

Abstract of The 24 July 2010 Hanoi Declaration on the South China Sea Dispute: The Birth of a New Diplomatic Strategy vis-à-vis an Emergent China?¹

By

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The papers explore the long-term policy of implication of Secretary Hillary Clinton's 24 July 2010 Hanoi Declaration on the South China Sea dispute. It notes that her declaration evokes a new diplomatic strategy in addressing an emergent and assertive China—constraintment. Secretary Clinton's statement that Washington is willing to work with the member states of the Association of Southeast Asian Nations (ASEAN) in persuading China to adhere to a multilateral approach in the South China Sea dispute implies the application of forming and applying a concerted regional pressure to modify China's behavior with regard to the dispute. It, however, observes that China is currently challenging this policy by warning the ASEAN states against bringing in the U.S. and pushing for a multilateral solution to the dispute. In conclusion, the articles warn that this policy is challenged by: a) China being one of the main economic partners and an occasional political ally of most ASEAN states; and b) China's vigorous efforts oust the U.S. from holding the ring in this diplomatic strategy. Failure of this policy, however, means that the ASEAN states will face two scenarios: an Asian balance of power where in the great and small powers will find themselves locked in a constant competition that, in turn, will generate the ever-present risk of alliances, alignment, arms-build-up, aggression and conflict; or a Sino-centric Asia where China will exercise its preponderant power to preserve the order and shape the region according to its preferences.

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Less than a month after President Barack Obama's inauguration as the 44th president of the United States, his newly-appointed Secretary of State Hillary Clinton's embarked on a trip to Asia. Secretary Clinton's February 2009 Asian visit underscored the new administration's incipient and tentative interest in the region. During her first foray to East Asia, she stressed that the Obama Administration would listen and respond to the concerns of allies and partners and would not neglect the region despite America's preoccupation with serious challenges elsewhere.² The following year, the Obama Administration wasted little time in impressing upon the region that the U.S. is back and is pursuing a policy of active re-engagement in East Asia. This policy involves enhancing the credibility of U.S. security/diplomatic commitments by buttressing the bilateral alliances and American participation the regional multilateralism with a new-found self-confidence and activism. The Obama Administration's re-engagement policy in East Asia became more evident in a number of strong and visible foreign policy actions it undertook in the last six-months of 2010. Foremost among these actions with the one having a long-term policy implication is Secretary Clinton's 24 July 2010 declaration on the South China Sea in Hanoi, Vietnam.

Speaking during the 17th ASEAN Regional Forum (ARF) Meeting in Hanoi, Secretary Clinton declared that the U.S. has a national interest in the freedom of navigation, open access to

² Ralph A. Cossa, "Continuity and Change in U.S. Asia Policy," *PacNet Newsletter# 18*, p. 1. <http://www.pacnet@hawaii.biz.rr.com>

Asia's maritime commons, and for the littoral states' respect for the international law of the sea in the South China Sea. More significantly, she added that U.S. is prepared to facilitate multilateral negotiations to settle the competing claims over the Spratly Islands. Furthermore, her statement bluntly contradicted China's claims to sovereignty in the South China Sea, which would extend close to the shores of ASEAN countries and would be overlapped in part by territorial claims of four ASEAN claimant states—Vietnam, the Philippines, Malaysia, and Brunei Darusallam.³ Although her statement is seen as aimed at diffusing the tension in the South China Sea in the light of China's growing assertiveness, her declaration actually was a sharp rebuke to Beijing, which is insisting for decades that a large part of the South China Sea and all of its islands belong to it, and that any diplomatic solution regarding this maritime territorial dispute should be resolved only through bilateral negotiations. Most significantly, by taking such position, Washington cleverly played to the fear of the maritime Southeast Asian states concerning China's aggressive or assertive stance on various maritime disputes while expressing its own angst about the freedom of navigation in the light of the March 2009 USS Impeccable incident with China.⁴ Finally, her declaration on the Spratlys was conveyed when Washington was becoming aware that the ASEAN claimant states are concerned about China's naval prowess and growing assertiveness with regard to the South China Sea dispute.

What was conveniently overlooked in these analyses, however, is the declaration's long-term implication on U.S. foreign policy in particular, and on the regional states' policies in general vis-à-vis an emergent China. The 24th July Hanoi Declaration initiates a new diplomatic strategy in addressing an emergent and assertive China—constraint. Secretary Clinton's statement

³ Frederick Z. Brown, "Rapprochement between Vietnam and the United States," *Contemporary Southeast Asia* 32, 2 (December 2010). pp. 235-236.

⁴ Mark J. Valencia, "The Future of Southeast Asia: Back to the Future?" *Global Asia* 5, 4 (Winter 2010). p.9

that Washington is willing to work with the member states of the Association of Southeast Asian Nations (ASEAN) in persuading China in adhering to a multilateral solution to this territorial dispute implies the application of forming and applying concerted regional pressure to modify China's behavior on a specific issue—the South China Sea.

This paper explores the underlying diplomatic and strategic implications of the 2010 Hanoi Declaration as it evokes the application of the diplomatic strategy of constraint vis-à-vis an emergent China. It explores the primary question: How does the 2010 Hanoi Declaration put into effect of strategy of constraint vis-à-vis an emergent China? It also addresses the following corollary questions: 1) What is constraint? 2) What is the politico/strategic basis of the 2010 Hanoi Declaration? 3) What are the key elements of the Hanoi declaration? 4) How do these elements put into effect a strategy of constraint vis-à-vis an emergent China? 5) How is China responding to this evolving policy of constraint? 6) What are the problems in applying this strategy of constraint vis-à-vis an emergent China? And 7) What are the limits of constraint as a long-term strategy in addressing an emergent China?

From Hedging to Constraint?

With its long civilization and central geographic location, China has always considered itself as a great power in East Asia. Now, it is in a position to challenge the dominant power in the region—the U.S.—given its considerable military capability and rapid economic growth in the past two decades. However, it does not dare confront the U.S. head-on soon or in the immediate future. China concentrates on economic development to ensure its comprehensive security, without subordinating its efforts to meet direct challenges from any superpower.⁵

⁵ Russell Ong, *China's Security Interests in the Post-Cold War Era* (London, UK: Curzon Press, 2002). p. 179.

China's main pressing security concern is maintaining its dynamic economic relations with Japan, South Korea, the U.S. and the ASEAN states. Beijing's baseline goals include rapid economic growth, continuous pursuit of economic liberalization, globalization, and social liberalization, political consolidation (for the communist party), and the upkeep of a credible and modern military force directed against Taiwan. All these are directed towards developing its regional influence and certainly not to challenge the U.S. on a global scale.⁶

Despite its cooperative relations with the U.S., most Chinese regard the world's sole superpower as a threat to their national security and domestic stability.⁷ This distrust stems from Washington's tacit support of the status quo in the Taiwan Straits and its alleged agenda of subverting the few remaining socialist states in the world through a process of "peaceful evolution."⁸ This deep-seated suspicion of the U.S. is exacerbated by increased American military presence in Southeast Asia as a result of the Bush Administration war on terror after 9/11. Repeatedly, China has articulated the need for a new world order that is multipolar rather than unipolar as a defensive measure to what it perceives as a structural threat from the region's dominant power. More importantly, it uses its structural power to foster a regional order which allows Southeast Asia states to freely side with either of the two powers (China and the U.S.) without making any firm commitment to any of them.⁹ Using its prowess in the fields of

⁶ William H. Overholt, *Asia, America, and the Transformation of Geopolitics* (New York: Cambridge University Press, 2008). p. 124.

⁷ David Scott, *China's Stands up: the PRC and the International System* (London/New York: Routledge, 2007), p. 158.

⁸ Ong, *op. cit.* p. 116.

⁹ See Liselotte Odgaard, *the Balance of Power in Asia-Pacific Security: U.S.-China Policies on Regional Order* (New York: Routledge, 2007). p. 54.

security, production, and finance, China maintains a situation of “unstable balancing” in East Asia without directly challenging American pre-eminence in the region.¹⁰

Faced by China’s increasing political and economic clout in the early 21st century, the U.S. initially decided not to confront nor contain the latter but to adopt a proactive hedge strategy to manage China’s capabilities and influence its intentions. The hedge strategy assumes that among the new powers, China has the greatest potential to compete militarily with the U.S. in the future.¹¹ This strategy, however, does not consider China as an immediate threat or a Soviet-style rival. Rather, it sees China as inching its way to a direct of confrontation with the U.S. Therefore, it prescribes that Washington openly communicate to Beijing that the U.S. intends to remain a dominant Pacific power and that China can ill-afford a miniature arms race or a geopolitical rivalry with the U.S.¹² The strategy also requires the U.S. to tighten its bilateral alliances across Asia, limit Chinese influence among its allies, and steer China away from the path of confrontation with the U.S.

This strategy is primarily a reaction to China’s diplomatic gambit of peaceful emergence in East Asia. Since the latter part of the 1990s, Beijing has reassured Southeast Asian states that China’s emergence need not be feared—that no China threat actually exists. Time and again, it stresses that the rise of China is an opportunity for mutual economic benefit, and for the development of a stronger regional Asian position vis-à-vis the U.S.¹³ Seemingly, many East

¹⁰ *Ibid.* p. 54.

¹¹ Neil King, “Conflict Insurance: As China Boosts Defense Budget, U.S. Military Hedges its Bets: Pentagon Orchestrates Build-up of Forces in the Pacific; Counts on Japan...” *Wall Street Journal* (April 20, 2006). p. A.1.

¹² *Ibid.* p. A.1.

¹³ Dirk Richard Morton, “Becoming a Good Neighbor in Southeast Asia: The Case of China’s Territorial Dispute in the South China Sea, 1989-2006” (Virginia: a doctoral dissertation submitted to the Faculty of Old Dominion University, Old Dominion University, August 2007). pp. 1-2.

Asian states now consider China as an essential economic partner and a non-threatening and constructive political actor in the region. Consequently, China has succeeded in recasting its traditional image as a military threat in East Asia. The Bush Administration then believed that it could not force its Asian allies (except Japan) to choose between the U.S. and China as this move would not serve America's long-term regional interests. It adopted the hedge strategy in recognition of a complicated, multi-faceted, and dynamic geostrategic game in which China plays the role of a patient player ready to engage the U.S. in both cooperative and competitive relations.

The hedging strategy, however, is fraught with paradoxes and limitation. For example, while Washington's policy vis-à-vis Beijing is generally pragmatic and cooperative, a Chinese threat perception still lingers in some quarters of the U.S. government, specifically in the Department of Defense. The strategy's core objective is to integrate China into the current international system. However, the policy also provides for the strengthening of U.S.-Japan security relations, the revitalization of American bilateral alliances in East Asia, and the deployment of additional air and naval units from the Atlantic in to the Pacific Ocean. These are clear-cut military measures intended to balance not entice an emerging power. Furthermore, hedging is transitional strategy in the face of the uncertainties associated with China's emergence as a regional power in East Asia. Prior to 2008, Washington was unsure whether China's emergence would be disruptive to the regional order or not. However, China's recent behavior indicates that it is acting like any emergent great power in history—Beijing aims to change the regional norms and arrangements states generally observed as it develops the necessary political and military capabilities to challenge the status quo powers.

With its growing economy and political self-confidence, Beijing has consistently promoted economic, military, and political cooperative ventures aimed for “Asia only” such as the ASEAN Plus Three (ASEAN, China, Japan and South Korea), and initially the East Asian Summit (which failed to become one because of the entry of Australia and New Zealand).¹⁴ It has slowly developed a navy that is not anymore focused in pre-empting possible U.S. intervention in a crisis in the Taiwan Straits. Rather, China’s growing naval capabilities is now aimed to deny the U.S. Navy’s access to East China and South China Seas or in inside the so-called First Island China that runs from Japan-Okinawa-Taiwan and down to the Philippines. Thus, it has maintained a double-digit annual increase in defense spending since 2006. Consequently, in the past few years, the People’s Liberation Army Navy’s (PLAN) has been able to acquire a growing fleet of Russian-made diesel-electric Kilo-class submarines and Sovremenny-class destroyers, along with several types of indigenously built destroyers, frigates, and nuclear-powered attack submarines. The PLAN has also enhanced its operational capabilities across the waters surrounding Taiwan and has deployed two new classes of ballistic and attack submarines. China is no longer constrained by its strategic focus on Taiwan as it develops the necessary naval capabilities to undermine regional stability and challenge the interest of its neighboring states.

Backed by its growing naval process, China has become more assertive in its expansive maritime claim in the South China Sea. In March 2009, Chinese naval and fishing vessels harassed the U.S.S. Impeccable which was openly conducting surveying operations in the South China Sea. The following year, China warned the U.S. to respect its extensive claims in the

¹⁴ Richard Weitz, “Nervous Neighbors: China Finds a Sphere of Influence,” *World Affairs* 173, 6 (March/April 2011). P. 2. <http://proquest.umi.com/pqdweb?index=56&did=2292783311&Src...>

South China Sea. In March 2010, Chinese officials conveyed to two visiting U.S. State Department senior officials that China would not tolerate any U.S. interference in the South China Sea since it now part of the country's "core interests" of sovereignty on a par with Taiwan and Tibet.¹⁵ Consequently, maritime states, both in Northeast and Southeast Asia, are now worried that China might seize some the disputed islands in the East and South China Sea given its expansive maritime claims, potential energy reserves of these maritime territories, and importance for sea lines of communications (SLOCs).¹⁶ Recently, a confident and emergent China declared that it will increase its defense budget by 13%. The Chinese government announced that it will spend more money to improve the People's Liberation Army's (PLA) capability to accomplish a range of military tasks with "winning local wars under information age conditions" as the most prominent one. The disclosure of Beijing's plan to increase its defense spending was made amidst the growing trepidation among its smaller neighboring states because of the recent revival of Chinese territorial confrontations with Japan, South Korea, Vietnam and the Philippines.¹⁷

Washington is now in a quandary on what appropriate diplomatic it should adopt in the face of China's changing economic and military capabilities and growing political self-confidence. China's extensive economic links with its neighbors, its neighboring states' relative military weakness vis-à-vis the PLA, and Beijing's active participation in several regional

¹⁵ Edward Wong, "China Asserts Role as a Naval Power," *International Herald Tribune* (23 April 2010). pp. 1 and 4.

¹⁶ Michale A. Glony "Getting Beyond Taiwan? Chinese Foreign Policy and PLA Modernization," *Strategic Forum* No. 261 (January 2011). p. 4.

¹⁷ Jeremy Page, Jason Deari, and Julian E. Barnes, "Beijing's Defense Build-up Stirs Fears," *The Wall Street Journal* (7 March 2011). p. 4.

forums make balancing an expensive and difficult diplomatic strategy for the region.¹⁸ Another strategy is containment which is an artifact from the Cold War and may be insufficient to deal with a generally pragmatic (not ideological), diplomatically astute, economically powerful, and an unstable minimal status quo power like China. Another diplomatic strategy is constraintment which involves states, whose collective interests, threatened by China's growing capabilities, defending those interests by forming a temporary ad hoc coalition that would exert diplomatic pressure on it with the goal of modifying Chinese behavior.

The late Canadian scholar Gerald Segal came out with idea of applying constraintment vis-à-vis an emerging China in his 1996 article "East Asia and the Constraintment of China."¹⁹ Segal argued that both containment and engagement cannot address the special problem of a rising China since they are artifacts from the Cold War. And for this reason alone, they are insufficient categories in dealing with an emerging power. He called instead for a balanced policy of engagement with one of modified containment in the form of what he called "constraintment" or the collective action of a group of states aimed to apply diplomatic pressure on China to moderate its behavior in certain issues.²⁰ Segal recognized the advantages of deepening the economic, social, and political relations with China. However, he cautioned Western countries and China's neighboring states that such beneficial interactions could only be optimized if they can simultaneously deter Beijing from using force to realize its irredentist

¹⁸ For interesting discussions on the problems associated with balancing as a strategy vis-à-vis an emergent China see Bates Gill, "China as a Regional Military Power," *Does China Matter? A Reassessment* (Eds) Barry Buzan and Rosemary Foot (London; New York: Routledge, 2004). pp. 124-164 and Robert Ross "Balance of Power Politics and the Rise of China: Accommodation and Balancing in East Asia," *Chinese Security Policy: Structure, Power and Politics* (London; New York: Routledge, 2009). pp. 87-115.

¹⁹ Gerald Segal, "East Asia and the Constraintment of China," in *East Asia Security* (Eds) Michael E. Brown, Sean M. Lynn-Jones and Steven E. Miller (London; Cambridge: The MIT Press, 1996). pp. 159-187.

²⁰ *Ibid.* p. 185.

claims and/or change the balance of power in East Asia in its favor and according to its own terms.²¹

He pointed out that there is the need to engage an emerging power like China but the international community should not hesitate to constraint it when situations require such action. He warned about some states' tendency to indulgence in what he called a pander complex or the tendency of bending backwards to accommodate every Chinese definition of what insults the Chinese people's feeling or what the Chinese government deemed as an attempt to contain China.²² He argued that the fear of a concert of counter-bailing power has caused China to soften or modify its behavior in a number of issues such as in the ASEAN Regional Forum (ARF), in its signing of the Non-nuclear Proliferation Treaty (NPT), and in the Comprehensive Ban Treaty (CBT). He emphasized, however, that the application of constraint should not be considered as primarily a confrontational or a balancing policy against China. Rather, the long-term goal is to integrate it to the international system.²³ According to Segal :”A policy to constrain China...is intended to tell China that the outside world has interest that will be defended by means of incentives for good behavior, deterrence for bad behavior, and punishment when deterrence fails.”²⁴ Thus, Segal's constraint policy is a form of a carrot and stick” approach in which engagement is matched by a tough-minded readiness to deter China from committing any aggressive act.²⁵

²¹ Michael Yahuda, “Gerald Segal's Contribution,” in *Does China Matter...* p. 6.

²² Gerald Segal, “Does China Matter?” in *Ibid.* p. 19.

²³ Segal, “East Asia...” p. 186.

²⁴ *Ibid.* p. 186.

²⁵ Yahuda, *op. cit.* p. 6.

In his 1996 article, Segal argued that the East Asian states have the primary responsibilities to constrain China. However, he had a disparaging view of ASEAN because of its member states' general weakness and the regional organization's lack of coherence. He considered Japan and other Northeast Asian states as possible leading states that can play the role of organizing a counter-balance of power that can constrain China. However, he saw the United States the key state that can form this counter-balance of power because it provides the oxygen of security to the maritime state of East Asia. However, he observed that U.S. policy vis-à-vis an emerging China was still incoherent in the mid-1990s. Furthermore, according to him, Washington can only hold the ring against China unless states in the region want and help it do so.²⁶ Secretary Clinton's 2010 Hanoi Declaration provides these necessary elements for a viable constraint policy in the face of an emergent and assertive China in the South China Sea.

Strategic/Diplomatic Context of the 2010 Hanoi Declaration

As a policy statement directed at constraining China's assertive behavior in the 21st century, the 2010 Hanoi Declaration on the South China Sea dispute can be traced to two bureaucratic initiatives during the Clinton Administration in the mid- 1990s. The first one is the U.S.-Navy' and U.S. Marine Corps' formulation of the post-Cold War naval war-fighting concept of "Forward from the Sea."²⁷ The doctrine calls for the refocusing of the U.S Navy away from the traditional Mahanian goal of sea-control to operations in the world's littoral waters where new regional or contingencies crisis are developing. It envisions the U.S. Navy and the Marine Corps conducting joint operations in the littoral maritime areas of the Pacific

²⁶ Segal, *op. cit.* p. 187.

²⁷ Secretary of the Navy, *Forward from the Sea* (Washington: Department of the Navy, 1992).

Rim, Norwegian Sea, Arabian Gulf, and the Mediterranean Basin. It provides for the development of basic buildings blocks of the navy consisting of Aircraft Carrier Battle Groups and Amphibious Ready Groups of Marine Expeditionary Units that can be deployed against regional powers with formidable armed forces possibly equipped with precision-guided weapons, slow-down weapons proliferation and enhance regional stability in the littoral waters. It requires the use of forward-deployed surface warships—cruisers and destroyers—and strategic ballistic missiles submarines that can ensure strategic ballistic nuclear deterrent for the Navy’s goals of forward presence and power projection from sea to land. The resulting naval expeditionary force—build around fleet operational forces and forward-deployed Marine Expeditionary Force—can be used as highly flexible forces for a wide range of military missions in the world’s littoral areas like the South and East China Sea, Yellow and the Arabian Seas.

The doctrines places unprecedented emphasis on littoral areas (instead of the sea-lanes along world’s oceans), requires more cooperation between forces afloat and forces ashore, and introduces the concept of naval expeditionary forces and provides the foundation for Operational Maneuver from the Sea.²⁸ It advocates the application of a new operational vision of influencing events ashore possibly in East Asia, to deter possible rising competitors like China.²⁹ The introduction of this naval doctrine of operating in littoral rather than in the ocean areas of the Pacific and the development of the required naval capabilities for such operations provide Washington the necessary naval war-fighting doctrine and forward deployed forces to back any future diplomatic initiatives with regard to the South China Sea dispute. Writing in the mid-

²⁸ General C.C. Krulak, *Operational Manoeuvre from the Sea: A Concept for the Projection of Naval Power Ashore* (Washington: Headquarters Marine Corps, 1992).

²⁹ Thomas Barnett, *The Pentagon’s New Map: War and Peace in the 21st Century* (USA: Penguin Publishing Group, 2004). p. 28.

1990s, two academics maintained that since the U.S. Navy doctrine has placed primary emphasis on the naval and air assets necessary for combined force operations close to shores, the U.S. can “make the most important contribution to possible naval operations in the region (South China Sea area) since it can back up its commitment to protect international maritime traffic.”³⁰

Then in the aftermath of the Chinese occupation of the Mischief Reef in February 1995, the State Department issued the “U.S. Policy on the Spratly Islands and the South China Sea” on 10 May 1995. The statement points out that the U.S. does not take any position on the legal merits of the competing claims to sovereignty over the various atolls, reefs, and cays in the South China Sea. However, it conveys Washington’s concern over the pattern of unilateral actions and reactions in the South China Sea that has heightened the tensions in the region.³¹ It also declared the U.S.’ opposition to the use or threat of force to resolve competing claims and urges all claimant states to exercise restraint and to avoid destabilizing actions. In June 1995, then Assistant Secretary of Defense for International Security Joseph Nye, announced that if military conflict in the South China Sea interfered with the “freedom of the seas, then the U.S. would be prepared to uphold the freedom of navigation.”³² Although this warning could be directed at other claimant states to the Spratlys, it was most likely directed at China which has been developing an expansive naval capability relative to the other claimant states and had used force against the Vietnamese in March 1988 to gain a foothold in the Spratlys. Thus, since the mid-

³⁰ Douglas T. Stuardt and William Tow, *A U.S. Strategy for the Asia-Pacific: Building a Multi-polar Balance-of-Power System in Asia* (London: Oxford University Press, 1995). p. 57.

³¹ See U.S. Department of State, *Daily Press Briefing* 10 May 1995 DBP No. 67. p. 2
http://dosfan.lib.uic.edu/ERC/briefing/daily_briefings/1995/950510db.html

³² Richard C. Macke, USN, “Statement of the Commander in Chief United States Pacific Command before the House International Relations Committee, 27 June 1995, on the Future of U.S. Foreign Policy in Asia and the Pacific,” 30 May and 19 June 1996 (Washington, D.C.: U.S. Government Printing Office, 1997). p. 366.

1990s, the U.S. has looked at the South China Sea dispute as a source of tension in South East Asia that could carry serious consequences for regional stability, and has accepted the fact that Washington is viewed by many of the claimant states as the “principal deterrent to any out break of hostilities.”³³

Finally, the 2010 Hanoi Declaration on the South China Sea dispute should be understood as part of the Obama Administration’s “U.S. is back” or re-engagement policy. As a policy process, re-engagement addresses two major issues. First, it aims to rectify the regional perception that the Bush Administration’s single-minded on the global war on terror and the counter-insurgency campaigns in Iraq and Afghanistan had diverted Washington’s attention from East Asia. It assures America’s allies and friends that they can never be a fair game to the emergent regional power, and that there is no need for them to choose between Washington and Beijing. At the same time, this policy reveals that the U.S. does not seek to contain China. Rather, the U.S. wants China’s transformation into a responsible stakeholder in East Asia.

Thus, re-engagement simply entails strengthening American leadership, increasing its engagement, putting into practice new ways of projecting U.S. ideas and influence throughout this changing region.³⁴ And second, it is an attempt to explore means and ways on how Washington and the regional states can expand their bilateral relations for their own respective national interests and concomitantly, in support of broader regional priorities such as addressing a changing regional balance of power generated by China’s emergence. For many East Asian states, China’s emergence is an important factor that affects their overall relations with the U.S.,

³³ Dennis Van Vranken Hickey, *The Armies of East Asia: China, Taiwan, Japan and the Koreas* (Boulder; Colorado: Lynne-Rienner Publishers, 2001). p. 27.

³⁴ Secretary Hillary Rodham Clinton, “America’s Engagement in the Asia-Pacific,” Speech delivered to the East-West Center, Kahala Hotel, Honolulu, Hawaii, 28 October 2010. 2.

but each state has its own view and assessment of the China challenge. For the Obama Administration's perspective, re-engagement provides Washington with the opportunity to engage individual East Asian states so that they can formulate common foreign policy objectives that hopefully should move beyond the considerations of managing a changing regional balance of power.³⁵

In early January 2010, Secretary Clinton laid down the guidelines for U.S.' participation in East Asia's proliferating multilateral forums. Accordingly, the U.S. will utilize its bilateral alliances as cornerstone of its participation in East Asian multilateralism. Simultaneously, it will be flexible in pursuing the results it wants to achieve.³⁶ As an Asia-Pacific power, the U.S. will define which multilateral forums it will support. Secretary Clinton mentioned the ASEAN Regional Forum and APEC but she did not discount U.S. participation in other multilateral bodies like the East Asian Summit and even the ASEAN + Three (the ten ASEAN states with China, Japan, and South Korea).³⁷ Then in June 2010, Secretary Gates elaborated this re-engagement policy and he emphatically declared that the "United States is a Pacific nation and, is and will remain a power in the Pacific."³⁸ He confirmed the Obama Administration's commitment to a strong and effective extended deterrence that guarantees the safety of U.S. allies and friends.³⁹ Corollary to this, he said the U.S. is willing to build the capacity of its Asian

³⁵ Satu Limaye, "Introduction: America's Bilateral Relations with Southeast Asia—Constraints and Promise," *Contemporary Southeast Asia* 32, 3 (December 2010). 312-313.

³⁶ Ralph Cossa and Brad Glosserman, "Regional Overview: They're Not Quite Baaaack," *Comparative Connections* 12, no. 2 (April 2010): 3-4.

³⁷ *Ibid.* 3.

³⁸ Secretary of Defense Robert Gates "Address to the 9th IISS Asian Security Summit: The Shangri-La Dialogue" (the 9th IISS Asian Security Summit: The Shangri-La Dialogue, Shangri-La Hotel, Singapore, June 5, 2010), 1.

³⁹ *Ibid.* 2.

allies and friends so that they will not only to secure their own territories, but also to export security abroad.⁴⁰

The Obama Administration's re-engagement strategy has two key goals: a) to boost U.S. exports to East Asian markets; b) and to balance growing China's economic and political influence in East Asia. This strategy entails American officials stepping up their visits to several capitals in East Asia, engaging key states in bilateral negotiations for new trade pacts and joint military cooperation, and Washington taking tough positions on issues of regional security such as the South and East China Sea maritime disputes, and the nuclear crisis on the Korean peninsula. This re-engagement is happening at a time when many East Asian countries worry about China's activist and assertive foreign policy. With its growing affluence and political confidence, China displays its naval power beyond its coastal territories way into the waters of the South and East China Seas. Consequently, China's naval expansion has not only signaled to the U.S. that it will be a serious rival to American naval supremacy in the West Pacific and East Asia; it has also conveyed its aggressive intentions toward its neighboring states. This, in turn, has complicated China's earlier efforts to project its emergences as beneficial and benign to the region, and created political fissures between Beijing and its smaller and weaker neighboring states.

Undoubtedly, Washington's reengagement is welcomed in many Asian capitals. The rising tensions between China and its neighboring states augur well for the Obama Administration's comeback or reengagement with the region.⁴¹ A re-engagement assures East Asian states that they need confront China single-handedly, and builds up their courage and

⁴⁰ Ibid. 5.

⁴¹ Wong, "As Beijing Asserts Itself," 1-3.

confidence to redefine their relations with the emergent power.⁴² And this diplomatic gambit will be tested when the U.S. states its position to the South China dispute and offered a possible solution its resolution.

Constraining an Emergent China?

The South China Sea dispute became dormant in the late 1990s and early 21st century as China initiated a charm offensive in Southeast Asia while the U.S. became engrossed on its war on terror. The South China Sea dispute flared up again in 2009 as China assumed a more assertive posture in consolidating its jurisdictional claims, expanding its military reach and seeking to undermine the claims of other states through coercive diplomacy.⁴³ China has increased its naval patrols by submarines, survey ships, and surface combatants in Japan's Exclusive Economic Zones (EEZ) and territorial waters, and has tried to strengthen its maritime claims in the South China Sea through patrols and intimidation of oil companies that tried to operate in the area.⁴⁴ Prior to the 17th ARF meeting in Hanoi, Vietnamese, Philippine and Malaysian officials voiced their respective concerns to Washington about China's increasing assertiveness to laying claims to maritime areas like the Paracel and Spratlys islands.⁴⁵ In response, the U.S. privately informed several members of the ARF that Secretary Clinton would

⁴² Marvin Ott, "Asia's Clouded Horizon," *International Herald Tribune*, September 29, 2010, 8.

⁴³ Clive Schofield and Ian Storey, *The South China Sea Dispute: Increasing Stakes and Rising Tension* (Washington Dc: The Jamestown Foundation, November 2009). p. 1.

⁴⁴ Glosny, *op. cit.* p. 5.

⁴⁵ Jay Solomon, "U.S. Takes on Maritime Spats: Clinton Plan Would Set Up Legal Process for Asian Nations to Resolve Claims in the South China Sea," *Wall Street Journal* (24 July 2010). p. 2.
<http://proquest.umi.com/pqdweb?index=101&did=2089906641&Sr...>

make an intervention and asked for their support.⁴⁶ Consequently, at least 12 Asian countries supported Washington plan to push for the creation of multilateral mechanism to address the South China Sea dispute.⁴⁷

Secretary Clinton fired the opening salvo of the constraint policy vis-à-vis China during the July 2010 meeting of the ASEAN Regional Forum (ARF) as she emphasized U.S. navigational interest in the South China Sea and urged for a jurisdictional disputes among the claimant states that should be addressed by a collaborative multiparty process. This declaration was made after three years of tension in the South China Sea triggered by:⁴⁸

- a) Beijing's verbal threats against international oil companies conducting exploration in this area. Chinese envoys approached the top executives of ExxonMobil and warned them that their business in China will suffer unless they pull-out of exploration deals with Hanoi that was conducting oil exploration in southern Vietnamese waters;
- b) China's promulgation of unilateral fishing bans that led to the arrest of hundreds of Vietnamese fishermen; and
- c) The impasse in the China-ASEAN working group that was working for a code of conduct in the South China Sea, according because of the lack of Chinese interest in such a multilateral undertaking.

Her declaration was also made a few months after Chinese official and scholars have begun to classify China's expansive claim in the South China Sea as part of its "core

⁴⁶ Carlyle A. Thayer, "The United States, China and Southeast Asia," *Southeast Asian Affairs 2011* (Singapore: Institute of Southeast Asian Affairs, 2011). p. 20.

⁴⁷ Solomon, *op. cit.*, p. 2

⁴⁸ Barry Bain, "Chinese Diplomacy off Course," *The Wall Street Journal Asia* (5 August 2010) p. 13. <http://proquest.umi.com/pqdweb?index=185&did=185&did=2100920731&Sr...>

interests.”—a category previously reserved for Tibet and Taiwan.⁴⁹ Her Hanoi declaration can be summarized to the following points.⁵⁰

- a) Like every other nation, the U.S. has a national interest in the freedom of navigation, open access to Asia, maritime commons, and respect for international law in the South China Sea.
- b) The U.S. supports a collaborative diplomatic process by all claimants for resolving the various territorial disputes without coercion. It also opposes the use of threat of force by any claimant.
- c) The U.S. does not take sides on the competing territorial claims; and
- d) The U.S. is prepared to facilitate initiatives and confidence-building measures consistent with the 2002 ASEAN-China Declaration on the conduct of parties in the South China Sea.

A careful analysis of her statement will show that it is only a reiteration of the 10 May 1995 U.S. State Department Policy on the Spratly Islands and South China Sea except in one very crucial aspect—the U.S. role in the dispute. Her statement was deemed as a break to previous U.S. pronouncements on the South China Sea dispute that were limited on the bland enumeration of American interests only in the freedom of navigation, the sanctity of international relations, and the need for peaceful resolution since she offered a facilitative role for Washington in the resolution of this perennial maritime territorial dispute. The 1995 State Department Policy merely mentions that the U.S. is willing to assist in resolving the dispute in whatever way that the claimants deem as helpful. In contrast, the Hanoi Declaration explicitly expressed Washington’s willingness to facilitate initiatives that can address the unresolved claims, and confidence-building measures consistent with the 2002 ASEAN-China Declaration. As one

⁴⁹ “Battle of the South China Sea,” *Wall Street Journal* (28 July 2010). p. A-16.
<http://proquest.umi.com/pqweb?index=40&did=2093090421&Src...>

⁵⁰ U.S. State Department Press Release 2010/T32-21, Secretary of State Hillary Clinton, Remarks at Press Availability (23 July 2010) <http://www.state.gov/secretary/rm/2010/07/145095.htm>

American scholar puts it: “Secretary Clinton offered a facilitative role for the United States in multilateral negotiations. This statement was in contrast to previous anodyne expression of U.S. policy in which freedom of navigation, the sanctity of international waters and the need for peaceful resolution were mentioned”⁵¹ By implication, this means that Washington is ready to play the role of “holding the ring” around the constraint of China with regard to the South China Sea dispute. After her speech, Secretary Clinton ensured that the U.S. will be part of the ring with the ASEAN states. She signed the Treaty of Amity and Cooperation with the ASEAN states. Accordingly, the U.S. pursued its accession to the treaty to strengthen its relationships in Southeast Asia and to develop a stronger and more productive presence in the region.⁵² She also told the ASEAN states that the Obama Administration is committed to deep relations with them and relayed to them President Obama’s invitation for a summit meeting on the side of the United Nations General Assembly meeting in New York.

Historically, the U.S. has sought to avoid taking a public position on a number of territorial disputes in East Asia. However, China’s expansive maritime claims in the South China Sea, its assertive behavior with regard to its dispute, and quiet pleadings from some ASEAN states have galvanized the Obama Administration into coming out with such declaration.⁵³ Interestingly, the Hanoi Declaration was announced at the time that the Pentagon believes that China’s military is undergoing a “strategic shift” as the PLA moves from a focus on ground forces to a focus on naval and air power. This, in turn, has made the Chinese military more assertive in East Asia, particularly in the South China Sea, and that “this assertiveness has

⁵¹ Brown, *op. cit.* p.

⁵² Stephen Kaufman, “Clinton Urges Legal Resolution of South China Sea Dispute,” *State Department Documents/FIND* (23 July 2010). p. 2. <http://proquest.umi.com/pqdweb?index=204&did=2091625971&Sr...>

⁵³ Weitz, *op. cit.* p. 4.

caused concerns among China's neighbors in the region."⁵⁴ However, this 24 July 2010 Hanoi Declaration is buttressed by the 1992 doctrinal shift in the U.S. Navy from its traditional sea-control objective to littoral operations and the necessary force structure to support this new naval war-fighting doctrine. The Pentagon has already a strategic plan and the necessary naval capabilities that can back up the State Department's diplomatic initiative in the face of China's increasing naval capabilities in East Asia.

The ASEAN member states, on their part, welcomed the first consequential U.S. statement on the South China Sea dispute as a matter of international diplomacy.⁵⁵ Immediately, many ASEAN representatives, publicly and privately, commended the declaration for its strong emphasis on U.S. national interests and the nature of territorial claims, which could be seen as refuting China's infamous dotted lines on a 14th century Chinese map that Beijing claims helps prove its "indisputable sovereignty" across the whole of the South China Sea.⁵⁶ This is because, given their growing economic ties with China, these small powers do want to jeopardize their relations with Beijing by confronting it over its expansive maritime claims in the South China Sea. They would prefer that some external and powerful balancer such as the U.S. to assume this role, with the ASEAN states playing a supporting role.⁵⁷ They also took note that Secretary Clinton's declaration that the South China Sea dispute should be resolved through peaceful means and that the resolution of this dispute is a matter of American national interest has a long-

⁵⁴ Mark J. Valencia, "The South China Sea: Back to the Future?" *Global Asia* 5, 4, (Winter 2010). p. 9.

⁵⁵ Frederick Brown, "Rapprochement between Vietnam and the United States," *Contemporary Southeast Asia* 32, 3 (2010). p. 336.

⁵⁶ **Ralph Cossa and Brad Glosserman, "Regional Overview: U.S. Profile Rises, China Image Falls, North Korea Changes,"** *Comparative Connections: A Quarterly E-Journal on East Asian Bilateral Relations* (July 2010). p. 6.

⁵⁷ Weitz, *op. cit.* p. 4.

term implication. This provides fresh impetus to transforming the non-binding 2002 declaration between China and ASEAN on the South China Sea dispute into a more meaningful code of conduct.⁵⁸ Furthermore, for these small powers, only U.S. involvement can give them enough confidence to face China in multilateral negotiations, and urge China to submit the South China Sea dispute for resolution in accordance with international law.⁵⁹ In any case, the Hanoi Declaration's effect is that it made constraintment as a viable policy for both the U.S. and the ASEAN member states in dealing with an emergent power like China.

Challenging the Constraintment Policy

China's reaction to the Hanoi declaration was swift and vigorous. China's Foreign Minister Foreign Minister Yang Jiechi condemned Secretary Clinton's Hanoi declaration as an attack against China and is designed to give the international community a wrong impression that the situation in the South China Sea is a cause for grave concern.⁶⁰ He also argued that "turning the bilateral issue into an international or multilateral one would only worsen the situation and add difficulties to solving the issue."⁶¹ Interestingly, China also responded by warning the smaller ASEAN states from supporting the U.S. position of multilateralizing the dispute. In the aftermath of Secretary Clinton's speech, Chinese Foreign Minister Yang Jiechi started directly at Singapore's Foreign Minister George Yao and told him that "China is a big country and other

⁵⁸ Greg Torode, "ASEAN Shows Sudden Resolve against Beijing," *South China Morning Post* (6 August 2020). p. 2. <http://proquest.umi.com/pqdweb?index=2101880111&sr...>

⁵⁹ "Battle of the South China," p. 2.

⁶⁰ "U.S.-China Tensions Flare over South China Sea Dispute," *Voice of America* (29 July 2010). pp. 1-2. <http://proquest.umi.com/pqdweb?index=195&did=2094862151&Sr...>

⁶¹ "China Rejects U.S. Suggestion for ASEAN Mediation on Territory," *Wall Street Journal* (26 July 2010). p 2. <http://proquest.umi.com/pqdweb?index=99&did=20911452221&Src...>

countries are small countries and that is a fact.”⁶² Then he reminded the ASEAN states of their countries economic ties with China.”⁶³ China’s vehement reaction to the 24 July Hanoi Declaration revealed its trauma after it was constrained by the ASEAN states in the aftermath of the Mischief Incident and was pressured to sign the 2002 Declaration on the South China Sea. As one Thai analyst observed: ... “Washington’s voicing of support for multilateral approach, a return to the policy of U.S. governments in the nineties, will add to China’s suspicion that it faces a daunting diplomatic challenge if ASEAN speaks with one voice on the territorial dispute in the South China Sea.”⁶⁴

After 24 July, other official Chinese reactions and actions also condemned the Hanoi Declaration with stream of nationalistic rhetoric and hostile military exercises. The *China Daily* warned the ASEAN states as it argued that “some ASEAN countries are engaged in a power game in the South China Sea because they want to seize more ocean resources despite China’s claim to unimpeachable sovereignty.”⁶⁵ While a Chinese academic argued that it is not Washington’s business to get involved in the dispute since “China will ignore Clinton’s call and reject any U.S. role in the consultation to resolve its territorial disputes with the neighboring states.”⁶⁶ In the aftermath of the Hanoi Declaration, Chinese envoys all over the region repeatedly announced the official manta that the “South China Sea dispute should be resolved

⁶² Thayer, *op. cit.* p. 21.

⁶³ Cossa and Glosserman, “Regional Overview: U.S. Profile Rise...”p. 6.

⁶⁴ “Politics: U.S.-China Tension Loom in South China Sea Dispute,”*Global Information Network* “(27 July 2010). p. 2. <http://proquest.umi.com/pqdweb?index=199&did=2092772891&Sr...>

⁶⁵ Greg Torode, “ASEAN Shows Sudden Resolve against Beijing,” *South China Morning Post* (6 August 2011). p. 2. <http://proquest.umi.com/pqdweb?index=182&did=210188011&Sr...>

⁶⁶ _____”US Riles Beijing over South China Sea Dispute: Clinton Stand on a Chinese Core Interest Causes Tension at Forum,” *China Morning Post* (24 July 2010). p. 2. <http://proquest.umi.com/pqdweb?index=203&did=2089796111&Sr...>

bilaterally between China and individual claimants to the island chains—“ a ploy that would play to China’s prowess as a great power and will undermine the 24 July Hanoi Declaration.”⁶⁷ Thus, a few days after Secretary Clinton’s statement on the South China Sea, the PLA released a statement declaring that “China has indisputable claim over the South China Sea” but insisted that it would continue to allow others to freely navigate one of the busiest waterways in the world.”⁶⁸

The PLA statement was designed to reiterate China’s claim over the South China Sea in the face of the Hanoi Declaration. However, at the same time, it was also aimed in placating growing concerns on Washington and in several ASEAN capitals that its policy toward the region had suddenly become assertive especially with regard to the South China Sea dispute. However, China’s efforts to calm the region’s growing concern regarding its assertive stance vis-à-vis in the South China Sea dispute were set aside when the PLAN conducted a live-fire exercise in the South China Sea in late July 2010. Warships from all three of China’s three fleets were deployed, along with fighter jets and missile launches against hypothetical long-range targets.⁶⁹ This show of force was meant to hammer home the message that China thinks the U.S. has no right to get involved in the South China Sea dispute while at the same time, warning its smaller neighbors that China has hardened its stance in the dispute and is ready to throw its weight around the region.⁷⁰

⁶⁷ *Ibid.* p. 2.

⁶⁸ John Pomfret, “China Renews Claim to South China Sea, Vows Freedom of Navigation,” *The Washington Post* (31 July 2010). p. A.7 <http://proquest.umi.com/pqdweb?index=92did=2096294991&Src...>

⁶⁹ Barry Wain, “Chinese Diplomacy Off-Course,” *The Wall Street Journal Asia* (5 August 2010). p. 1

⁷⁰ *Ibid.* p. 2.

In the aftermath of the Hanoi Declaration, Chinese foreign and defense ministries officials criticized Secretary Clinton for intervening in the South China Sea dispute. A days prior to the 2nd U.S.-ASEAN Leaders Summit in New York, a Chinese Foreign Ministry spokesperson warned the ASEAN states that China is “concerned about any kind of statement that might be issued by the U.S. and ASEAN over the South China Sea” and that “China oppose any country having nothing to do with the South China Sea issue getting involved in the dispute.”⁷¹ Although the summit did discuss the dispute, the joint U.S.-ASEAN statement deleted any reference to the South China Sea. After the U.S.-ASEAN summit, the unofficial Chinese media described the event as an indication of a new US assertiveness over the South China Sea, and an effort, in collusion with the Vietnamese, to contain China.⁷² Not satisfied with applying diplomatic pressure on the ASEAN states, the PLAN conducted its fourth major naval exercise in the South China Sea in 2010. Taken together, these four PLAN shows of force were a demonstration that China has indisputable sovereignty over the South China Sea and that it is rapidly developing the capacity to sustain larger naval deployment deep into this maritime territory.⁷³

In late September 2010, President Obama met eight heads of states from the ASEAN to formulate a common statement that calls for a multilateral approach in the South China Sea dispute. Washington hoped the ASEAN would take a vigorous position on the South China Sea issue and will push for a peaceful resolution of the dispute. Specifically, it was expected that President Obama and the ASEAN leaders would issue a statement that reaffirms the freedom of

⁷¹ Thayer, *op. cit.* p. 21.

⁷² Weitz, *op. cit.* pp. 4-5.

⁷³ Thayer, *op. cit.* p. 21.

navigation in the South China Sea and opposes the use or threat of force by any claimant attempting to enforce disputed claims in the South China Sea.⁷⁴ The wording of the joint statement was deemed significant because it was seen as building on an earlier statement on the South China Sea delivered by Secretary Clinton during the July 2010 Hanoi ARF meeting. Washington, however, was disappointed.

Fearing that such statement would alienate China, ASEAN member states objected to a joint statement bearing any reference to the South China Sea dispute and to the use of force.⁷⁵ Three days before the U.S.-ASEAN Leaders Meeting, a Chinese Foreign Ministry spokes person warned the ASEAN states against declaring any statement issued by the U.S. and ASEAN over the South China Sea” and involving a country “having nothing to do with the South China Sea issue getting involved in the dispute.”⁷⁶ Thus, China pre-empted the 2nd U.S.-ASEAN Leaders Meeting by voicing its objection to any U.S. proposals on the South China Sea, and some ASEAN states took the view that the regional grouping should not anatomize China further after the 24 July Declaration on the South China Sea dispute. This incident, in a way, shows ASEAN’s limitation in applying and sustaining a policy of constraint against an economically emergent China. Having extensive and mutually beneficial economic ties with Beijing, ASEAN states in general feel that they cannot just conduct heavy China-bashing and

⁷⁴ Jeremy Page, Patrick Barta, Jay Solomon, “U.S., Asian Allies Take Firmer Stance on China—ASEAN Seeks Stronger Positions on Territorial Disputes Amid Concern Over Beijing’s Growth and Rising Military Power,” *The Wall Street Journal* (23 September 2010). p. 2. <http://proquest.umi.com/pqdweb?index=78&did=2144379741&Src...>

⁷⁵ “ASEAN Wants No Mention of South China Sea Dispute in Statement of Summit with U.S.,” *BBC Monitoring Asia-Pacific* (25 September 2010). p. 1. <http://proquest.com/pqdweb?index=198&did=2146226801&Sr...>

⁷⁶ Thayer, *op. cit.*21.

create the impression that they are willing to whatever Washington tells them to do.⁷⁷ For these small powers, China is not only their neighbor, but also one of their most important trading partners, investors, and an occasional political ally against the U.S. itself.

The event, however, was not a total setback for Washington and the constraint policy. It is a public knowledge that Washington and the ASEAN states openly discussed the South China Sea dispute on the sidelines of the United Nations General Assembly as it became a sticky point in the summit.⁷⁸ The White House's statement on President Obama's Working Luncheon with the ASEAN Leaders notes "that the President and the (ASEAN) leaders also agreed on the importance of peaceful resolution of disputes, freedom of navigation, regional stability, and respect for international law, including in the South China Sea."⁷⁹ The open discussion of the South China Sea dispute between the U.S. and the ASEAN occurred despite Beijing's diplomatic efforts to convince these states not to bring out the issue in public and for ASEAN not to present a common position regarding the dispute.

Generally speaking, Beijing resents the Hanoi Declaration on the South China Sea in particular, and the Obama Administration re-engagement policy in general, which it considers as a blatant interference by a distant non-Asian power in a region where Chinese influence and political clout might otherwise go unchallenged. Consequently, on the heels of the U.S.-ASEAN meeting in New York, a Chinese foreign ministry official told Washington not to mediate in the South China Sea issue. In the final analysis, China's resentment stems from the fact that the Hanoi Declaration provides the optimum solution for resolving the South China Sea dispute

⁷⁷ *Ibid.* p. 21.

⁷⁸ "ASEAN Wants No Mention..." p. 2.

⁷⁹ Cossa and Glosserman, *op. cit.* p. 8.

which involves the ASEAN states standing up to China by insisting on a multilateral resolution to the dispute based on the pertinent provisions of the UNCLOS and the necessary norms specified by the 2002 Code of Conduct on the South China Sea.⁸⁰ However, at least in the short term, this solution can only be realized if the U.S. could “hold the ring” before the ASEAN states can stand up for them vis-à-vis an emergent and assertive China.

Less than a year after the Hanoi Declaration, China is again testing the U.S.-led constraint policy. In 2 March 2011, two Chinese maritime surveillance boats harassed and ordered a Philippine survey vessel to leave the Reed Bank, which is 80 kilometers from the Philippine island of Palawan. After filing a diplomatic protest at the Chinese Embassy in Manila on 5 March, Philippine officials then claimed that China has provoked five to seven incidents in the South China Sea.⁸¹ The Philippine Department of Foreign Affairs conveyed to the Chinese Embassy in Manila its concern over the increasing presence and activities of Chinese vessels in waters in claims as part of the country’s EEZ. The Philippines also claimed that Chinese patrol boats had fired warning shots against Filipino fishing trawlers inside Philippine territorial waters in late February 2011. The foreign department warned that this action of Chinese vessels in the South China Sea hamper the normal and legitimate fishing activities of Filipino fisherman in the area and undermine the peace and stability of the region.

Incidentally, Vietnamese officials also complained about Chinese activities in its EEZ, accusing Chinese patrol boats of harassing an oil-exploration ship conducting a seismic survey 120 kilometers (80 miles) off Vietnamese coast. On 28 May and 9 June, Chinese patrol boats cut

⁸⁰ Dana R. Dillon, “Countering Beijing in the South China Sea,” *Policy Review* (June/July 2011) 167. p. 2. <http://proquest.umi.com/pqdweb?index=77&did=2382115331&Src...>

⁸¹ “China Says Philippines Harming Sovereignty, Interests in Spratlys,” BBC Monitoring Asia-Pacific,” *BBC Monitoring Asia-Pacific* (9 June 2011). pp. 1-6. <http://proquest.umi.com/pqdweb?index=64&did=2369715781&Src...>

the cables of Vietnamese oil exploration ships. Vietnamese diplomats filed a diplomatic protest against China as they claimed that the two incidents happened inside Vietnam's EEZ. In the face of these two ASEAN states' diplomatic protests, a Chinese foreign minister spokesperson arrogantly declared that "China has undisputable sovereignty over the South China Sea islands and adjacent waters."⁸² These incidents are seen as a pattern of Chinese unilateral actions aimed at testing the resolve of the other claimant states in the South China Sea dispute. These actions consequently generated tension in the region and set China on a collision course with two ASEAN member states.

However, instead of being intimidated by China's unilateral actions, the Philippines and Vietnam decided to confront China by accusing it of violating the 2002 Declaration on the Conduct of Parties in the South China Sea. These two ASEAN states also began mobilizing the other ASEAN states for diplomatic support, and approached the United States and other great powers (Japan and Australia) for their diplomatic and military backing. Six ASEAN member states expressed their support for the Philippines' call for the peaceful resolution of the dispute. Surprisingly, Singapore coming out with a strong statement calling on China to be more open about its claims in the South China Sea, and maintaining that Beijing's ambiguity is causing some international concerns. Australia also expressed its support for the Philippines' position for the peaceful resolution this maritime territorial dispute during the Philippine-Australia Ministerial Meeting that was held in Canberra on 16 June 2011.⁸³ Then Washington and Tokyo issued a joint statement warning that the pursuit of military capabilities could destabilize regional

⁸² See Edward Wong, "China Navy Reaches Far, Unsettling the Region," *New York Times* (15 June 2011), p. 3. <http://proquest.umi.com/pqdweb?index=107&did=2374566911&Sr...>

⁸³ See http://www.foreignminister.gov.au/releases/2011/Kr_mr_110616a.html

security and accusing China's naval activities of creating tension in the South China Sea.⁸⁴ The two allies urged China to take "a responsible and constructive role in regional stability and prosperity and called for its adherence to international norms of behavior."⁸⁵

Clearly, what is shown by this series of events is a case of two ASEAN states, along with six other ASEAN member states, and three major powers (the United States, Australia, and Japan) applying a policy of constraint against an assertive China in the South China Sea. Pressuring China to moderate its assertive behavior in this dispute will be a litmus test for the ASEAN states and the U.S. on whether this policy will be effective against an emergent power in the 21st century. Applying constraint against China has become extremely critical in this situation given that neither Manila and Vietnam on one side nor Beijing on the other side has shown any sign that it is willing to back off from their claims over the Spratlys and surrounding waters in the South China Sea.⁸⁶

Conclusion: the Viability of Constraint

⁸⁴ Teddy Ng, "China Tells U.S. to Stay Out of its Backyard: Rival Claimants to South China Sea Islands are Tempting Fate by Cosying Up to the United States," *South China Morning Post* (23 June 2011). p. 2. <http://proquest.umi.com.pqdweb?index=7&did=2381582381&Srch...>

⁸⁵ *Ibid.* p. 1.

⁸⁶ Wong, "China Navy Reaches Far," p. 4,

A major policy implication of the 24 July Hanoi Declaration is the start of the application of a constraint policy against China. Faced by an emergent power bent on pursuing a expansive maritime claim in the South China Sea, Secretary Clinton averred that the U.S. has a national interest in the freedom of navigation in the South China Sea; supports the 2002 ASEAN-China declaration on the conduct of parties in the South China Sea; and more significantly, is willing to facilitate a collaborative and multilateral process in resolving the territorial dispute in this maritime territory. In the aftermath of her declaration, it slowly became clear that a policy is in place to address an emergent and assertive power—constraint. This in effect enabled the Obama Administration to back its rhetoric of re-engagement with a clear-cut policy of “holding the ring” against an emergent power bent on effecting a major territorial adjustment in East Asia. Consequently, the small powers of the ASEAN found a major power willing to hold the ring around an emergent China.

Immediately, the Chinese foreign minister responded adversely claiming that Secretary Clinton’s statement constitute a virtual attack on China. In the aftermath of the 17th ARF, the Chinese military declared that it opposes the internationalization of the dispute and conducted four major naval exercises in the South China Sea. China also warned the Southeast Asian countries in engaging in power game in the South China Sea because they want to control the resources in the South China Sea despite its claim to its undisputable sovereignty over this maritime territory. China is currently testing the constraint policy as it exerts diplomatic and military pressure on Hanoi and Manila so that these two ASEAN states would be forced to negotiate with bilaterally with Beijing, recognize the legitimacy of its expansive claim on the South China Sea, and in effect, render the 24 July 2010 Hanoi Declaration moot and academic.

Instead of being cowed by an emergent power, however, Manila and Hanoi decided to

form an ad hoc coalition of states that can apply the constraintment policy against China. Given the show of support of six ASEAN states, Australia, Japan and the U.S. to Vietnam and the Philippines, it seems that the policy of constraintment is taking its toll on China. In the short-run, it is likely that China will be forced to moderate its behavior the South China Sea dispute given the constraining effects of this ad hoc collection of states. However, it does mean that it will not attempt to undermine the constraintment policy that has been put in place since last year. Given that it is a neighbor, an important trading partner, a major investor, and an occasional political ally of most of the ASEAN states, China will explore the means to oust the U.S. from the ring and break up any ad hoc coalition of states that will try to constraint it in the future. Failure of the constraintment policy, however, will mean that the ASEAN states will face two regional scenarios: an Asian balance of power where in the great and small powers will find themselves locked in a constant competition that, in turn, will generate the ever-present risk of alliances, alignment, aggression and conflict; or a Sino-centric Asia where China will exercise its preponderant power to preserve the order and to shape the region according to its preferences.