water cannons aimed at disrupting resource exploration and freedom of navigation patrols.<sup>10</sup> These tactics create a security dilemma for neighboring countries, blurring the lines between peace and conflict and challenging regional stability. As reports by the U.S. Department of Defense and the Asia Maritime Transparency Initiative highlight,<sup>11</sup> this incremental assertion of presence and claims alters the status quo in China's favor while potentially sparking unintended escalation due to the ambiguity of these actions.

The Chinese government has also been stalling multinational negotiations to establish a Code of Conduct for the South China Sea. Beijing's insistence on provisions that would lock in its dominant position indicates its strategic

objectives. These objectives include barring other claimant states from collaborating with non-regional corporations for resource extraction, prohibiting joint military exercises in the South China Sea with non-Southeast Asian states, and excluding outside organizations from dispute resolution.<sup>12</sup>

From Beijing's standpoint, victory in the South China Sea would mean gaining international acquiescence to China owning all of its features (islands, reefs, rocks, and sandbars) and holding veto power over foreign activities within the nine-dash line—in particular, no exploitation of ocean or seabed resources by foreigners and no foreign military patrols or exercises without the PRC government's permission.

### **Implications of Chinese Dominance: Assessing the Strategic Shifts in the South China Sea**

If Beijing were to realize its goal of controlling the South China Sea, the consequences for the United States and its partners would be significant. First, coastal states other than China would lose their rights to the South China Sea's resources, which are otherwise guaranteed by the Law of the Sea.

This region is rich in hydrocarbons, with the U.S. government estimating (2013) reserves of 11 billion barrels of oil and 190 trillion cubic feet of natural gas.<sup>13</sup> Furthermore, the South China Sea is a crucial fishing ground, providing an essential source of protein for coastal Southeast Asian states. China's unilateral fishing bans already impact regional

fisheries, with hundreds of thousands of Filipino fishermen losing their livelihoods in the last decade due to Chinese interference.<sup>14</sup> Acquiescence to Chinese control would likely exacerbate this situation, favoring Chinese fishing fleets and further disadvantaging others, including those of the Philippines, a key U.S. ally.

Second, the United States and its friends would cede important strategic advantages to China. The South China Sea is a vital international maritime route, with about one-third of the world's seaborne trade passing through it, including 80 percent of the oil imported by Japan, another formal U.S. ally.

While Beijing does not currently impede commercial shipping, its complete control of the area could change this dynamic. China could restrict the use of the waterway by countries that have political disagreements with Beijing. Forcing ships to divert to slower and more expensive routes could cause substantial economic impacts.

If Beijing could exclude foreign military presence from the South China Sea, U.S. fulfillment of its Asia-Pacific security commitments would be jeopardized. Constraining the U.S. Navy's expeditious movements within and through the South China Sea would jeopardize security cooperation with regional partners such as the Philippines, Singapore, Malaysia, and Indonesia. U.S. surveillance capabilities near China's territorial waters would be diminished, allowing China to use the region as a secure operational space for its nuclear missile submarines.<sup>15</sup>



Finally, China's successful assertion of control through unlawful claims and low-level aggression would be a severe blow to the liberal international order championed by Washington and its partners. One of this order's fundamental principles is resolving state disputes through peaceful negotiation and adherence to international law. Beijing's success in the South China Sea could embolden other aggressive actors and erode the confidence of regional states in U.S. commitment and ability to support them, potentially destabilizing the regional order.

### **Fortifying Resistance: Multilateral Strategies Against China's Maritime Assertiveness**

Washington and its security partners have implemented various strategies to counter China's actions in the South China Sea. First, "freedom of navigation operations" (FONOPs) conducted by naval ships and overflights by aircraft challenge China's claims to parts of the South China Sea. These operations, which assert that these waters are not Chinese territorial waters per the Law of the Sea, involve U.S. allies such as Britain, Japan, Australia, and Canada. This multinational participation adds diplomatic pressure on China, undermining Beijing's narrative that the disputes are solely a concern for the United States and rival claimants.

Second, the United States and other nations publicly condemn unprofessional behavior by China, highlighting instances such as Chinese sailors using lasers and water

cannons against Philippine vessels in their own EEZ.<sup>16</sup> In October 2023, the U.S. Department of Defense publicized evidence of over 300 instances of “coercive and risky operational behavior” by Chinese aircraft against U.S. and partner aircraft over two years, exposing PRC aggressiveness.<sup>17</sup>

Third, there is an increased focus on building security capacity in Southeast Asia, driven by China’s expansionist behavior. This includes a rise in multinational patrols and military exercises, with participation from various nations signaling a unified stance against China’s actions. Notably, the Quadrilateral Security Dialogue’s Indo-Pacific Partnership for Maritime Domain Awareness aims to enhance the maritime surveillance capabilities of less wealthy countries with significant EEZs in Southeast Asia.<sup>18</sup>

The United States also assists in training the coast guards of Southeast Asian nations. In February 2023, the Philippines expanded U.S. military access to four additional bases.<sup>19</sup> Japan has notably supported the Philippines with 12 Coast Guard patrol vessels, the largest 97 meters in length, and funding to build five additional ships, showcasing regional collaboration.<sup>20</sup>

Fourth, China’s adversaries are carrying out their own forms of lawfare. A significant example is the Philippines’ lawsuit against China in the UN’s Permanent Court of Arbitration, which resulted in a 2016 ruling invalidating China’s nine-dash line claims.<sup>21</sup> U.S. Secretary of State

Antony Blinken's 2022 statement reinforced this ruling, urging China to "abide by its obligations under international law and cease its provocative behavior."<sup>22</sup> Additionally, Washington has reaffirmed its commitment to the U.S.-Philippine Mutual Defense Treaty, indicating that an attack on Philippine government assets or personnel would prompt a collective response.

Finally, Washington has imposed targeted economic sanctions on specific Chinese individuals and companies linked to unlawful activities in the South China Sea.<sup>23</sup> One notable instance was China's exclusion from the 2018 Rim of the Pacific multinational naval exercise in Hawaii.

### **Evaluating the Impact: The Challenges of Counteracting Chinese Maritime Strategy**

The effectiveness of U.S. and partner efforts to counter China's expansionist ambitions in the South China Sea has been limited, resulting in a stalemate that seems to be gradually worsening from the U.S. perspective. These strategies have not compelled China to retract its contentious South China Sea policies. U.S. and partner policies did not dissuade Xi from taking the decision to build artificial sandbars on Mischief, Subi, and Fiery Cross Reefs in the Spratly Group and pack them with military infrastructure and weapons.

Incidents such as the 2001 aerial collision near Hainan Island and recent aggressive Chinese encounters with foreign

aircraft highlight China's attempts to assert control over international airspace, effectively expanding its territorial claims. Recent events indicate a resurgence in confrontational Chinese tactics despite initial diplomatic efforts to mitigate such behavior. The Philippine Navy ship *Sierra Madre*, grounded on the Second Thomas (Ayungin) Shoal, has seen increased harassment from the Chinese Coast Guard,<sup>24</sup> indicating a strategic move by China to change the status quo in its favor by targeting the viability of the outpost.

Beijing is playing both defense and offense. Chinese actions near Second Thomas Shoal represent an attempt to force a rival claimant to de-occupy a feature. At the same time, the Chinese government is seeking to occupy previously unoccupied features. In addition to the 2012 case of Scarborough Shoal, we have the example of the Sabina Shoal incident of 2024. The Philippine government discovered crushed coral in the shoal, suggesting the beginning of a Chinese effort to reclaim land preparatory to permanently occupying the feature. The Philippines stationed a large PCG ship to guard the shoal, but it suffered blockade and repeated ramblings from Chinese vessels before withdrawing due to dehydration among its crew.

A significant concern is the imbalance in maritime capabilities. China's naval and coast guard fleets are the largest in the world and are expected to grow, outpacing the United States and Southeast Asian nations. China's use of large coast guard vessels and deputized fishing boats in

confrontational and territorial claims further augments its advantage in the number of platforms.<sup>25</sup>

China enjoys the advantage of geography, as the areas of contention are on its periphery, while most U.S. and many allied assets are thousands of miles away. China also has the luxury of focusing on regional contingencies, while the United States must address global demands. This was particularly evident in 2023 and 2024, as Washington was preoccupied with conflicts in Ukraine and Gaza, raising concerns about its capacity to effectively counter a potential conflict with China.<sup>26</sup>

Furthermore, the artificial islands constructed by China in the South China Sea and access to the Ream Naval Base in Cambodia significantly enhance China's military advantage in the region.<sup>27</sup> A critical issue is whether U.S. and partner efforts are adequate to encourage Southeast Asian nations to resist Chinese dominance and align with U.S. leadership, given the uncertainty of external support in a regional conflict.

The Philippines is the most willing partner in Southeast Asia to confront China's territorial claims, yet its long-term commitment is uncertain. Vietnam often challenges China's territorial claims and accepts modest strategic cooperation with Washington, but for historical and geographic reasons, Hanoi prioritizes constructive relations with China over partnering with Washington to oppose a Chinese regional hegemony.<sup>28</sup>

Thailand's interest in opposing China's actions is minimal, as it leans toward a closer security relationship with Beijing.<sup>29</sup> Malaysia and Indonesia exhibit concerns over China's actions in their EEZs but generally avoid taking sides in the U.S.-China rivalry. This, despite the fact that a Chinese Coast Guard vessel patrolled near Malaysia's Luconia Shoals every day of 2024, a reminder that Beijing opposes Malaysian exploration for oil and gas there.

This complex geopolitical landscape raises questions about the effectiveness and future direction of U.S.-led strategies in countering Chinese expansionism in the South China Sea.

### **Strategic Shifts: Enhancing Deterrence in the South China Sea**

During his Senate confirmation hearing, then-Secretary of State nominee Rex Tillerson vowed to “shut down” China's militarization of artificial islands, which seemed to signal the United States was prepared to go to war to halt Chinese expansionism in the South China Sea.<sup>30</sup> That proved a false alarm but reflected frustration over the United States' inability to block China from making significant unilateral gains. If Chinese dominance in this critical maritime domain is unacceptable to Washington and its partners, they need more effective methods of deterring Beijing's “creeping expansionism.”

While it will necessitate greater risks and resource expenditures, a strategic recalibration is necessary to address the challenges posed by China's maritime assertiveness. It reflects a comprehensive approach that would combine military readiness, diplomatic efforts, and economic measures to safeguard regional stability and uphold the principles of international law. There are two general lines of effort within which the United States and its allies can more effectively counter PRC activities. The first is diplomatic.

Leveraging its global influence, the United States possesses a broad spectrum of diplomatic and economic tools to address behavior that contravenes the rules-based order. Measures such as opposing Chinese participation in specific international fora and imposing financial sanctions would demonstrate the consequences of undermining maritime legal norms and emphasize the collective resolve to protect international standards of conduct.

U.S. and allied strategic communication could be better. Beijing's official narrative is that PRC policy is justifiable and restrained and that relations between China and the other Southeast Asian nations would be peaceful if Washington were not promoting discord. The United States and its allies should unitedly explain to the international community that (1) while the countries outside the South China Sea basin take a neutral stance on the sovereignty disputes, China's actions are more aggressive and more threatening to the liberal rules-based order than the actions of the other claimants, and (2)

Washington and its partners support the peaceful resolution of the territorial disputes through negotiation and oppose unilateral action that egregiously violates that principle. The United States and like-minded governments should heavily publicize and strongly protest instances of aggressive and unlawful PRC behavior in the South China Sea.

If China can practice lawfare, so can its rivals. Analyst Gregory Poling argues that the Philippines would be “almost certain” to win a vote in the UN General Assembly challenging China’s claims and requesting an advisory opinion from the International Court of Justice.<sup>31</sup>

The second line of effort is operational. A more consistent and visible U.S. naval presence in the region would symbolize a strategic pivot from episodic power projection to a sustained commitment to peace and security. Achieving this goal would entail more frequent deployments of both U.S. Navy and U.S. Coast Guard assets to the region. This “beat cop” approach, complemented by logistical and operational support to regional navies and coast guards, signifies a comprehensive engagement strategy to foster a collaborative security environment and deter potential aggressors.<sup>32</sup>

Joint military exercises in the South China Sea involving a coalition of the United States, its non-regional allies, and Southeast Asian states carry significant political weight. They directly challenge Beijing’s narrative that portrays Washington as the sole instigator of regional tensions, showcasing a unified front against China’s unilateral actions.



The United States and its larger allies should continue to help the frontline states build capacity to resist Chinese encroachment. The Quad's 2022 Maritime Domain Awareness Initiative was a positive example. Washington should also fully support partner governments like Japan in their efforts to supply maritime security equipment, such as patrol boats and radar systems, to frontline states. More direct U.S. Navy and allied support for Philippine logistical missions to the *Sierra Madre* would underscore a tangible U.S. commitment to ally sovereignty and preserving the status quo against unilateral aggression. While not immediately diminishing China's strategic presence, such actions would significantly affirm the resolve of the U.S.-led coalition, sending a clear message of solidarity with Southeast Asian states that fear Chinese domination.

In addition to escorting Philippine military activities, ensuring access for Filipino fishermen to traditional fishing grounds such as Scarborough Shoal would directly confront China's unilateral efforts to restrict maritime freedoms. This initiative would reinforce the U.S. commitment to uphold navigational rights and freedoms for all nations, as enshrined in international maritime law, particularly the Law of the Sea.

The United States must revitalize its defense industrial base to enhance deterrence capability in the South China Sea and, by extension, in the wider Asia-Pacific region.<sup>33</sup> The credible ability to project military superiority is essential for

detering aggression and ensuring a balance of power that supports a free, open, and inclusive regional order.

An important question is whether such enhanced efforts by the United States and its allies would deter China from continuing its current interests, which are often framed in nationalistic terms, invoking pledges of territorial integrity.<sup>34</sup>

China's foreign policy is generally risk-averse when faced with the likelihood of substantial retaliation. This suggests that a determined response could alter Beijing's calculations. The Chinese government is not necessarily doomed to indulge in nationalistic public opinion. Chinese leaders have considerable ability to manage and redirect public opinion.<sup>35</sup>

For example, Chinese sentiment toward the United States abruptly and dramatically improved in late 2023 as China spoke more favorably about the bilateral relationship before the Xi-Biden summit in November.<sup>36</sup> In another example, in the 19th century, China ceded 600,000 square kilometers of Manchuria to Russia under what the Chinese considered an unequal treaty. Nevertheless, public opinion has not pressured the Chinese government to demand the Russian return of that territory because the Chinese government has yet to direct PRC media or schools to mobilize the public to do so.

The PRC government routinely characterizes its claims to sovereignty over Taiwan, Tibet, and Xinjiang as Chinese "core interests." There is some evidence that the Chinese government briefly floated the idea of characterizing the South

China Sea as a “core interest,”<sup>37</sup> but the idea never took hold in official policy statements.<sup>38</sup> This suggests Beijing has decided the imperative of going to war in the defense of “Chinese” territory is lower for the South China Sea than for Taiwan, Tibet, and Xinjiang.

### **Shifting Horizons: Navigating Uncertainties in the South China Sea’s Future**

The future of the South China Sea is fraught with variables that could shift the strategic balance. The risk of accidental conflict remains a constant concern, with potential incidents in these contested waters posing a threat of rapid escalation. This unpredictability underscores the need for vigilant, continuous engagement and the establishment of crisis management mechanisms among all involved parties. The trajectory of U.S.-China relations, particularly regarding Taiwan, is another significant factor that could influence the dynamics in the South China Sea. A decrease in tensions over Taiwan, through political shifts or strategic reassurances, could contribute to a broader détente, potentially easing the standoff in maritime disputes.

China’s economic development trajectory also looms large over its regional ambitions. Should economic challenges persist, leading to a recalibration of China’s external policies, new opportunities for negotiations and compromise in the South China Sea may emerge. Conversely, a resilient U.S. commitment to the region, bolstered by strategic clarity and

military readiness, is essential for maintaining balance and deterring unilateral actions that threaten regional stability.

Finally, the evolving U.S. posture toward the Indo-Pacific, influenced by internal political dynamics and strategic priorities, will play a crucial role in shaping the future security architecture of the South China Sea. The commitment of the United States and its partners to uphold international norms and support regional allies will be pivotal in navigating the uncertainties and safeguarding the interests of all stakeholders in this vital maritime domain.

## Endnotes

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