

## Control in the South China Sea

Written by Nguyen tien think  
Monday, 13 February 2017 00:00

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Rex Tillerson, the former ExxonMobil chief who just became the new U.S. secretary of state, might not be causing the same level of global disruption as his boss, President Donald Trump.



But in his Senate confirmation [hearing](#) on Jan. 11, he sent shockwaves through the China-watching community, vowing: “We’re going to have to send China a clear signal that, first, the island building stops and, second, your access to those islands also is not going to be allowed.”

These remarks instantly gave rise to a global consensus that spanned hawks in China to doves in the West. An [editorial](#) in the *Global Times*, a prominent mouthpiece for Chinese nationalists, warned: “Unless Washington plans to wage a large-scale war in the South China Sea, any other approaches to prevent Chinese access to the islands will be foolish.”

Former Australian Prime Minister Paul Keating also [reacted](#) angrily, saying: “When the U.S. secretary of state-designate threatens to involve Australia in war with China, the Australian people need to take note. That is the only way Rex Tillerson’s testimony that a ‘signal’ should be sent to China that ‘access to these islands is not going to be allowed’ and that U.S. allies in the region should be there ‘to show backup’ can be read.” From Beijing to Sydney, a consensus formed — Tillerson’s position has

[no basis in international law](#)

, is tantamount to an

[act of war](#)

, and

[does not make strategic sense](#)

. In short, opponents argue, the posture the new U.S. secretary of state proposed is legally baseless, politically dangerous, and practically ineffectual.

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This consensus rests on the belief that China is both willing and able to go to war over serious provocation. But this [misreads](#) Tillerson's proposal and misunderstands the complex realities of the South China Sea. A naval blockade is not the only way to achieve Tillerson's objectives, and China has a large stake in avoiding war with the United States in the region.

To see this, we need to use a "whole of capabilities" lens that is less U.S.-centric. From this perspective, Tillerson's suggestion would not boil down to a military blockade as most commentators assume. Instead, the United States and its partners potentially have at their disposal a full spectrum of actions including diplomatic negotiations and economic sanctions and kinetic constraints that, directly or indirectly, can prevent further island building and Chinese militarization of those islands.

One such action is targeted sanctions against individuals and companies that support, facilitate, or participate in Beijing's illegitimate operations in the South China Sea. The [bill introduced](#) by Sen. Marco Rubio last December exemplifies this approach. It would impose asset freezes and travel bans on people and entities who "contribute to construction or development projects" in the contested areas and those who "threaten the peace, security or stability" of the South China Sea or East China Sea. It would also prohibit actions that may imply American recognition of Chinese sovereignty over the contested areas in these seas and restrict foreign assistance to countries that recognize China's sovereignty there. These primary sanctions could be augmented by secondary sanctions against those who do business with the offenders. The Rubio bill may or may not be adopted, but targeted sanctions remain an important tool to indirectly cause changes in China's behavior.

A more direct option would be for the United States and its partners to borrow a page from China's own playbook and emulate its "cabbage" tactic in denying Beijing's access to the South China Sea islands. The cabbage tactic consists of wrapping contested islands in multiple layers of Chinese military and paramilitary power. Like the Chinese cabbage, the anti-China cabbage would also have three layers, surrounding the targeted islands with private civilian boats in the inner circle, followed by law enforcement vessels in the outer circle, all protected by warships over the horizon.

The anti-China coalition couldn't match China's use of paramilitary [maritime militia](#) s in such operations. But it could invite civilian volunteers to man the first line of defense. Rather than shooting down Chinese aircraft and mining Chinese ports, the coalition can use drones — both

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unmanned aerial and underwater vehicles — launched from civilian and coast guard ships to seal off the entry to China's airstrips and harbors on the fake islands.

Contrary to common belief, these actions can be fully consistent with international law. If China does not recognize your rights to freedom of the seas, you have the right to restrict China's freedom in return. The Permanent Court of Arbitration [award](#) from last July, which is now an integral part of international law despite Chinese rejection, has ruled as illegitimate China's "nine-dash line" claims in the South China Sea, its occupation of Mischief Reef, its denial of access to Scarborough Shoal, its island building in the Spratlys, and its harassment of others in the Philippine exclusive economic zone (EEZ).

But the court does not possess the tools to enforce its rulings, so it's up to the members of the international community to act on behalf of the common interest and to induce China to comply with its obligations. Fortunately, international law allows countries to conduct countermeasures against wrongful acts. As James Kraska, a professor of international law at the U.S. Naval War College, has [argued](#), challenging China's rights to access its artificial islands is consistent with international law. After all, it's fair game to do to China what China has done to others.

Many are concerned that regardless of its legality, blocking China's access to its occupied islands would amount to an act of war and risk armed conflict as a response. This fear is overblown, however. When China blocked others' access to the disputed Scarborough Shoal and Second Thomas Shoal, nobody called it an act of war and no armed conflict ensued. Taking a leaf from China's own book, the cabbage tactic of access denial would mute the *casus belli* and discourage Beijing from going to war.

Still, there is concern that, driven by the pressure of nationalist public opinion and in an effort to maintain national image and domestic legitimacy, Chinese leaders may escalate the conflict and engage in war with the United States.

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