

How can the United States counter China's claims in the South China Sea?*

¿Cómo puede Estados Unidos contrarrestar las pretensiones de China en el mar del Sur de China?

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Abstract

Over the past decade, tensions between the United States and the People's Republic of China have increased due to China's intensified aggression and expansion in the South China Sea. The tensions between the two countries are the result of the Chinese military campaign in the South China Sea, which aims to establish its territorial claims over a large percentage of the region, including the sovereign territories of other countries. These tensions have inevitably generated uncertainty and fear in the international community because of the possibility of a direct conflict between the two countries in the future. Considering the global economic, commercial, and strategic importance of the South China Sea, the United States wants to support its regional allies to keep their legal territories unaffected, peacefully resolve disputes, and preserve the norms of international law in this area. A direct confrontation between the United States and the People's Republic of China could cause long-term instability in the region and heightened danger to the world at-large. Given the situation's inherent tension and possibility for conflict, it is important to analyze the best options for the United States to counter China's territorial and maritime claims in the South China Sea. Consequently, in this text the author examines a range of options involving a direct military conflict, a containment strategy, and an offset strategy.

Keywords:

United States, People's Republic of China, South China Sea, tensions, conflict, containment strategy, offset strategy

Resumen

A lo largo de la última década, las tensiones entre los Estados Unidos y la República Popular China han aumentado debido a la creciente agresión y expansión de China en el mar del Sur de China. Las tensiones entre los dos países son el resultado de la campaña militar china en el mar del Sur de China, la cual tiene como objetivo efectuar sus pretensiones territoriales sobre un gran porcentaje de la región, incluyendo los territorios soberanos de otros países. Estas tensiones, inevitablemente, han generado incertidumbre y miedo en la comunidad internacional por la posibilidad de un conflicto directo entre los dos países en el futuro. Considerando la importancia global económica, comercial y estratégica del mar del Sur de China, Estados Unidos quiere apoyar a sus aliados regionales para mantener sin cambio sus territorios legales, resolver pacíficamente disputas y preservar las normas del Derecho Internacional en esta zona. Una confrontación directa entre Estados Unidos y la República Popular China podría causar inestabilidad sin precedentes y a largo plazo en la región, y un mayor peligro para el mundo en general. Dada la tensión inherente a la situación y la posibilidad de conflicto, es importante analizar las mejores opciones para que Estados Unidos contrarreste los reclamos territoriales y marítimos de China en el mar del Sur de China. Consecuentemente, en este texto el autor examina una variedad de opciones incluyendo al conflicto militar directo, una estrategia de contención, y una *offset strategy*.

Palabras clave:

Estados Unidos, República Popular China, mar del Sur de China, tensiones, conflicto, estrategia de contención, *offset strategy*

During the last decade, tensions between the United States (US) and the People's Republic of China (PRC) have risen in general with the status of the South China Sea being a flashpoint. The repeated clashes and posturing in this particular area has created uncertainty in regard to the possibility of future direct conflict between these great powers (Revelo and Revelo 2020). The source of tension between the US and the PRC arises from the PRC's military campaign to assert sovereignty claims over a great percentage of the South China Sea, in which other States of the region—including several US allies and partners—also have territorial claims (Zhen 2016). These Chinese aggressions have raised alarms in several countries—including the US—as the South China Sea is a major global economic, trade, and strategic zone (US Congress 2020, 1). The stated aims of the US are to support its regional allies to maintain their legal territorial claims, peacefully resolve disputes, and preserve International Law norms in this zone (Department of Defense 2019, 4), though countering Chinese expansion is undoubtedly another important goal. A direct confrontation between the US and the PRC; however, could cause historic unparalleled instability and harm to the world (Rand Corporation 2011, 2). Because of this conflict's inherent importance, this text analyzes what options exist for the United States to counter China's territorial and maritime claims in the South China Sea. First, the historical background of this issue is explained. Then, after briefly indicating why policy options which support a direct military conflict have been excluded, the text proposes, explains, and analyzes the merits and drawbacks of two strategies: containment and offset. Finally, this paper concludes by justifying why a containment strategy is the most effective policy option for the U.S. to adopt.

Background

The South China Sea is a major global economic, trade, and strategic zone. It is extremely rich in natural resources, as it has been determined to possess proven reserves of approximately 11 billion barrels of oil, 190 trillion cubic feet of natural gas, and additional undiscovered but rich estimated reserves (U.S. Energy Information Administration 2013, 2). Likewise, one third of global shipping (21% of international trade)

passes through the South China Sea, which represents around US\$ 3.37 trillion a year (China Power Project, 2019). Its sea lanes are of significant importance to countries because of trade, energy supplies, transit, and operational military significance (Babbage 2017, 11; LaFond 2020). Interrelated, its strategic importance has to do with economic reasons as well as the geopolitical aspect. A country that controls the South China Sea would condition the trade that passes through the area, control its natural resources, and would establish a deterrent projection zone (US Congress 2020, 2).

The tensions in the region date back to 1953, when the PRC redefined its claims on the South China Sea and published the so-called “nine-dash line”, which comprehends around 90 percent of the disputed area and has greatly enhanced China’s activity in the region.² These tensions widely increased with the 1982 United Nations Convention on the Law of the Seas (UNCLOS) which, among numerous other rules, established that coastal nations have the right to an area of 12 nautical miles from its coast and a 200 nautical mile exclusive economic zone.³ Several incidents occurred after the establishment of UNCLOS, including the 1988 clash between China and Vietnam in the Johnson Reef in the Spratly archipelago and the early 1996 battle between Chinese and Philippine naval vessels in the Mischief Reef (Council on Foreign Relations 2020). Although China ratified UNCLOS in 1996, mere months after the mentioned incident, in 2009, the PRC officially submitted to the United Nations a map with its “nine-dash line” and has since taken a more revisionist and coercive approach to the disputed areas of the South China Sea (Brands and Cooper 2018, 11).⁴

2 The “nine-dash line” is a demarcation used by the People’s Republic of China for its territorial and maritime claims in the South China Sea. For more about the ‘nine-dash line’, see Beina Xu, 2014, “South China Sea Tensions,” Council on Foreign Relations, May 14, 2014. Accessed November 29, 2020. <https://www.cfr.org/background/south-china-sea-tensions>

3 For more about UNCLOS, see United Nations, 1982, Convention on the Law of the Sea, New York: Secretary General of the United Nations. Accessed November 29, 2020. https://www.un.org/depts/los/convention_agreements/texts/unclos/unclos_e.pdf

4 For a deeper history of maritime disputes in the South China Sea, see Council on Foreign Relations, 2020, “China’s Maritime Dispute,” Council on Foreign Relations. Accessed November 29, 2020. https://www.cfr.org/interactives/chinas-maritime-disputes?cid=otr-marketing_use-china_sea_InfoGuide#!/chinas-maritime-disputes?cid=otr-marketing_use-china_sea_InfoGuide

The contested territories in question in the South China Sea include the Spratly Islands, the Paracel Islands, and the Scarborough Shoal, among others. Parts of these territories, however, are also claimed by countries like Philippines, Malaysia, and Vietnam (See Figure 1) (SCMP Reporter 2019). While these countries support their claims under the International Law principles of maritime rights established in UNCLOS, China has claimed to have a ‘historical right’ to the South China Sea, which is portrayed with the “nine-dash line” (Brands and Cooper 2018, 15). To further those claims, the PRC has constructed and militarized artificial islands in the South China Sea, extending their military capabilities and presence in it (Beech 2018). Some of the affected countries in the region, like the Philippines, are historical US allies or current political partners. The US has established a strategy to help its allies and partners to conserve their legal territorial claims, to support the peaceful resolution of disputes, and to preserve International Law rules and norms in this zone, while also preparing to be ready to launch attacks against the PRC in case of war (Department of Defense 2019, 3-4).

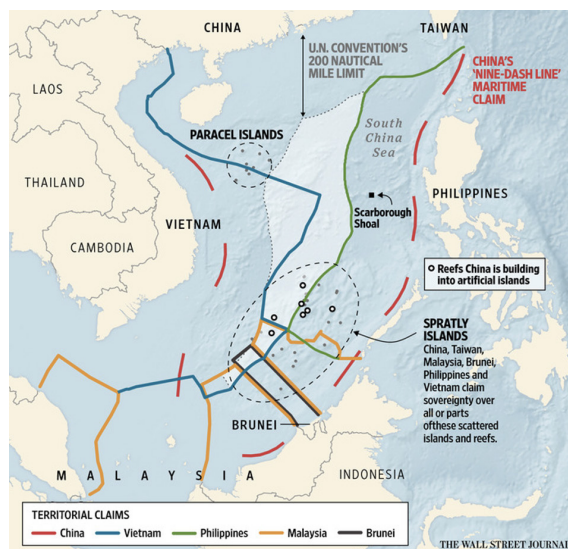


Figure 1: Territorial claims by different countries in the South China SeaPage, Jeremy. 2016. “Tribunal Rejects Beijing’s Claims to South China Sea.” *The Wall Street Journal*, July 12, 2016. Accessed November 29, 2020. <https://www.scmp.com/news/asia/southeast-asia/article/3034207/vietnam-orders-car-importer-ditch-china-map-app-over-nine>

However, these efforts have not been able to change the PRC's behavior (Beech 2016); not even the international mechanisms to resolve disputes have been able to achieve this. In 2016, The Permanent Court of Arbitration ruled in favor of the Philippines's arbitration recourse concerning the legality of China's claimed "nine-dash line", their activities in the South China Sea, and the extent of maritime entitlements in the region, a ruling which was subsequently rejected by the PRC (Pemmaraju 2016, 272). Given the Chinese intransigence on the issue, the US needs to find an effective strategy to peacefully resolve these disputes, preserve International Law rules, and support its allies and partners in their legal territorial claims.

Reasons for not having an offensive strategy

Although, some scholars and policymakers have widely discussed 'militarily effective' options which could roll back the PRC's claims in the South China Sea, any strategy that falls under this category poses a high risk of conflict escalation (Pickrell 2019). The PRC has clearly stated that the South China Sea is part of their national vital interests (Brands and Cooper 2018, 19). Following the logic of the scholars who defend an offensive strategy, to achieve short-term rollback goals, the US would need to engage in a direct military conflict. However, the PRC possesses a large nuclear weapons arsenal, and any type of direct conflict could risk escalation to a nuclear confrontation.⁵ This is definitely not in the best interest of the US, as it could follow the "mutually assured destruction" doctrine, which would translate into a global catastrophe. Therefore, the author excludes any option or strategy that supports a direct military conflict.

A containment strategy

One of the viable options that the US has is a containment strategy. To do this, a defensive-deterrent strategy in which US and its Asian allies

5 For more information on the risks of a nuclear conflict between the US and China because of an offensive US strategy, see Caitlin Talmadge, 2018, "Beijing's Nuclear Option: Why a U.S.-Chinese War Could Spiral Out of Control." *Foreign Affairs*, November/December, 2018. Accessed November 29, 2020. <https://www.foreignaffairs.com/articles/china/2018-10-15/beijings-nuclear-option>.

promote mutual security networks would be implemented. Deterrence, in essence, consists in preventing hostile action by threatening the adversary with punishment (Schelling 1966, 35-91). The main idea will revolve around the “credible use of limited force”. Therefore, the logic of this strategy consists of preventing the PRC from building additional islands or seizing additional territories (Brands and Cooper 2018, 21). First, the US along with its allies and partners in the Asia Pacific region would have to establish a clear security partnership platform, led by the US, with Japan and Australia as the biggest regional powers. Ideally, Vietnam, the Philippines, Malaysia, Singapore, South Korea, and Taiwan would also be part of this initiative. The US, Japan, and Australia would work with the other partners to help them strengthen their own defense industries and systems in areas of surveillance, communications, and weapons (Babbage 2017, 60). Specifically, with the assistance of the US, the anti-access/area denial (A2/AD) capabilities of the allies and partners in Asia Pacific would be strengthened (Gholz, Friedman, and Gjoza 2019, 181). A2/AD are defense systems to prevent an adversary from seizing or crossing an area of land, sea, or air (Charles Koch Institute 2020).

By denying the PRC an assured military victory in the South China Sea, it would be ultimately deterred to further its expansionist claims (Beckley 2017, 80; Gomez 2016). This would construct a common operating system in the region’s first island chain (see Figure 2) to help the allies and partners protect against any Chinese operation on their lawful territory. US forces would still be in the East Asian periphery.



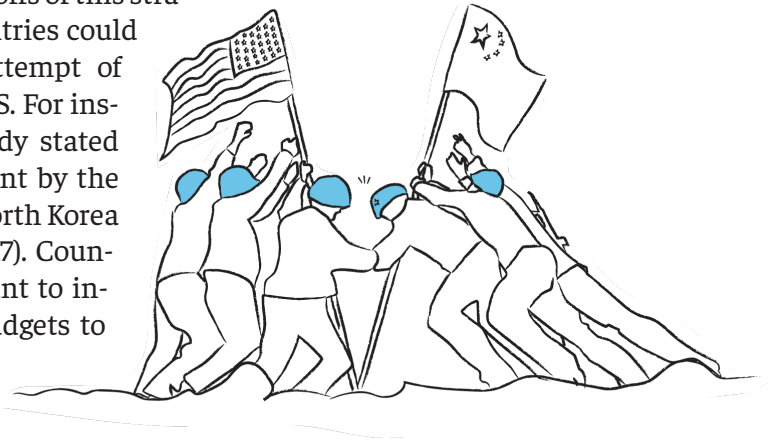
Figure 2: South China Sea's Island Chains by implementing a containment strategy, the US, Japan, and Australia (and ideally the Philippines, Malaysia, Singapore, South Korea, Vietnam, and Taiwan) would have a common operating system in the region's first island chain. Sanders, Sol. 2014. "China's new map includes 'Second National Territory' of oceans." Consortium of Defense Analysts, July 11, 2014. Accessed November 29, 2020. <https://cofda.files.wordpress.com/2013/12/1st-and-2nd-island-chains.jpg>

This strategy has both merits and drawbacks. Among the merits, the US would be spending less money, as it would not have to pay for costly power projection operations from the far-continental US, and because Asian-Pacific allies would be developing their own A2/AD systems (with the assistance of the US, not freely). The case of the European Union (EU) can help to illustrate this example. For instance, the EU is planning to expand its military defense program after acknowledging the importance of developing their own defense system against threats, in particular the threat of increased Russian aggression (European Commission 2020; De Lea 2018).⁶

⁶ The EU's defense program expansion is also influenced by the US' weakening of commitment to the North Atlantic Treaty Organization.

Consequently, even if Asian-Pacific nations perceive that the US is stepping back, regional players would acknowledge the importance of implementing the proposed system to defend their territories against the PRC's threats. Additionally, the US would reduce its troops' exposure.

In regard to the tradeoffs of this strategy, Asian-Pacific countries could perceive this as an attempt of abandonment by the US. For instance, Japan has already stated its fears of abandonment by the US if it is attacked by North Korea or China (Tsuruoka 2017). Countries might also not want to increase their defense budgets to implement the system. Furthermore, this option poses a big challenge for the US,



as it would have to implement determined diplomacy, diplomatic investment, multilateralism, and engagement in regional institutions to ensure the development of the strategy. Definitely, the PRC would react against this strategy, seeking out allies in the region, possibly furthering a diplomatic and arms race with the US. Relatedly, the implementation of this strategy could take many years considering the negotiation and implementation timeframe, giving space to the PRC to further its dominance in the region.

An offset strategy

A different option open to the US consists of an offset strategy. In essence, this strategy is less aggressive and focuses on long-term gains (Brands and Cooper 2018, 22). An offset strategy would penalize the PRC's gains by inflicting cost-imposition policies in two fronts: the political and the economic. On the political front, the strategy would consist of sponsoring research and making public the PRC's excesses in their

State-owned enterprises, corruption, and unlawful assertions to increase the political costs of its actions and diminish its international reputation. For instance, the US might want to push for excluding the PRC from participating in international events such as the G20, based on its unlawful behavior (Babbage 2017, 63). Also, symbolic actions could be contemplated like when, in 2018, the US disinvited the PRC from multilateral military exercises (Cooper 2018). In the economic realm, pressure would be applied as financial sanctions and embargoes (Beckley 2017, 93). For instance, in sight of Chinese unlawful land assertions, the US, in cooperation with strategic partners, would apply economic sanctions on corporations implicated in such events. Broader bilateral or multilateral economic initiatives involving China would also be deferred (Brands and Cooper 2018, 23). But mainly, the US would push for excluding the PRC from involvement in strategic sectors of allies and partners while encouraging economic cooperation with emerging economies like India. Therefore, by making the PRC bear significant costs for any expansionist gains in the South China Sea, in the long term, Chinese leaders might find out that their short-term gains in the South China Sea are broader strategic losses and further US' long-term gains.

This strategy has both merits and drawbacks. In regard to its merits, the logic of the strategy preconceives that halting the PRC's expansion is not necessarily the only way in which the US can maintain a more general position in the region (Brands and Cooper 2018, 23). If the political and diplomatic efforts are effectively implemented, the US could make each expansionist action result in a strategic loss over time for the PRC, as they would be continuously punished for them. Consequently, the US does not directly risk a conflict with the PRC in the South China Sea, zone where the PRC might have the upper hand (Rand Corporation 2011). At the same time, this strategy would communicate to the PRC that its behavior is being checked by the US and its allies' upgrades in the military realm.⁷ The US could triumph in the region without getting involved in a direct conflict.

In regard to the drawbacks, this is a long-term strategy, and, accordingly, it might not prevent China initially in continuing to seek for new

territorial gains. For instance, the PRC—like Iraq in the First Gulf War—may not consider these political and economic threats of punishment as credible or serious enough to induce different behavior (Schettino 2009, 4). Also, because of a passive attitude toward Chinese short-term gains, abandonment from the US in the region could be wrongly signaled. As a result, some of the countries involved in the South China Sea dispute might bandwagon the PRC, as it would present itself as the regional hegemon.⁸ Finally, in imposing economic costs on the PRC, the US would also suffer, since areas such as trade between the two countries would be deeply affected.

Conclusion and recommendation

So, in the end, which is the best strategic option for the US? Taking into account its national objectives, the author recommends pushing for the containment strategy, as it has shown to be the most effective policy option for the US to adopt. The difference of the containment and the offset option is that the former presents a clearer statement to the PRC. The problem with the offset strategy might rely on how clear the US can be both with the PRC and with its regional allies and partners. For instance, even if political and economic sanctions are applied against the PRC, it might find the cost-benefit calculation on their side when assessing the merits and drawbacks of asserting and expanding its claims. In the same vein, the PRC might also enhance its political and economic activity throughout the rest of the world to prevent States turning against them.

7 For more information on the military upgrades that the US should take, see Center for New American Security, 2019, *Rising to the China Challenge: Renewing American Competitiveness in the Indo-Pacific*, 2019, By: Ely Ratner et al. Accessed November 29, 2020. <https://www.cnas.org/publications/reports/rising-to-the-china-challenge#strengthen>.

8 If the US follows an offset strategy, its Asian allies and partners could perceive abandonment. Strengthening the US military posture in the region requires its commitment to upgrade alliances and diplomatic cooperation, as well as developing and deploying military capabilities in key points in the region. That can be costly over time.

On the other hand, the containment strategy aims to assure the PRC that any attempt to seize additional territories in the South China Sea would fail. This logic does not create a direct source of conflict with the PRC, while it also does not accept any further unlawful behavior.

Although the PRC would keep the gains it has achieved up to this point, its cost-benefit calculation would dissuade them from expanding its operations. Considering the historic behavior of different countries, the US' allies and partners would prefer to start building up their own defense systems rather than bandwagoning the PRC. Additionally, current Freedom of Navigation Operations (FONOPS) could be strengthened with the participation of the US, Japan, Australia, and India ("The Quad"), along with other ASEAN countries (Dalton 2020). This would effectively complement the US' containment strategy. Because of these reasons, the author recommends pursuing and developing a containment strategy, as it is the best and most effective way for the US to counter China's territorial and maritime claims in the South China Sea.

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