CHINA'S SOUTH CHINA SEA STRATEGY: BALANCING TRIUMPHALISM AND ACCOMMODATION

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Being fully aware of the longstanding misgivings in the minds of ASEAN leaders about its long term intentions, China has over a long period modified and adjusted its policies on several sensitive issues impinging on relations with Southeast Asian countries. Divided into four segments, the twin objectives of this paper are to examine and explain the adjustments and changes in China's stand on the South China Sea issue and gauge its critical importance as a factor in Sino-ASEAN relations. The growing assertiveness of the Chinese claims to and activities in the South China Sea in recent times might lead one to argue that China is not prepared to budge from its rigid stance and is averse to making concessions. But actually the seemingly prominent rigidity in China's position on the issue is tempered by flexibility and moderation. The pulls and pressures arising out of China's sensitivities on the one hand and diplomatic imperatives for further bolstering its position in Southeast Asia on the other both explain China's South China Sea strategy, especially its stand on the long awaited Code of Conduct for South China Sea. Not surprisingly, China has had to perform a delicate and difficult balancing act in dealing with the issue and the conflicting imperatives of triumphalism and accommodation. China's handling of the issue is certainly a test case for its diplomacy towards Southeast Asia and even beyond.

Keywords: South China Sea, China, ASEAN, Code of Conduct, balancing

Introduction

South China Sea is one of the world's most strategic waterways. Vast quantities of West Asian oil pass through the area en route to Japan and South Korea. According to a report from the United States (US) Defense Department in 2015, about 30 per cent of global maritime trade worth more than \$5 trillion annually traverses the South China Sea.¹ The waters are also important fishing resources and are rich in oil and gas reserves.² Moreover, the islands in the South China Sea are also considered strategic bases for sea-line defence, interdiction and surveillance.³The Chinese perspective on the strategic significance of the

¹ Thoman Maresca, "U.S. deploys carrier to contentious South China Sea", *Special for USA Today*, February 19, 2017, http://www.usatoday.com/story/news/world/2017/02/19/us-deploys-carrier-contentious-south-china-sea/98126274/. Retrieved 12 December, 2018.

² Thoman Maresca, "U.S. deploys carrier to contentious South China Sea".

³ Mark J.Valencia, "Energy and Insecurity in Asia", Survival, Vol. 39, no. 3, Autumn 1997, pp. 85-106.

South China Sea was clearly stated in an article in the Chinese newspaper Kuang Ming Jih Pao in 1975,

As it lies between the Indian Ocean and the Pacific, the South China Sea is a vital strategic area. It acts as a gateway to the outside world for the mainland and offshore islands of China. The [Paracel and Spratly] archipelagos occupy a position central to the shipping lanes connecting Canton, Hong Kong, Manila and Singapore. [Hence] their geographic position is extremely significant.⁴

Also noteworthy are the security interests of outside maritime powers like Japan and the United States depending on the nearby sea lanes for vital oil imports, trade or naval power projection. China claims much of the South China Sea. Taiwan and four ASEAN members - Vietnam, the Philippines, Malaysia and Brunei - also have claims, making it a hot spot of tension.⁵ China even claims waters approaching the coasts of neighbouring countries.⁶

Beijing's South China Sea Strategy

Post Cold War Security Perception

Although the United States and China will be the primary state actors, the prerequisites of Cold War bipolarity, as Brantly Womack argues, no longer exist.⁷ Arguing in the same vein, Xenia Wickett, John Nilsson-Wright and Tim Summers consider the predominant narrative of bipolarity between the United States and China as neither an accurate reflection of the Asia-Pacific region today nor a prediction of its future.⁸ Still, there is no gainsaying the fact that policies of the two countries in the post- Cold War period have largely been conditioned by mutual perceptions. Commenting on the importance of Sino-American relations, He Yafei, former Chinese vice minister, Ministry of Foreign Affairs, observed, "How ... China and the US interact with each other will to a large extent shape the future order of the region in the coming years."⁹ China, the rising power, viewed the US rebalancing strategy towards the Asia-Pacific as

⁴ Rabindra Sen, China and ASEAN: Diplomacy During the Cold War and After, Howrah, Manuscript India, 2002.p. 60.

⁵ "Stirring up the South China Sea (II): Regional Responses", Crisis Group Asia Report N°229, 24 July 2012, pp.1-43, https://www.files.ethz.ch/isn/151038/229-stirring-up-the-south-china-sea-ii-regional-responses.pdf. Retrieved 12 December, 2018.

⁶ "ASEAN vows unity on South China Sea - Thai official", 15 August, 2013, http://www.gmanetwork.com/ne "ASEAN vows unity on South China Sea - Thai official", 15 August, 2013, at

http://www.gmanetwork.com/news/story/322056/news/world/asean-vows-unity-on-south-china-sea-thai-official (accessed on 12 December, 2018). ws/story/322056/news/world/asean-vows-unity-on-south-china-sea-thai-official. Retrieved 12 December, 2018.

⁷ Brantly Womack, "China's Future in a Multinodal World Order", *Pacific Affairs*, Vol. 87, No. 2, June 2014, pp. 265, https://pdfs.semanticscholar.org/7070/4cce612fb8d559a53567a4058d1a0041cf48.pdf. Retrieved 12 December, 2018.

⁸ Wickett, Xenia, Nilsson-Wright, John and Summers, Tim, "The Asia-Pacific Power Balance: Beyond the US– China Narrative", 27 September, 2015, https://www.chathamhouse.org/publication/asia-pacific-power-balancebeyond-us-china-narrative. Retrieved 12 December, 2018.

⁹ He Yafei, "China-US Interaction in Southeast Asia Will Shape the Emergent", 7 March, 2016, https://www.chinausfocus.com/foreign-policy/china-u-s-interaction-in-southeast-asia-will-shape-the-emergent/. Retrieved 10 December, 2018.

a strategy to 'contain' China, while the US, the established power, believed China was positioning itself to overthrow the US as the undisputed leader of the international world order.¹⁰ Needless to say, much of China's post-Cold War foreign policy in general, and diplomacy towards Southeast Asia in particular, can be explained in terms of its equation with the United States. China's South China Sea strategy is no exception.

From Rigidity to Moderation

While showing a modicum of flexibility on territorial questions, China at the same time has been assertive in support of its territorial claims.¹¹ China previously had adopted a rigid stand on the South China Sea issue, not only claiming indisputable sovereignty over the disputed area but opposing any attempt to internationalize the issue. Beijing opted to deal with the ASEAN countries one-on-one rather than through a multilateral arrangement. China's longstanding position is that the dispute is a bilateral issue between China and each of the claimants separately. Notwithstanding the suitability of the Asian Regional Forum (ARF) for a mediating role, China prefers to exercise its greater power and leverage through bilateral channels in this particular issue area.¹² China's stand on ASEAN's Manila Declaration of 1992 had reflected its adamant position.¹³

Since the middle of the 1990s, however, China's policy came to be significantly influenced by a perceived need for moderation. China did not want the contentious issue of territorial claims to jeopardize ties with the ASEAN countries beyond a certain point. ASEAN's expansion, particularly Vietnam's entry in 1995, played a very important part in engendering the change in Beijing's policy. In the same year, ASEAN's strong declaration of support for the Philippines produced a more conciliatory Chinese stance. The Mischief Reef incident marked the beginning of a gradual shift in China's policy. During the mid-April 1997 dialogue at Huangshan in China, Beijing for the first time agreed to discuss ASEAN members' claims in the South China Sea.¹⁴ The consensus at Huangshan was that the issue needs to be resolved through peaceful negotiations and political will. China agreed to freeze any further moves on the Spratlys and to discuss the matter in multilateral fora. China also reconciled itself to working with ASEAN for a Code of Conduct.

China has repeatedly blamed Washington for stirring up trouble in the South China Sea and warned Washington against challenging its sovereignty in the South China Sea.¹⁵ Criticizing Beijing's recent moves, Washington, in its turn, has voiced its concern over possible restrictions on free movement therein, and conducted patrols near Chinese-held islands to ensure freedom of

¹⁰ Mandip Singh, "Chinese Military Response to US Rebalancing Strategy", in S.D. Muni and Vivek Chadha, eds, US Pivot and Asian Security, Asian Strategic Review, Institute for Defence Studies & Analyses, New Delhi,

Pentagon Press, 2014, p.114. https://idsa.in/system/files/book/book_ASR2013_0.pdf. Retrieved 20 November, 2018. ¹¹ Robert G. Sutter, "China's Rise in Asia – Promises, Prospects and Implications for the United States", Occasional Paper Series, Asia-Pacific Center for Security Studies, February 2005, pp. 1-11.

https://apcss.org/Publications/Ocasional%20Papers/OPChinasRise.pdf. Retrieved 8 December, 2018).

¹² Mark Beeson, "Can China Lead?", "Can China Lead?", *Third World Quarterly*, Vol. 34, No. 2, 2013, p. 244. http://ccs.ukzn.ac.za/files/Can%20China%20lead.pdf. Retrieved 12 December, 2018.

¹³ Rabindra Sen, China and ASEAN: Diplomacy During the Cold War and After, Howrah, Manuscript India, 2002, p.61.

¹⁴ Rabindra Sen, China and ASEAN: Diplomacy During the Cold War and After, Howrah, Manuscript India, 2002.p.62.

¹⁵ U.S. carrier group patrols in tense South China Sea", 19 February, 2017, http://www.reuters.com/article/us-southchinasea-china-usa-idUSKBN15Y010?il=0. Retrieved 9 December, 2018).

navigation.¹⁶ Beijing has consistently dismissed criticisms that its actions would endanger South China Sea shipping lanes, reminding the world that almost 5,000 ships have continued to sail those seas daily without 'any problem'.¹⁷ Chinese President Xi Jinping said, "Freedom of navigation and aviation has never been a problem and will never be a problem in the future, because first of all China ...most needs smooth navigation."¹⁸ President Xi also said, "Some people have been hyping China's threat ...either due to the ignorance of Chinese history, culture and current policy, or out of some misunderstanding and prejudice, and probably for some ulterior reasons."¹⁹ President Xi made China's stand clear saying that "islands in the South China Sea have been China's territory since ancient times, and the Chinese government must take responsibility to safeguard its territorial sovereignty and legitimate maritime interests".²⁰ Chinese Foreign Ministry spokesman, Geng Shuang, said,

China respects and upholds the freedom of navigation and overflight in the South China Sea ... under international law, but firmly opposes any country's attempt to undermine China's sovereignty and security in the name of the freedom of navigation and overflight.²¹

Friction between the two countries over trade and territory under US President Donald Trump has led to increasing tension and signalling by both sides in the game of one-up-manship. Tensions have risen over occasional close encounters between US and Chinese ships and aircraft around the disputed areas.²² Southeast Asia is a critical element in President Xi Jinping's policy of reshaping China's neighborhood into a 'community of shared interests' with China — first announced in late 2013 — and the success of Beijing's Maritime Silk Road initiative.²³ The region is a strategic passageway for China's booming seaborne trade.²⁴ An estimated 75 per cent of China's fuel imports travel through the congested Strait of Malacca and Southeast Asia has become more important as a supplier of China's industrial commodities and energy.²⁵ China was the first dialogue partner to conclude a Free Trade Agreement (FTA) with ASEAN in 2002, the first to sign the Treaty of Amity and Cooperation in Southeast Asia and the first to establish a

¹⁶ "U.S. carrier group patrols in tense South China Sea".

¹⁷ Lewis, John W, and Xue Litai, "China's security agenda transcends the South China Sea", *Bulletin of the Atomic Scientists*, Vol.72, No.4, 2016, p.214.

https://www.tandfonline.com/doi/pdf/10.1080/00963402.2016.1194056?needAccess=true.

Retrieved 10 December, 2018.

¹⁸ Wong, Edward, 2015, "Xi Again Defends China's Claim to South China Sea Islands", *New York Times*, 7 November, 2015. <u>https://www.nytimes.com/2015/11/08/world/asia/xi-jinping-china-south-china-sea-singapore.html</u>. Retrieved 7 December, 2018.

¹⁹ Wong, Edward, 2015, "Xi Again Defends China's Claim to South China Sea Islands", New York Times.

²⁰ Wong, Edward, 2015, "Xi Again Defends China's Claim to South China Sea Islands", New York Times.

²¹ Thoman Maresca, "U.S. deploys carrier to contentious South China Sea".

²² Thoman Maresca, "U.S. deploys carrier to contentious South China Sea".

²³ For China's One Belt One Road (OBOR) and Maritime Silk Road (MSR) initiatives and their possible

implications for the region's strategic and economic landscape, see Li Mingjiang, "OBOR: The Convergence of Economic and Strategic Interests", *ASEAN Focus*, Issue 3, June-July 2016, pp. 6-7,

https://www.iseas.edu.sg/images/pdf/ASEANFocusJun Jul16.pdf. Retrieved 12 December, 2018; Phuong Nguyen, "For China, a Race to Retain Appeal in Southeast Asia", *Cogitasia*, 21 January, 2016.

https://www.cogitasia.com/for-china-a-race-to-retain-appeal-in-southeast-asia/. Retrieved 12 December, 2018. ²⁴ David Fullbrook, "China's strategic Southeast Asian embrace", 27 February, 2007.

http://www.atimes.com/atimes/Southeast_Asia/IB21Ae02.html. Retrieved 8 December, 2018.

²⁵ David Fullbrook, "China's strategic Southeast Asian embrace".

strategic partnership with ASEAN, both in 2003.²⁶ The Chinese leaders have naturally tried hard to diffuse the perception of a 'China threat' in Southeast Asia. New Assertiveness

Assertiveness on Beijing's part with regard to its territorial claims in the South China Sea is not an altogether new development. Shee Poon Kim mentioned three distinct phases in the evolution of China's South China Sea policy – the 'low profile' policy in the 1950s and 1960s followed by the pattern of growing concern in the 1970s, and in the next two decades by growing assertiveness.²⁷ Alastair Iain Johnston also argues that the new assertiveness meme underestimates the degree of assertiveness in certain policies in the past and overestimates the amount of change in China's diplomacy in and after 2010.²⁸ There were in fact a number of aggressive moves by China in the early to mid-1990s, like sending ships to disputed reefs in the South China Sea.

The new assertiveness from around the beginning of the present decade, however, has stemmed from a far more powerful, resurgent and confident China. As China has become more powerful, its South China Sea strategy, especially since the turn of the present decade, has increasingly reflected an attempt on its part to balance triumphalism and accommodation.² Goldstein has argued that China's grand strategy has three core components. Politically, China's diplomacy is aimed at muting the threat perceptions and convincing others of the benefits of engagement and the counterproductive consequences of containment. Economically, China wants to build up a network of economic relations to limit the leverage of any single partner in setting the terms of China's international economic involvement. And militarily, China seeks to have some breathing space for modernization of its armed forces.²⁹

China's dredging drive in the South China Sea began after Xi Jinping took power. Since 2013, China has been creating artificial islands on all seven of the islets and reefs it claims in the Spratly Islands chain, equipping many with military-grade airfields and weapons systems.³⁰ The Chinese navy has developed rapidly under President Xi Jinping's ambitious military modernization.³¹ The Chinese leadership has for the first time stated a national goal of making the country a maritime power to bolster its claims to large parts of the vital South China Sea.³² Admiral Sun Jianguo, deputy chief of staff of the People's Liberation Army remarked in May 2015 that Beijing could set up an air defense zone above disputed areas of the South China Sea if

²⁶ Stanley Loh, "Taking Asean-China ties to the next level", 15 September, 2017, at

http://googleweblight.com/i?u=http://www.straitstimes.com/opinion/taking-asean-china-ties-to-the-next-level&hl=en-IN (accessed on 12 December, 2018).

²⁷ Shee Poon, Kim, "South China Sea in China's Strategic Thinking", Contemporary Southeast Asia", vol.19, no.4, March 1998, p.379.

²⁸ Alastair Iain Johnston, "How New and Assertive Is China's New Assertiveness?", International Security, vol. 37, no. 4, Spring 2013, pp. 7, at http://www.dragon-report.com/Dragon_Report/home/home_files/ISEC_a_00115.pdf (accessed on 12 December, 2018).

²⁹ Mark Beeson, , "Can China Lead?", "Can China Lead?", Third World Quarterly, Vol. 34, No. 2, 2013, p. 242. http://ccs.ukzn.ac.za/files/Can%20China%20lead.pdf. Retrieved 12 December, 2018.

³⁰ Thoman Maresca, "U.S. deploys carrier to contentious South China Sea".

³¹ Ben Blanchard, and Michael Martina, "Wary of Trump unpredictability, China ramps up naval abilities", 25 February, 2017, at https://www.reuters.com/article/us-china-defence-navy/wary-of-trump-unpredictability-china-ramps-up-naval-abilities-idUSKBN16500P (accessed on 12 December, 2018).

³² Ting Shi, "China seeks to better protect South China Sea submarine gateway in face of U.S. surveillance flights", at https://www.japantimes.co.jp/news/2014/08/31/asia-pacific/china-seeks-to-better-protect-south-china-sea-submarine-gateway-in-face-of-u-s-surveillance-flights/#.XBErx2bhW1s (accessed on 12 December, 2018).

it felt it was facing a large enough threat.³³ China has maintained that its right to construction is based on its understanding that the territory belongs to China. Yi Xianliang, Deputy Head of the Chinese Foreign Ministry's Boundary and Ocean Affairs Department, said in 2014, "The Spratly Islands are China's intrinsic territory, and what China does or doesn't do is up to the Chinese government. Nobody can change the government's position". It is double standard to bring this issue up now when other countries had been doing similar things for years, he added. ³⁴

China continued activities in the South China Sea is seen as strategic expansion despite an adverse ruling in July 2016 by the Arbitral Tribunal under the United Nations Convention on the Law of the Sea (UNCLOS). The ruling on the case between the Philippines and China on 12 July 2016 declared that none of the features in the Spratlys were islands capable of generating an EEZ and that China's historic rights claim to the resources within its nine-dash line was incompatible with UNCLOS³⁵. China vehemently rejected the ruling, and swung into action before and after the ruling to mitigate its impact, even pressuring ASEAN not to support the ruling.³⁶ From the outset, China refused to participate in the case, and declared after the ruling that it would neither recognize nor accept it. The perception was that the ruling was a political conspiracy instigated by the US and Japan.³⁷

China completed its reclamation work on several features of the Spratlys in 2016, and has developed civilian and military infrastructure on these man-made islands.³⁸ It has flown long-range bombers over the South China Sea and sent its aircraft carrier Liaoning into it to demonstrate its resolve to protect its gains.³⁹ It is belived that China intends to turn the artificial islands into forward military bases apparently aiming, as part of its anti-access/ area denial strategy, to make it more difficult for the US Navy to operate in the South China Sea. Another objective may be to use its dominance of the South China Sea to put greater psychological

³³ Edward Wong, 2015a, "China Says It Could Set Up Air Defense Zone in South China Sea", 31 May, 2015, at https://www.nytimes.com/2015/06/01/world/asia/china-says-it-could-set-up-air-defense-zone-in-south-china-sea.html(accessed on 12 December, 2018); China asserted again in 2016 that it has the right to declare a unilateral air-defence zone over the South China Sea

³⁴ Ben Blanchard, " China proclaims it can build what it wants on South China Sea isles", 4 August, 2014, at http://www.gmanetwork.com/news/news/world/373358/china-proclaims-it-can-build-what-it-wants-on-south-china-sea-isles/story/ (accessed on 12 December, 2018).

³⁵ Daljit Singh, "The East/Southeast Asian Geopolitical Scene" Scene", in Daljit Singh, Norshahril Saat, Malcolm Cook, and Tang Siew Mun, Southeast Asia Outlook 2017, no. 1, 3 January 2017, p. 2, at

https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_1.pdf(accessed on 12 December, 2018).

³⁶ Daljit Singh, "The East/Southeast Asian Geopolitical Scene" Scene", in Daljit Singh, Norshahril Saat, Malcolm Cook, and Tang Siew Mun, Southeast Asia Outlook 2017, no. 1, 3 January 2017, p. 3, at

https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_1.pdf(accessed on 12 December, 2018).

³⁷ China believes the United States is an external player to the dispute and is deliberately instigating the Southeast Asian countries to take up an aggressive stance. China resents regional countries' inclusion of the U.S. in the South China Sea issue and views it as a tacit attempt at containing its rise. It is pertinent in this context to refer to President Xi Jinping's expansion of the Asia for Asians concept to rationalize a highly nationalist approach to foreign policy based on the proposition that non-Asian states should not play any role in future Asian order-building.

³⁸ Daljit Singh, "The East/Southeast Asian Geopolitical Scene" Scene", in Daljit Singh, Norshahril Saat, Malcolm Cook, and Tang Siew Mun, Southeast Asia Outlook 2017, no. 1, 3 January 2017, p. 2, at

https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_1.pdf(accessed on 12 December, 2018).

³⁹ Daljit Singh, "The East/Southeast Asian Geopolitical Scene" Scene", in Daljit Singh, Norshahril Saat, Malcolm Cook, and Tang Siew Mun, Southeast Asia Outlook 2017, no. 1, 3 January 2017, p. 3, at

https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_1.pdf(accessed on 12 December, 2018).

pressure on the Southeast Asian maritime states to align themselves further with China.⁴⁰ Beijing's insistence that its actions have been responsible and in accord with international law does not appear to have been convincing enough for critics. The quest for energy security and broader security considerations also explain considerable Chinese investment in seven tiny South China Sea islands in spite of Beijing's public disavowal any such linkage.⁴¹ In 2015, China's oil imports hit 328 million tons, or a record 60.6 per cent of its total consumption, most of which reaches China through the South China Sea, passing close to the Spratlys, the cheapest and most direct sea routes to its tanker ports. Any major disruption of the commerce passing through the South China Sea would, therefore, naturally be detrimental to China as much if not more than its neighbours.⁴² According to Liang Guoliang, the new Southern Theater Command, with a 'main strategic direction' toward the South China Sea, is the 'core of China's national defense', for it 'disrupts America's strategic pivot to Asia'.⁴³ The rebuilt Spratly reefs, Liang points out, are China's forward base and will become its 'sea and air guards' from the Pacific to the Indian Ocean.⁴⁴ Therefore, China's dramatic moves in the South China Sea have thus been part of Xi Jing Ping's goal to extend China's influence to Eurasia and beyond.⁴⁵

China's firm position on the South China Sea issue might lead one to rule out the possibility of any flexibility whatsoever in its handling of the issue. But one should not ignore the fact that from time to time and especially when the going gets tough, be it domestic or external, China has softened its stance and exercised some degree of restraint. For example, after placing an oil rig in May 2014 in waters around the Paracel Islands also claimed by Vietnam, China removed it in July 2014 because of rising regional concerns about its intentions.⁴⁶ Being fully conscious of the threat perceptions imbedded in the region, no matter its metamorphosis over the years, Beijing has promoted a harmonious worldview and goodneighbour policy.⁴⁷ A key component of China's multi-pivot strategy launched in 2013 is the so-called 'peripheral diplomacy.'⁴⁸ Not surprisingly, handing out an offer to take ASEAN on board, the then Chinese foreign minister declared, "ASEAN is also our preferred partner in maritime cooperation. We want to ... explore the possibility of establishing a South China Sea littoral states cooperation mechanism, and work together to maintain and build our common home, the South China Sea."

⁴⁷ Tony Tai-Ting Liu and Tung-Chieh Tsai, "Swords into ploughshares? China's Soft Power

Strategy in Southeast Asia and its challenges", Rev. Bras. Polít. Int., 57 (special edition), 2014, pp. 43, at http://www.scielo.br/pdf/rbpi/v57nspe/0034-7329-rbpi-57-spe-00028.pdf (accessed on 12 December, 2018). ⁴⁸ Yu Xiadong, "New Hints", *Link Times*, April 2014, p. 31.

⁴⁰ Daljit Singh, "The East/Southeast Asian Geopolitical Scene" Scene", in Daljit Singh, Norshahril Saat, Malcolm Cook, and Tang Siew Mun, Southeast Asia Outlook 2017, no. 1, 3 January 2017, p. 3, at

https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_1.pdf(accessed on 12 December, 2018).

⁴¹ Lewis, John W, and Xue Litai, "China's security agenda transcends the South China Sea", p.217.

⁴² Lewis, John W, and Xue Litai, "China's security agenda transcends the South China Sea", p.213.

⁴³ Lewis, John W, and Xue Litai, "China's security agenda transcends the South China Sea", p.217.

⁴⁴ Lewis, John W, and Xue Litai, "China's security agenda transcends the South China Sea", p.217.

⁴⁵ Lewis, John W, and Xue Litai, "China's security agenda transcends the South China Sea", p.217.

⁴⁶ Ben Blanchard, "China proclaims it can build what it wants on South China Sea isles", 4 August, 2014, at http://www.gmanetwork.com/news/news/world/373358/china-proclaims-it-can-build-what-it-wants-on-south-china-sea-isles/story/ (accessed on 12 December, 2018).

⁴⁹ Lewis, John W, and Xue Litai, "China's security agenda transcends the South China Sea", p.218.

China has tried to actively reinforce the image of being what Robert Zoellick described as a 'responsible stakeholder', through a 'charm offensive' towards Southeast Asia in particular.⁵⁰ China has called on the Southeast Asian nations not to let 'suspicions' threaten their growing relationship, saying disputes surrounding the South China Sea have been manipulated by a few countries to 'poison' and 'undermine' their role in the region.⁵¹ China's efforts to improve its ties with ASEAN represented and necessitated compromises limiting its own sovereign interests for the sake of engagement in multilateral frameworks and pursuit of greater regional interdependence.⁵² Indeed, Beijing has repeatedly followed up bouts of belligerence or defiance on the South China Sea issue but with clear indications of its willingness to get back to the negotiating table.

Arguing that China has a grand strategy of peaceful rise/peaceful development, Barry Buzan has outlined its core aims, the following being particularly pertinent: defending territorial integrity; increasing national power relative to the United States, other great powers and China's neighbours, achieving a more multipolar, less US-dominated, world order (anti-hegemonism); and avoiding being perceived as threatening. ⁵³ Similarly, Yan Xuetong argues that President Xi Jinping has committed China to 'striving for achievements (fenfayouwei)', abandoning Deng Xiaoping's policy since the 1990s of 'keeping a low profile (taoguangyanghui)'.⁵⁴ Challenging Yan's argument, however, Qin Yaqing argues that Yan ignores the continuities in Chinese foreign policy under President Xi. Qin finds evidence of a continuing and even increasing commitment to cooperation and community in current Chinese foreign policy.⁵⁵ Favouring a more nuanced, 'situationally appropriate' diplomacy rather than one based on the presumption of an anarchical struggle for power, Qin affirms the priority of diplomatic management over dichotomized choices of grand strategy.⁵⁶

ASEAN Dilemma

The South China Sea issue has posed a big challenge to ASEAN and aggravated its dilemma. The grouping traditionally has avoided taking a clear and strong position on thorny diplomatic issues, especially with which China is concerned, because of its influence in the region and the need to balance ties with the US. In 2016, Le Luong Minh, the then ASEAN Secretary General, said,"Both China and the United States are among the most important partners of ASEAN, and ASEAN does not want to have to choose between those partners,".⁵⁷ The Southeast Asian countries' restrained responses to the Arbitral Tribunal's ruling in 2016, apparently to avoid

⁵⁰ Mark Beeson, "Can China Lead?", "Can China Lead?", Third World Quarterly, Vol. 34, No. 2, 2013, p. 243. http://ccs.ukzn.ac.za/files/Can%20China%20lead.pdf. Retrieved 12 December, 2018.

⁵¹ "China hits out at South China Sea critics", *SBS News*, 14 July 2017, at https://www.sbs.com.au/news/china-hits-out-at-south-china-sea-critics (accessed on 12 December, 2018).

⁵² David Shambaugh, "China Engages Asia: Reshaping the Regional Order", *International Security*, vol. 29, no. 3, Winter 2004/2005, p. 76, at https://www.belfercenter.org/sites/default/files/files/publication/shambaugh.pdf (accessed on 12 December, 2018).

⁵³ Brantly Womack, "China and the Future Status Quo", *Chinese Journal of International Politics*, Vol. 8, No. 2, 2015, p. 121.

⁵⁴ Brantly Womack, "China and the Future Status Quo", pp. 122-123

⁵⁵ Brantly Womack, "China and the Future Status Quo", p. 123.

⁵⁶ Brantly Womack, "China and the Future Status Quo", p. 123.

⁵⁷ Amy Sawitta Lefevre and Manuel Mogato, "Asia leaders tiptoe around South China Sea tensions", *Reuters*, 7 September 2016, at https://www.reuters.com/article/asean-summit-idUSL3N1BK1X3(accessed on 12 December, 2018).

antagonizing China, can be considered a case in point.⁵⁸ Pointing to the difficulty faced by ASEAN in maintaining unity on the territoral conflicts in the South China Sea, Richard Javad Heydarian observed, "... a pervasive form of institutional decay has afflicted the ASEAN, as the 'cult of consensus' paralyzes decision making on sensitive issues such as territorial disputes."⁵⁹ With a forceful China, increased Sino-US rivalry, and the possibility of a reduced interest in ASEAN under the Trump presidency, ASEAN found it more challenging to maintain its centrality in dealing with political-security issues involving the major powers in the region.⁶⁰ Still, ASEAN has tried to retain its influence on such issues by engaging all the major powers impartially.⁶¹ Far from shelving it, ASEAN has sought to play a part in the resolution of the dispute.⁶² The organization is pursuing a 'Gulliver strategy' of enmeshing China in a web of benign relationships to limit the chances of harmful behaviour.⁶³

But ASEAN states take varying positions on the SCS dispute.⁶⁴ As China poses different challenges for each Southeast Asian country, their responses are varied.⁶⁵ Notwithstanding the differences and the limitations of arriving at decisions through consensus, ASEAN mantains a position on the South China Sea.⁶⁶ Southeast Asian countries expressed concern over 'increased tensions' in the South China Sea and called for more talks with China. In August 2014, ASEAN stated, "We urged all parties concerned to exercise self-restraint and avoid actions which would complicate the situation and undermine peace, stability, and security in the South China Sea". Notably, however, there was no specific mention of China in the final statement of the region's

https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_1.pdf (accessed on 12 December, 2018). ⁶² Raja Mohan C., Emerging Geopolitical Trends and Security in the Association of Southeast Asian Nations, the People's Republic of China, and India (ACI) Region, ADBI Working Paper Series, No. 412, March 2013, p. 11, at http://www.eascdu.org/eascducontent/uploads/2014/07/Emerging-Geopolitical-Trends-and-Security-in-the-ASEAN-Nations-the-People%E2%80%99s-Republic-of-China-and-India-ACI-Region.pdf(accessed on 12 December, 2018). ⁶³ Bronson Percival, "The Dragon Looks South: China and Southeast Asia in the New Century - The Indonesian Perspective", at https://www.usindo.org/briefs/the-dragon-looks-south-china-and-southeast-asia-in-the-new-centurythe-indonesian-perspective/(accessed on 12 December, 2018).

⁵⁸ President Duterte, for example, decided to seek rapprochement with China instead of exploiting the advantage provided by the Arbitration Tribunal's ruling.

⁵⁹ Richard Javad Heydarian, "South China Sea Disputes Expected to Take Center Stage at ASEAN Summit", *National Interest*, March 11, 2017, at http://nationalinterest.org/feature/south-china-sea-disputes-expected-take-center-stage-asean-19748 (accessed on 12 December, 2018).

⁶⁰ Tang Siew Mun, "ASEAN'S Opportunities and Challenges", in Daljit Singh, Norshahril Saat, Malcolm Cook, and Tang Siew Mun, Southeast Asia Outlook 2017, No. 1, Singapore, 3 January 2017, p. 8, at

https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_1.pdf (accessed on 12 December, 2018).

⁶¹ Tang Siew Mun, "ASEAN'S Opportunities and Challenges", in Daljit Singh, Norshahril Saat, Malcolm Cook, and Tang Siew Mun, Southeast Asia Outlook 2017, No. 1, Singapore, 3 January 2017, p. 8, at

⁶⁴ Sheldon W Simon "Conflict and Diplomacy in the South China Sea: The View from Washington", *Asian Survey*, vol. 52, no. 6, 2012, p. 999.

⁶⁵ Daljit Singh, "The East/Southeast Asian Geopolitical Scene" Scene", in Daljit Singh, Norshahril Saat, Malcolm Cook, and Tang Siew Mun, Southeast Asia Outlook 2017, no. 1, 3 January 2017, p. 3, at

https://www.iseas.edu.sg/images/pdf/ISEAS_Perspective_2017_1.pdf(accessed on 12 December, 2018); Chen, Ian Tsung-Yen and Alan Hao Yang, "A harmonized Southeast Asia? Explanatory typologies of ASEAN countries' strategies to the rise of China", vol., 26, no. 3, The Pacific Review, 2013, pp. 265–288, at

http://www.waseda.jp/gsaps/eaui/educational_program/PDF_WS2016/NTU_KOGA_Reading2_Chen%20&%20Ya ng.pdf (accessed on 12 December, 2018).

⁶⁶ Prasanth Parameswaran, "Does ASEAN Have a South China Sea Position? The Diplomat, 26 March, 2015, at https://thediplomat.com/2015/03/does-asean-have-a-south-china-sea-position/(accessed on 12 December, 2018).

foreign ministers meeting in Myanmar.⁶⁷ However, ASEAN foreign ministers agreed to unitedly seek early conclusion of a code of conduct.⁶⁸

Impact On China–ASEAN Relations

Conflicting claims to Spratly islands represent the most salient security issue in relations between China and ASEAN. "This is the most sensitive matter for China's relations with Southeast Asia," observes Wang Gungwu.⁶⁹ China's neighbours feel a new vulnerability because of the ambiguity of Beijing's territorial claims and its increasing military prowess.⁷⁰ But is the South China Sea issue likely to derail the Sino-ASEANrelationship? One view on the highly debatable question is that the strong economic base underlying relations between China and ASEAN would act as a cushion for any negative fallout of the contentious issue. The Chinese foreign ministry's position is that the South China Sea problem is not a China-ASEAN dispute and should not affect China-ASEAN relations.⁷¹ Similarly, Yang Xiuping, China's ambassador to ASEAN, said, "The relationship between China and ASEAN won't be derailed because of the disputes in the South China Sea.⁷² A key element of China's diplomacy has been to reassure China's neighbours of its constructive regional role and the benefits of their economic ties. China has pointedly stressed its growing economic ties with the region with a trade relationship worth \$US452 billion in 2016. "China has been ASEAN's biggest trading partner for eight consecutive years," said China's ambassador to ASEAN, Xu Bu.⁷³ Beijng has indeed emerged as an indispensable economic partner to the region.⁷⁴ The region's economy, as David Mann argues, has become closely linked to demand from China.⁷⁵ But not all would agree. Malcolm Cook, for example, strongly contests the widely held belief about the importance of the economic aspect of the relationship.⁷⁶ Edy Prasetyono too has observed, "The economic

⁶⁸ ["ASEAN vows unity on South China Sea - Thai official"]

⁶⁷ Lesley Wroughton and Paul Mooney, "US says Southeast Asia concern over China at 'all-time high'", *Reuters*, August 10, 2014, https://in.reuters.com/article/asean-southchinasea/u-s-says-southeast-asia-concern-over-china-at-all-time-high-idINKBN0GA06B20140810 (accessed on 12 December, 2018).

⁶⁹ Wang Gungwu, "China's Place in the Region: The Search for Allies and Friends", *The Indonesian Quarterly*, vol. XXV, no. 4, Fourth Quarter, 1997, p. 422.

⁷⁰ Brantly Womack, "China and the Future Status Quo", *Chinese Journal of International Politics*, Vol. 8, No. 2, 2015, p. 131.

⁷¹ Lindsay Murdoch, "South China Sea dispute 'not a China-ASEAN problem", *Sydney Morning Herald*, 24 April 2016 at https://www.smh.com.au/world/south-china-sea-dispute-not-a-chinaasean-problem-20160425-goe7u1.html(accessed on 12 December, 2018).

⁷² Yang Xiuping, "Some thoughts on China-ASEAN relations", 19 November, 2012, p. 7, at

https://www.fmprc.gov.cn/mfa_eng/topics_665678/pwjamoealapovcat_665698/t990417.shtml on 12 December, 2018).

⁷³ "China hits out at South China Sea critics", *SBS News*, 14 July 2017, at https://www.sbs.com.au/news/china-hits-out-at-south-china-sea-critics (accessed on 12 December, 2018).

⁷⁴ Special Issue on South China Sea Arbitration, *ASEAN Focus*, July 2016, Issue 5, 2016: p. 20, at https://www.iseas.edu.sg/images/pdf/ASEANFocus%20Issue%205%202016%20July%202016.pdf (accessed on 12 December, 2018).

⁷⁵ David Mann, "In the Right Economic Neighbourhood", *ASEAN Focus*, Issue 3, April/May 2016, p. 9, at https://www.iseas.edu.sg/images/pdf/ASEANFocus%20Issue%203%202016%20Apr%20May%202016.pdf (accessed on 12 December, 2018).

⁷⁶ Malcolm Cook, "Three Misunderstandings of China-ASEAN Economic Relations", 10 March 2016, at http://knowledge.wharton.upenn.edu/article/three-misunderstandings-of-china-asean-economic-relations/ (accessed on 12 December, 2018).

relationship is not enough. ASEAN and China need to explore ways to find approaches and solutions to some geopolitical and geo-strategic issues." ⁷⁷

The opposite view is that ASEAN-China dialogue relations are set to be overshadowed by the worsening South China Sea disputes.⁷⁸ Highlighting the importance South China Sea issue for ASEAN, Angela Poh has pointed out, "South China Sea will become an important litmus test for ASEAN, and will determine the dynamics of ASEAN's relationship with the big powers".⁷⁹ Referring to its impact on Sino-American relations, however, Poh argues, "With many other policy priorities, neither the US nor China will allow the South China Sea issue to jeopardise overall bilateral relations".⁸⁰ Poh's view arguably applies to China – ASEAN relations too. After all, the South China Sea dispute is but one aspect of China – ASEAN relations. The special importance of the issue cannot be questioned. Chinese foreign minister Wang Yi himself candidly observed that territorial disputes have "an impact on China-ASEAN relations in reality."⁸¹ However, it seems unlikely that the whole edifice of the Sino-ASEAN relationship will flounder on a single prickly issue no matter how crucial or sensitive it is for both sides. There is ultimately too much at stake for China in Southeast Asia, which has grown in importance in regional geopolitics in recent years.⁸² "Countries in the region are aware of the complexity and intractability of the South China Sea disputes and would wish to 'compartmentalise' them from other areas of cooperation," observed Le Hong Hie.⁸³

From DoC to CoC: Navigating Into an Uncertain Future

Since the middle of the 1990s, China's policy on South China Sea came to be significantly influenced by a perceived need for moderation. As early as 1996, ASEAN had proposed a Code of Conduct (CoC) for laying the foundation for long-term stability in the area and fostering understanding among claimant countries.⁸⁴ Three years later, the proposal was forwarded to China, which promised to consider it. China not only agreed to discuss the issue in multilateral fora, but as pointed out earlier, even reconciled itself to working with ASEAN for a code of conduct. As a start, ASEAN identified 'key elements' in order to draf a code. The initial optimism was reflected in the following observation by Kavi Chongkittavorn, "After years of being viewed with suspicion over disputed South China Sea claims, Beijing has skilfully managed and contained ASEAN's concerns over the disputed maritime territories. It will surprise no one if eventually China agrees to support the regional code of conduct with some

⁷⁹ Chia Sue-Ann, "Great Sino-US power game could shatter peace in Asia", *Today Online*, http://www.todayonline.com/year-end-special/great-sino-us-power-game-rivalry-and-mistrust-rule(accessed on 12 December, 2018).

⁷⁷ "China hits out at South China Sea critics", *SBS News*, 14 July 2017, at https://www.sbs.com.au/news/china-hits-out-at-south-china-sea-critics (accessed on 12 December, 2018).

⁷⁸ Shawn Ho, "ASEAN-China Relations: Key Junctures for Singapore as Country Coordinator", 9 May 2016, at https://www.rsis.edu.sg/rsis-publication/rsis/co16105-asean-china-relations-key-junctures-for-singapore-as-country-coordinator/#.W_RI1WbhW1s (accessed on 12 December, 2018).

⁸⁰ Chia Sue-Ann, "Great Sino-US power game could shatter peace in Asia."

⁸¹ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", 9 October, 2013, at https://www.scribd.com/document/174896626/Thayer-New-Commitment-to-a-Code-of-Conduct-in-the-South-China-Sea (accessed 12 December, 2018).

⁸² Phuong Nguyen, "For China, a Race to Retain Appeal in Southeast Asia", *Cogitasia*, 21 January, 2016.

⁸³ Chia Sue-Ann, "Great Sino-US power game could shatter peace in Asia."

⁸⁴ Richard Javad Heydarian, "South China Sea Disputes Expected to Take Center Stage at ASEAN Summit."

amendments."⁸⁵ The meeting of senior ASEAN and Chinese officials in China in August 2000 to finalise a draft code of conduct was a posityive sign. By 2002, China agreed to the Declaration on the Conduct of Parties (DoC) in the South China Sea, which was simply a declaratory document.⁸⁶ ASEAN and China agreed on the non-binding DoC in 2002 as a compromise and interim agreement to work 'towards the eventual attainment of [the CoC]'. ⁸⁷ It was a set of principles supposed to stabilize the status quo.⁸⁸ The DoC, not an end in itself, was a low-cost diplomatic move by ASEAN states and China, rather than a set of specific concrete rules. ⁸⁹

Since 2010, China and ASEAN have been discussing a set of rules aimed at avoiding conflict among rival claimants. In July 2011, the two sides agreed to a set of guidelines for implementing the DoC.⁹⁰ But parleys between China and ASEAN on the South China Sea have been slow, intermittent and like waves moved back and forth. There were only 'on and off' discussions from 2000 to 2002.⁹¹ Little substantial progress has been made since then.⁹² In 2011, ASEAN realized the urgency of returning to the CoC issue when Beijing stepped up its military and paramilitary patrols across disputed waters, and agreed upon finalizing the guidelines of a CoC. But the following year, the regional body failed to agree on the dispute. At this juncture, China promised to speed up the negotiations for the CoC during the technical working group's meeting between ASEAN and China in September 2013.

A series of important developments in 2013 generated hopes of a forward movement. Compared to the failure of the ASEAN Ministerial Meeting (AMM) to issue a joint statement in 2012 for the first time in ASEAN's history owing to differences on the South China Sea, ASEAN could gear up for talks with a stronger bargaining position after bridging internal divisions over the code in June 2013.⁹³ ASEAN's Six-Point Principles on the South China Sea were officially released in July the same year immediately after the ASEAN foreign ministers unanimously agreed on Proposed Elements of a Regional Code of Conduct.⁹⁴ On China's part too, there was a re-thinking of its policy on South China Sea.⁹⁵ Although China's strong reaction

⁸⁵ Kavi Chongkittavorn, "United they stand", The Statesman, 25 July, 2000.

⁸⁶ Richard Javad Heydarian, "South China Sea Disputes Expected to Take Center Stage at ASEAN Summit."

⁸⁷ Lee Ying Hui, "A South China Sea Code of Conduct: Is Real Progress Possible?", *The Diplomat*, 18 November,

^{2017,} at https://thediplomat.com/2017/11/a-south-china-sea-code-of-conduct-is-real-progress-possible/ (accessed on 12 December, 2018).

⁸⁸ Sheldon W. Simon "Conflict and Diplomacy in the South China Sea: The View from Washington", Asian Survey, vol. 52, no. 6, 2012, p. 1002.

⁸⁹ Catherine Joes, "Great powers, ASEAN, and security: reason for optimism?", *The Pacific Review*, vol. 28, no. 2, 2015, p 274.

⁹⁰ Nicholas Khoo, ASEAN's Relations with the Great Powers in the Post-Cold War Era — Challenges and Opportunities, p. 15, at https://www.asianz.org.nz/assets/Uploads/3097e88b5b/ANZF1060-ASEAN-and-Great-Powers-HTML-Report.pdf (accessed on 12 December, 2018).

⁹¹ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", 9 October, 2013, at https://www.scribd.com/document/174896626/Thayer-New-Commitment-to-a-Code-of-Conduct-in-the-South-China-Sea, p. 1. (accessed 12 December, 2018).

⁹² Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", p. 2. (accessed 12 December, 2018).

^{93 [&}quot;ASEAN vows unity on South China Sea - Thai official"]

⁹⁴ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", p. 2. (accessed 12 December, 2018).

⁹⁵ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", 9 October, 2013, at https://www.scribd.com/document/174896626/Thayer-New-Commitment-to-a-Code-of-Conduct-in-the-South-China-Sea, p. 3. (accessed 12 December, 2018).

to Manila's legal challenge to its claims put bilateral relations in limbo, Chinese officials at the ASEAN-China Senior Officials' meeting in April 2013 announced their willingness to hold discussions on a CoC with ASEAN later in the year.⁹⁶ ASEAN responded positively, deciding to work actively with China for the early conclusion of a CoC on the basis of consensus.⁹⁷ When things were expected to move ahead, Chinese Foreign Minister Wang Yi clarified that China and ASEAN had only agreed to hold consultations, as distinct from negotiations, on moving towards the goal under the framework for implementing the DoC.⁹⁸ Wang further outlined the following points that would guide China's approach to discussions on the CoC: no 'quick fix', nonimposition of wills on other countries, elimination of interference, and last but not least, implementation of the DoC and formulation of the road map for CoC through consultations and pushing it forward through a step by step approach.⁹⁹ Wang's clarification was a clear enough indication that consultations on the CoC would be protracted and that China could veto any proposal it was not agreeable to using the principle of consensus (first mentioned in the DoC).¹⁰⁰ Holding their first formal consultations on the CoC in September 2013, the two sides approved an eminent persons group for technical advice.¹⁰¹ Emboldened with a common response to the maritime and territorial disputes in the South China Sea in July 2016, ASEAN reaffirmed its longstanding emphasis on full implementation of the DoC and early conclusion of the CoC.¹⁰² For the first time, the ASEAN statement expanded the concept of self-restraint to include 'refraining from action of inhabiting on the presently uninhabited islands, reefs, shoals, cays and other features'.¹⁰³ Interestingly enough, after many of its claims over the South China Sea were struck down in 2016, China sought to expedite talks on a CoC, and for a framework with this end in view. Though a positive sign, the yawning gap between ASEAN and Chinese standpoints on fleshing out the framework for a legally binding CoC made the task more challenging.¹⁰⁴

At the ASEAN Summit Meetings in Manila in November 2017, three months after the foreign ministers from both sides endorsed the framework on the CoC, ASEAN and China formally announced the beginning of negotiations on the fine print of CoC.¹⁰⁵ But real progress towards an effective and comprehensive agreement remains elusive.¹⁰⁶ Another baby step was announcement on August 3, 2018 by ASEAN foreign ministers and their Chinese counterpart of an agreement on a Single Draft South China Sea Code of Conduct Negotiating Text (SDNT) as

⁹⁶ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", 9 October, 2013, at https://www.scribd.com/document/174896626/Thayer-New-Commitment-to-a-Code-of-Conduct-in-the-South-China-Sea, p. 3. (accessed 12 December, 2018).

⁹⁷ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", p. 3. (accessed 12 December, 2018).

⁹⁸ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", p. 4. (accessed 12 December, 2018).

⁹⁹ [News From China, 2013:40]

¹⁰⁰ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", p. 4. (accessed 12 December, 2018).

¹⁰¹ Carlyle A. Thayer, "New Commitment to a Code of Conduct in the South China Sea", p. 4-5. (accessed 12 December, 2018).

¹⁰² Endy Bayuni, "Asean extends hands to China", *The Statesman*, 30 July, 1016, p.7.

¹⁰³ Chongkittavorn, Kavi, "ASEAN-China ties solid despite Hague ruling", 25 July, 2016, at

https://asia.nikkei.com/Politics/Kavi-Chongkittavorn-ASEAN-China-ties-solid-despite-Hague-ruling(accessed on 12 December, 2018).

¹⁰⁴ Raul Dancel, "Progress on maritime code", *Straits Times*, 24 February, 2017, at

https://www.straitstimes.com/asia/progress-on-maritime-code (accessed on 12 December, 2018).

¹⁰⁵ Lee Ying Hui, "A South China Sea Code of Conduct: Is Real Progress Possible?",

¹⁰⁶ Lee Ying Hui, "A South China Sea Code of Conduct: Is Real Progress Possible?".

the basis for the adoption of a Code of Conduct. But there are doubts about the SDNT, for like the previously adopted Framework Code of Conduct it is not an instrument to settle territorial disputes or maritime delimitation issues.¹⁰⁷ Maung Zarni bluntly observed, "China will keep talking about the Code of Conduct, as a short term strategy in damage controlBut it will likely opt out of anything binding or anything that will restrict its ability to do what it feels to be its historical right – to exploit the South China Sea commercially, build its bases anywhere it deems essential, or disrupt other claimants' economic and military activities in the area."¹⁰⁸ If this indeed is the inner reality of Beijing's strategy, South China Sea would continue to remain a thorn in the side of China-ASEAN relations.

Ten years passed before ASEAN and China agreed on the 2002 Declaration on the Conduct of Parties in the South China Sea. Although Chinese Premier Li Keqiang has expressed the hope that CoC consultations would be completed in three years, answer to the question as to how many years will pass before the long awaited CoC sees the light of the day lies buried in the quicksand of uncertainty.¹⁰⁹ Even if eventually it does, there are bound to be questions about its implementation and credibility in the same way such questions have been raised with regard to the DoC. Ultimately it is doubtful if even the final CoC would succeed in halting Chinese advancements in the South China Sea. It nevertheless has its utility as a confidence-building mechanism to help improve trust, mutual understanding and cooperation, and possibly also as a crisis-management and prevention mechanism in the region. If the CoC includes new provisions for the prevention and management of incidents at sea, it could along with the Code for Unplanned Encounters at Sea (CUES) contribute to safety in the South China Sea.¹¹⁰ Be that as it may, it is important for both ASEAN and China to continue to remain engaged in talks on the South China Sea, endless though it may be, to see to it that the situation does not spiral out of control. It is worth noting in this connection the concrete steps already taken to implement a number of confidence-building measures, such as a hotline among the foreign ministries of ASEAN member states and China, as well as CUES, mentioned above, for navies of the two sides.¹¹¹ In an effort to ease tensions, navies from China and Southeast Asian nations staged their first joint drills in the South China Sea in October 2018.¹¹²

¹⁰⁷ Thayer, Carlyle A, "New Commitment to a Code of Conduct in the South China Sea", 9 October, 2013, at https://www.scribd.com/document/174896626/Thayer-New-Commitment-to-a-Code-of-Conduct-in-the-South-China-Sea (accessed 12 December, 2018).

¹⁰⁸ Paul Mooney, "Southeast Asia faces renewed unity test as South China Sea tensions spike", Reuters, 9 May, 2014, at https://www.reuters.com/article/us-myanmar-asean/se-asia-faces-renewed-unity-test-as-south-china-sea-tensions-spike-idUSBREA4805D20140509 (accessed on 12 December, 2018).

¹⁰⁹ "South China Sea row: Chinese Premier wants rule book to be completed in 3 years", at https://www.timesnownews.com/international/article/south-china-sea-row-chinese-premier-wants-rule-book-to-becompleted-in-3-years/313121(accessed on 12 December, 2018).

¹¹⁰ Lee Ying Hui, "A South China Sea Code of Conduct: Is Real Progress Possible?",

¹¹¹ Stanley Loh, "Taking Asean-China ties to the next level", 15 September, 2017, at

http://googleweblight.com/i?u=http://www.straitstimes.com/opinion/taking-asean-china-ties-to-the-next-level&hl=en-IN (accessed on 12 December, 2018).

¹¹² "South China Sea row: Chinese Premier wants rule book to be completed in 3 years", at

https://www.timesnownews.com/international/article/south-china-sea-row-chinese-premier-wants-rule-book-to-be-completed-in-3-years/313121 (accessed on 12 December, 2018).

Conclusion

The rapid ascent of China is an established fact. But China has to contend with numerous constraints and challenges.¹¹³ Whether China should now be considered a 'great' or merely a 'regional' power is debatable. But, as Zhang and Tang point out, China's influence is still likely to be manifest mainly at the regional level.¹¹⁴ Again, if one follows James C. Hsiung's opinion, China's soft power is not so much to supplement its hard power as to offset its deficiency as a 'partial power'.¹¹⁵ China has every reason to be more circumspect not to risk squandering away its soft power gains. China wants to elevate ties with ASEAN countries to a high level, but achieving the goal may not be easy. As Chinese ambassador to ASEAN, Yang Xinping put it, "While being quite encouraged by what we have achieved so far, I face a tougher task to bring our relationship to a higher level."¹¹⁶ Restraint needs to be mutual for the relationship to flourish. Angela Poh has rightly pointed out, "China needs to keep in mind that its reclamation activities, regardless of intentions, is causing significant anxiety in the region, potentially resulting in a security dilemma. At the same time, regional countries and the US need to avoid over-reacting to China's every move."¹¹⁷ China and ASEAN should remember that a mutual interest in seeking security has motivated them towards a strategy of reassurance and accommodation vis-à-vis each other.118

If success has come from diplomacy, Beijing's tough task is to see to it that it remains an asset for strengthening the foundation of China-ASEAN relations in the years to come. Given the strong position China enjoys in Southeast Asia, it can ill afford to risk losing this precious gain. China's ultra-sensitivity about sovereignty related issues is quite understandable. Island claims also are more difficult to compromise for being bound up with national sentiment.¹¹⁹ But Beijing's attempts to safeguard its strong position in the region would require a delicate and skilful balancing of the diplomatic tools of persuasion, negotiation and coercion, and not the kind of abrasive assertiveness that completely disregards other countries' core interests and sensitivities. China's ability in meeting the challenges and constraints would to a significant extent depend on efficacious handling of the tasks of diplomacy. Indiscretion would, at least potentially, have a negative fallout denting its highly calibrated diplomatic efforts in the region.

https://www.researchgate.net/publication/274461288 A New Model of Big Power Relations China-

(accessed on 12 December, 2018).

¹¹³ Zhao Suisheng, "A New Model of Big Power Relations? China-US strategic rivalry and balance of power in the Asia-Pacific", Journal of Contemporary China, vol.24, no.93, 2015, p.395, at

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¹¹⁴ Mark Beeson, "Can China Lead?", "Can China Lead?", Third World Quarterly, Vol. 34, No. 2, 2013, p. 242. http://ccs.ukzn.ac.za/files/Can%20China%20lead.pdf. Retrieved 12 December, 2018.

¹¹⁵ James C. Hsiung, "Soft Power, Geoeconomics & Empathy In China's New Diplomacy", pp.1-28, at https://aacs.ccny.cuny.edu/2013conference/Papers/Hsiung%20James%20Chieh%202.pdf

¹¹⁶ Yang Xiuping, "Some thoughts on China-ASEAN relations", 19 November, 2012, p.7, at

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¹¹⁷ Tridib Chakraborti, Tridib, "China and Vietnam in the South China Sea Dispute: A Creeping 'Conflict-Peace-Trepidation' Syndrome", China Report, vol.48, no. 3, 2012, p. 298.

¹¹⁸ Tan See Seng, "The perils and prospects of dragon riding: reassurance and 'costly signals' in China-ASEAN relations", in Ron Huisken, ed, Rising China: Power and Reassurance, Series: Strategic and Defence Studies Centre (SDSC), ANU Press, 2009, pp. 176, at http://press-files.anu.edu.au/downloads/press/p61661/mobile/ch13s06.html (accessed on 12 December, 2018).

¹¹⁹ Brantly Womack, "China and the Future Status Quo", Chinese Journal of International Politics, vol. 8, no. 2, 2015, p. 130.

Harold C. Hilton's highly perceptive observation, albeit more than two decades old, still remains relevant: "China's image in Asia is affected, although not entirely determined, by its own behaviour and by Asian perception of that behaviour."¹²⁰ With the elevation in China's status and influence in the region, Beijing should be ready to act with a higher degree of restraint.

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