

## **Is China Getting Assertive on Territorial Disputes?**

Dave Finkelstein<sup>1</sup>

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### **Answering the Basic Question**

The question I was asked to address was pretty straight forward: “Is China getting assertive on territorial disputes”? The answer is equally straight forward. Yes. Over the past couple of years, Beijing has been assertive in engaging on issues of sovereignty where territorial disputes are involved; especially in the maritime domain.

This also seems to be the general consensus of various (non-Chinese) specialists one can read in media, in the academic journals, and in other professional venues. Some observers have also used such adjectives as “muscular”, “proactive”, “activist”, and even “aggressive” in addition to “assertive” when describing Beijing’s behavior in the past couple of years. China’s assertiveness on maritime issues has also resulted in the regular convening of numerous conferences, roundtables, and seminars on the topic among the various Washington, D.C.-based “think tanks” and other institutions.

Not surprisingly, the other regional claimants and parties to disputes with China have been vocal in underscoring what they consider to be Beijing’s assertiveness. The Socialist Republic of Vietnam and the Republic of the Philippines have been the most vocal, and most shrill, in decrying what they consider to be unwelcomed Chinese assertiveness (even as Hanoi and Manila act with a certain assertiveness of their own). Of special note, Tokyo, which is usually given to a modicum of restraint in its public statements on contentious bilateral issues with China, is increasingly willing to register its concerns in the public domain. For example, Japan’s recent defense white paper stated that, “...China is widely and

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<sup>1</sup> David M. Finkelstein is Director of China Studies at CNA, a non-profit research institute in Alexandria, Virginia. The views expressed herein are strictly his own.

rapidly modernizing its military force, and it has been *expanding* and *intensifying* its maritime activities in the surrounding waters” and China is “...*expanding* and *increasing* its activities in waters close to Japan.”<sup>2</sup> A carefully-worded judgment on China’s recent behavior is also to be found in the U.S. Department of Defense’s 2011 report to Congress on Chinese military activities. According to the Pentagon, “In recent years China has demonstrated occasional signs of assertiveness in Asia, particularly in the maritime domain.”<sup>3</sup>

Finally, a consensus in the Asia-Pacific region seems to have developed that China’s recent behavior in asserting its maritime claims has become worrisome. This regional consensus was in evidence at the July 2010 meeting in Hanoi of the ASEAN Regional Forum (ARF), a meeting at which Beijing found itself somewhat isolated and on the defensive on the issue of maritime claims. Simply put by Carl Thayer, noted Australian specialist on Southeast Asia affairs, “China’s assertiveness has caused anxieties in the region.”<sup>4</sup>

### **How is Beijing’s “Assertiveness” Manifesting Itself?**

The judgment by observers that Beijing is being assertive on the issue of territorial disputes is based on a host of activities and initiatives undertaken by the PRC government, or other Chinese entities, that are increasingly reported in the public domain. Analysts of the situation, therefore, point to an empirical basis for the assessment.

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<sup>2</sup> *Defense of Japan 2011*, preface and p. 26. Emphases added.

<sup>3</sup> *Annual Report to Congress: Military and Security Developments Involving the People’s Republic of China* (Washington, D.C.: Office of the Secretary of Defense, May 2011), p. 55.

<sup>4</sup> Daniel Ten Kate and Nicole Gaouette, “Clinton Signals U.S. Role in China Territorial Disputes After ASEAN Talks”, Bloomberg, July 23, 2010. <http://www.bloomberg.com/news/2010-07-23/u-s-says-settling-south-china-sea-disputes-leading-diplomatic-priority-.html> .

Generally cited is a near-common list of behaviors on the part of Beijing that are driving the judgments of observers, analysts, and commentators. Without going into the specific details of the spate of individual incidents, which are reported elsewhere, the generic list Chinese activities that are usually cited include the following:

- The imposition, and especially the enforcement, of fishing bans on foreign vessels, as well as the confiscation of ship cargo (fishing catches), and crew detentions
- Patrols by PRC government civilian and military vessels or aircraft in contested maritime areas
- The harassing, or the threat of harassment, of foreign commercial firms engaged in maritime resource surveys or other exploration at the behest of other claimant governments
- PLA military exercises or forward presence in sensitive locations (and sometimes engaging in unsafe operating procedures in proximity of other foreign ships or aircraft)
- Diplomatic and legal challenges to other countries in bilateral and multilateral fora,
- Tough rhetoric in the PRC media (both official statements and statements by others that give the PRC government plausible denial)
- The use, or the threat of the use, of economic retaliation in the course of some incidents

Overall, then, analysts come to the conclusion that, over the past couple of years, in disputes over maritime territorial claims, China has been employing all of the

basic elements of national power: diplomatic/political, informational, military, and economic.

### **How is one to Explain Chinese Assertiveness?**

Why is China behaving the way it has been of late in pursuing its territorial claims? There can be no definitive answer to this question except from officials in Beijing (who may in fact disagree with the basic premise). Nevertheless, outside observers have their own views. While analysts do share some common viewpoints on how to explain Chinese behavior, there are sometimes differences in emphasis or the weighting of factors.

For the sake of brevity, the following condensed sampling of viewpoints is offered, with apologies to the authors cited for not giving their arguments the full discussion each deserves. For Clive Schofield (Australian Centre for Ocean Resource and Security) and Ian Story (Institute of Southeast Asian Studies, Singapore), China's "hard line posture" is explained by various factors, among which the most important are "...its insatiable demand for energy resources, anxieties over oil supply and sea lane security, the activities of other claimants, and rising nationalism."<sup>5</sup> Taylor Fravel (MIT) and Michael Swaine (Carnegie Endowment for International Peace) conducted a careful study of Beijing's activities in the South China Sea, East China Sea and Yellow Sea. A common theme in each of China's "near seas" that emerges from their analysis is that the PRC's behavior, "reflects the combined influence of increasing capabilities in support of long-held national objectives and responses to actions regarded as provocative or unprecedented" by other claimants in these disputes.<sup>6</sup> On a strategic level of discourse, to ensure readers understand why the South China

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<sup>5</sup> Ian Story, "The South China Sea Dispute: Increasing Stakes and Rising Tensions," The Jamestown Foundation (November 2009), <http://www.jamestown.org/>, p. 3.

<sup>6</sup> Michael D. Swaine and M. Taylor Fravel, "China's Assertive Behavior Part Two: The Maritime Periphery," in China Leadership Monitor, No. 35, <http://www.hoover.org/publications/china-leadership-monitor/article/93591>, p. 7. See also pp. 8, 11, and 14.

Sea is so important to Beijing, and implicitly explain why China is being so assertive in that area, U.S. Naval War College professors Yoshihara and Holmes draw a parallel between how the Chinese view that body of water and how the U.S. has traditionally viewed its own maritime backyard. “The South China Sea”, according to Yoshihara and Holmes, “is China’s answer to the Caribbean and the Gulf (of Mexico).”<sup>7</sup> Finally, by way of example, Dan Blumenthal (American Enterprise Institute) explains “aggressive” Chinese behavior as a function of, “greater military power combined with leadership weakness and xenophobic nationalism that China’s leaders have created.”<sup>8</sup>

To this list of issues one could add the following as *possible* factors that may be account for some (but not all) Chinese behaviors:

- The catalyzing effect of legal deadlines associated with UNCLOS, such as the May 2009 deadline for the lodging of submissions to extend continental shelf rights beyond the 200 nautical mile limit
- Systemic problems in the Chinese party-state, such as the diffusion of authority and policy coordination challenges
- The new “triumphalism” that some in China exhibit, especially since the Beijing Olympics and the global financial crisis
- Miscalculation as to the reactions to expect by fellow claimants and other countries to more assertive Chinese behavior

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<sup>7</sup> Toshi Yoshihara and James R. Holmes, “Can China Defend a ‘Core Interest’ In the South China Sea?”, *The Washington Quarterly*, Spring 2011, pp. 45-59, <[http://www.twq.com/11spring/docs/11spring\\_yoshihara\\_holmes.pdf](http://www.twq.com/11spring/docs/11spring_yoshihara_holmes.pdf)>, pp. 47, 48,

<sup>8</sup> Dan Blumenthal, “Riding a tiger: China’s resurging foreign policy aggression,” in *Foreign Policy* <[http://shadow.foreignpolicy.com/posts/2011/04/15/riding\\_a\\_tiger\\_chinas\\_resurging\\_foreign\\_policy\\_aggression](http://shadow.foreignpolicy.com/posts/2011/04/15/riding_a_tiger_chinas_resurging_foreign_policy_aggression)>.

## China's Behavior Magnified

Regardless of how one describes the nature of China's behavior in pursuing its claims in territorial disputes, the fact remains that China's behavior is getting a *lot* of attention in the Asia-Pacific region and beyond. The question is why. Why so much focus on China and seemingly so little attention paid to the behavior of the other claimants? It is a question worth asking, because China is not the only country that is being proactive in the various maritime territorial disputes in the region.<sup>9</sup> What is it about China and Chinese behavior that magnifies its role as a party to these disputes, and why does it seem so problematic to some observers? There are four factors worth placing on the table for consideration in addressing this question.

- *First, China's assertive behavior is perceived as a major departure from the recent past.*

As a general proposition, from the late 1990s up until recently, China's approach to Southeast Asia and various territorial and maritime disputes was to engage in a so-called "charm offensive." This was because Beijing was concerned about neighbors' views of China's rise, the residual impact of Beijing's lackluster performance during the Asian financial crisis, and Chinese reticence to engage in actions that might stoke the fires of the "China threat theory." For these (and other) reasons, Beijing tried hard over a period of time to strike conciliatory notes in Southeast Asia and adhere to Deng Xiaoping's previous guidance of shelving territorial differences for a later date while engaging in joint development. Rightly or wrongly, Beijing's recent actions are seen by some in the region (and beyond) as a significant departure from this general approach, and therefore, magnifies Beijing's actions just by way of perceived contrast.

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<sup>9</sup> Fravel and Swaine make a point in their article to remind readers of assertive behavior by some of the other claimants in disputes to which China is a party.

- *Second, the military element of national power is now in play.*

China's behavior in these territorial disputes is also magnified because its military capabilities have developed to the point where they are greater than those of most of the other claimants. Although the PLA remains a work in progress, and is still bedeviled by many challenges, it has in fact developed pockets of credible capacity that can be brought to bear in local maritime disputes. Moreover, there is a perception in the region that Beijing is now more willing to employ this element of national power. In short, Beijing is now (with apologies to Theodore Roosevelt) speaking loudly *and* carrying a bigger stick. The military dimensions are further magnified by Beijing's minimalist approach to transparency in defense matters, recent incidents that have involved coercion, and the sometimes fiery public rhetoric of some military officials who may (or may not?) represent official viewpoints.<sup>10</sup> As Schofield and Story pithily put it, "...China as the most powerful individual player sets the tone for the dispute."<sup>11</sup> And, correct or not, the tone Beijing is perceived by some outsiders to have set in the last couple of years is one of confrontation.

- *Third, Chinese actions in maritime disputes are magnified because they are taking place in several locales nearly simultaneously and with multiple nations.*

Chinese assertiveness in pursuing territorial disputes is not just taking place in one locale; it is taking place on several fronts nearly simultaneously. In the South China Sea, China is dealing with disputes with ASEAN members Vietnam, Malaysia, the Philippines, and Brunei (with Taiwan added to the mix as a claimant as well). In the East China Sea, Beijing and Tokyo are at odds over territorial disputes and the proximity and frequency of each other's military

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<sup>10</sup> The transparency-assertiveness linkage is on bold display in a statement U.S. Secretary of Defense Panetta made in a *Yomiuri Shimbun* editorial during his October 2011 trip to Asia. "China is rapidly modernizing its military, but with a troubling lack of transparency, coupled with increasingly assertive activity in the East and South China Seas." See *Yomiuri Shimbun*, 24 October 2011.

<sup>11</sup> Storey and Schofield, p. 41.

activities. (And, of course, the East China Sea is a major maritime theater of operations for the Taiwan issue.) In the Yellow Sea, in 2010, China raised issues with both the United States and the Republic of Korea over their intended combined military exercises — a U.S.-ROK show of force in response to North Korean aggression against the ROK. Finally, and of no small significance, China is at odds with the United States up and down the entire length of the PRC's Exclusive Economic Zone over the issue of American military activities. While Beijing certainly has its reasons for its actions in each of its “near seas”, the fact of the matter remains that the sum total of these disputes is to create the optic of a China pushing back, asserting itself, and taking on all comers.

- *Fourth, China's behavior and actions, especially in the South China Sea, are magnified because of mixed signals sent by the PRC about its national interests.*

Most of the time, there is no question about where Beijing stands on important issues concerning its national security interests. If it is nothing else, the Chinese party-state is world-class when it comes to mobilizing the informational element of national power and having all of its officials speaking on point. However, the maelstrom that was created, and the confusion that ensued, in the winter of 2010 over whether the South China Sea was being elevated to a “core interest” a-la Taiwan, Tibet and Xinjiang — and whether China was claiming all of the water in the South China Sea (as opposed to the geographic features) — was a strategic communications nightmare. Despite subsequent clarifications from myriad Chinese officials, including articles by PRC State Counselor Dai Bingguo, and the September 2011 publication of the PRC white paper on China's “peaceful development”, many foreigners remain convinced that Beijing has in fact made the South China Sea a “core national interest.” This has caused attitudes in some quarters to harden. The same sort of confusing strategic messaging took place in the summer and fall of 2010 when the U.S. and ROK navies were preparing to



conduct exercises in the Yellow Sea. By sending mixed or confusing messages, PRC posturing or activities become magnified.

### **Does the U.S. have a stake in these territorial disputes?**

The United States is not a party to any of the territorial disputes between China and its neighbors, nor does it claim to take sides in any of the disputes. So what stake does the U.S. have in all of this? The answer is, quite a bit.

First, the United States has a stake in ensuring that the vital sea lanes of communications throughout the region — some of which are located within areas under contention — remain open to all nations because of their importance to global as well as regional commercial life.

Second, the United States has a stake in seeing that the various disputes are settled peacefully through diplomatic means. For many decades, the U.S. has been the guarantor of peace and stability in this part of the world, and many countries in the region continue to see value in the U.S. continuing in that role. As many a U.S. official has said by now, the U.S. is “a resident power” in Asia, and Washington will not be unaffected or unconcerned by an escalation of tensions.

Third, how these maritime disputes play out and are handled will have an impact on the various relationships the United States maintains in the region. The U.S. is committed to developing a positive, cooperative, and comprehensive relationship with China. At the same time, Washington maintains various bilateral treaty relationships with countries in the region (among which are some claimants), and the U.S. is in the process of deepening its partnerships with others. The U.S., while not a claimant, is therefore not a totally disinterested party.

Fourth, and of critical importance, the U.S. has a stake in how these disputes are handled because they have the potential to touch on one of the most important maritime interests the U.S. has in the Asia-Pacific region and around the world: high seas freedoms. Whereas the U.S. is not a party to the various maritime territorial disputes between China and some of the members of ASEAN, the U.S. *is* a party to an ongoing and contentious disagreement with China over what constitutes appropriate military activities in another country's Exclusive Economic Zones and what constitutes acceptable responses.

### **Impact on U.S.-China-ASEAN Relations**

The heightened tensions in the Asia-Pacific region due to the various maritime disputes to which China and others are a party have had a discernible impact on political-military dynamics in that part of the world and on U.S.-China-ASEAN relations.

- *Impact on ASEAN*

Few students of Asian affairs are going to look back over the years and assess ASEAN of being a highly focused and effective organization. In the past, "the ASEAN way" was not always conducive to getting a lot accomplished. That said there is an argument to be made that recent regional perceptions of assertive Chinese behavior has galvanized the organization. Whether the show of solidarity that was in evidence in July 2010 was but a fleeting moment due to Hanoi's chairmanship remains to be seen (and it is clear that who holds the rotating ASEAN chairmanship can make a difference). Assertive Chinese behavior in maritime disputes has the potential to stiffen ASEAN's resolve as a group and thwart Beijing's preferred country-to-country bilateral approach to resolving differences.

- *U.S.-ASEAN relations*

The timing of China's assertive behavior in maritime disputes is coinciding with a period of time in which the U.S. government is trying to deepen its ties across the board throughout South, Southeast, and Northeast Asia. It has coincided with Washington's efforts to raise its profile and participation in the region's affairs.<sup>12</sup> The perception in the region of China's newly assertive behavior in maritime disputes has made Washington's initiatives very welcomed in some quarters. U.S.-ASEAN relations have never been better. Of note, on April 26, 2011, Ambassador David Carden became the first U.S. resident representative to the Association of Southeast Asian Nations, taking up residence in Jakarta.

- *U.S.-China relations*

Washington's own stance and views on regional disputes over maritime claims between China and some ASEAN nations, as well as the ongoing U.S.-China disagreement over military activities in Exclusive Economic Zones, suggests that maritime issues have become an area of contention between the two countries that will not go away anytime soon. While Beijing officially (at least) accepts the U.S. as a resident Pacific power, China will not want to see the U.S. become involved in these territorial disputes. PRC nationalists in the Chinese blogosphere are already accusing the U.S. of interfering on behalf of the other claimants. Some Chinese analysts now argue that the U.S.'s stated interest in freedom of navigation is merely a pretext for an alleged U.S. objective to contain China, and they are carefully watching U.S. political and military initiatives with the other claimant countries.<sup>13</sup>

- *Regional security dynamics*

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<sup>12</sup> Some analysts in the region, especially Chinese analysts, talk about Washington's "Back to Asia Policy."

<sup>13</sup> For a sample Chinese analysis along these lines see Li Jinming, "South China Sea: Disputes and Great Powers," in *Contemporary International Relations* (Vol. 21, No. 4, July-August 2011), pp. 69-92. Professor Li teaches and conducts research at Xiamen University's School of International Relations.

Finally, the perception of Chinese assertiveness has the potential to change some of the dynamics and even security relationships in the region, or the security behavior by some nations. For example, during Philippine President Benigno Aquino's 25-28 September 2011 visit to Tokyo, press reports indicated that the issue of maritime tensions were addressed. The joint statement issued at the end of the visit had three paragraphs devoted to maritime cooperation between Tokyo and Manila. Both sides, "reaffirmed the necessity of strengthening bilateral cooperation in the field of maritime affairs," including between their respective coast guards and navies.<sup>14</sup> Moreover, it has been reported in the Japanese press that during the upcoming November 2011 Japan-ASEAN Summit in Jakarta, Tokyo and the ASEAN nations will include language on maritime security cooperation in their joint statement.<sup>15</sup> Another regional relationship that is changing is that between the United States and the Socialist Republic of Vietnam, another development not unnoticed by Beijing. While no radical changes in security dynamics are likely in the offing, the potential for changes that are catalyzed by Chinese initiatives is not completely out of the question.

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<sup>14</sup> See "Japan-Philippines Joint Statement on the Comprehensive Promotion of the "Strategic Partnership" between Neighboring Countries Connected by Special Bonds of Friendship," at < [http://www.kantei.go.jp/foreign/noda/statement/201109/27philippines\\_e.html](http://www.kantei.go.jp/foreign/noda/statement/201109/27philippines_e.html)>

<sup>15</sup> Yoichi Shirashi, "Japan, ASEAN to boost sea security," *Daily Yomiuri Online*, 15 October 2011 <http://www.yomiuri.co.jp/dy/national/T111014005101.htm>.

