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Baladas Ghoshal



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Article

The Geo-political Underpinnings of the “Open and Free Indo-Pacific” Concept

Baladas Ghoshal

Abstract

The concept of the Indo-Pacific has brought about a change in “mental maps” of the world in strategic terms. Initially used by Indian and Australian scholars, the term was made prominent by Japan’s Prime Minister Shinzo Abe, as reflected in his speech to the Indian Parliament in August 2007 that talked about the “Confluence of the Indian and Pacific Oceans” as “the dynamic coupling as seas of freedom and of prosperity” in the “broader Asia”. It has since then become a cornerstone of US policy perspective for the region. The driving force behind the growing use of the Indo-Pacific construct, however, is China’s rise and its consequent impact on Asian geo-politics. Despite recent efforts to collectively deal with the large security, economic and diplomatic challenges posed by China, a unified strategy that will sustain peace and security is yet to emerge given the divergent interests of the major states in this vast region.

The term ‘Indo-Pacific’ is being used increasingly in the global strategic/ geo-political discourse in recent years. Traditionally, the Indo-Pacific, sometimes known as the Indo-West Pacific, is a biogeographic region of the Earth’s seas, comprising the tropical waters of the Indian Ocean, the western and central Pacific Ocean, and the seas connecting the two in the seas around Indonesia.. From an Indian perspective, the region ‘Indo-Pacific’ refers to the maritime space stretching from the littorals of East Africa and West Asia, across the Indian Ocean and western Pacific Ocean, to the littorals of East Asia. Initially used by Indian and Australian scholars, the term was made prominent by Japan’s Prime Minister Shinzo Abe, as reflected in his speech to the Indian Parliament in August 2007 that talked about the

Baladas Ghoshal, Secretary General, Society for Indian Ocean Studies, New Delhi; Former Professor and Chair in Southeast Asian Studies, Jawaharlal Nehru University, New Delhi.

“Confluence of the Indian and Pacific Oceans” as “the dynamic coupling as seas of freedom and of prosperity” in the “broader Asia”.¹

From 2010 onwards, the term Indo-Pacific began to be used by the Indian government and scholars to indicate New Delhi’s broad strategic and economic interests in a region of its extended neighbourhood that can possibly constitute a ‘security complex’ in the words of Barry Buzan, the British strategic thinker.ⁱ In the past and particularly during the Cold War period, each region in Asia had its own security complexes and they did not intersect with each other. But the rise of China as an economic giant and a rising military power, and the consequent shift of international politics and relations to Asia as the fulcrum changed all the old ideas of security complexes and turned the whole region of Indo-Pacific as one security complex in which not only countries that are part of the region but also those that are adjacent or outside the region developed stakes in peace and stability of the region

Since 2011, the term has been used frequently by strategic analysts and high-level government/ military leadership in Australia, Japan and the US to denote the said region. However, a formal/ official documented articulation of the term first appeared in Australia’s Defence White Paper, 2013.² The concept of the Indo-Pacific has brought about a change in popular “mental maps” of how the world in strategic terms. The United States first began using the term “Indo-Asia Pacific,” as an attempt to maintain its geographic inclusiveness in the new concept of ‘Indo-Pacific’, but has now started using the term to describe a compact region as a move to recognize India’s emergence as an important player in the evolving geopolitics of the region.

Globalization and regional trade

The onset of globalization, which has increased manifold the volume of trade and other transactions between nations, together with rival claims for exploitation of offshore resources has highlighted the importance of freedom of navigation and securing global commons. India together with Japan, Indonesia, Vietnam, the Philippines are maritime nations that transport bulk of their trade through the oceans. Therefore, they have a strong stake in the freedom of navigation in both the Indian and the Pacific Oceans. It is imperative for these nations to promote a structure and a code which can ensure freedom of navigation dictated by international laws and norms. The recent assertive Chinese claim over almost the entire South China Sea and its unilateral declaration of laws that require Beijing’s permission for fishing, mining and oil explorations in the claimed territorial waters of China as well as

i. The theory of regional security complex was sketched by Barry Buzan in his work *People, States and Fear* (1983). Later, Barry Buzan and Ole Waiver had advanced this theory in *Regions and Powers. The Structure of International Security* in 2003.

Air Defence Identification Zone (ADIZ) make it even more important for the countries in the region to look for a mechanism based on international law that would protect the rights of the nations in the global commons.

The Indo-Pacific Construct

Notwithstanding the desire of each and every country to look for an order that can guarantee peace, prosperity and the rights of nations in the global commons, there is no consensus as yet as to how this would be achieved and what kind of institutional structure or grouping would be suitable or acceptable to all. As Allan Gyngell, an Australian scholar has aptly put: "There is, of course, no such thing as the Indo-Pacific. Like the Asia Pacific, or Asia itself, the Indo-Pacific is simply a way for governments to frame the international environment to suit their policy objectives in particular circumstances."³ The number of countries who are subscribing to this construct of Indo-Pacific are gradually increasing, latest being France, whose President Macron, while in India in March last year, agreed to broaden Paris' ties with New Delhi through a joint strategic vision for cooperation that emphasized on the need to establish an open, inclusive and transparent cooperation architecture for peace, security and prosperity in the Indo-Pacific region.⁴ He used the term again in Sydney in May that year when he talked about France's objective "to preserve a rule-based development in the region and especially in the Indo-Pacific region. It's to preserve the necessary balances in the region not to have any hegemony in the region. That's why for me, this partnership (with) India and all the partners, this is not an initiative against or in reaction to. That's a positive initiative, to say: We have something in common . . . we do want to favour free movement in the region, free movement in Indo-Pacific region."⁵ Though France is not against the Quad of India, the US, Japan and Australia, Paris would rather like to work with New Delhi bilaterally in the Indian Ocean Region since there are around two million French citizens in its territories in the region.

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US Vision of Indo-Pacific and the role of India

The driving force behind the growing use of the Indo-Pacific construct, however, is China's rise and the consequent fall out of that development on Asian geo-politics and, to quote Allan Gyngell again, the "more general westwards reweighting of power within Asia — from Japan to China, from the Chinese coast to the hinterland and outwards to India.

It is best understood as a maritime counterpart (and in some eyes a counterweight) to the shifting forces across continental Eurasia. It encompasses the energy supplies, production chains, infrastructure and security connections — both state and non-state — that link the Middle East, West Asia and East Asia. It also incorporates US security and economic connections across the Pacific.⁶ And it is here that US’ use of the term ‘Indo-Pacific’ gains salience. President Trump, during his 12-day tour through Asia in late 2017, had used “Indo-Pacific”ⁱⁱ quite extensively in lieu of the long established “Asia-Pacific,” prompting the US administration to use the term throughout the U.S. National Security Strategy published soon after Trump’s Asia trip. The NSS contends that China aims to “challenge American power” and “is using economic inducements and penalties, influence operations, and implied military threats to persuade other states to heed its political and security agenda.”⁷ To keep in line with the US agenda to counter China’s increasing hegemony in the region and to bring in as many friends as possible to achieve that objective, former US Defence Secretary Mattis announced in Hawaii at the end of May 2018 that the U.S. Pacific Command would be renamed the Indo-Pacific Command. He described the expanded theatre as stretching “from Bollywood to Hollywood,”⁸ adding three days later in Singapore at the Shangri-La Dialogue that “standing shoulder to shoulder with India, ASEAN and our treaty allies and other partners, America seeks to build an Indo-Pacific where sovereignty and territorial integrity are safeguarded -- the promise of freedom fulfilled and prosperity prevails for all.”⁹

Prime Minister Modi’s Vision of Indo-Pacific

Behind Trump administration’s use of the term lies clearly hope for greater Indian involvement in its efforts to counter China’s growing influence. And this is reflected in the statement of Kori Schake, deputy director-general of the International Institute for Strategic Studies, when he said that while “Indo-Pacific isn’t yet an established part of the lexicon,” the implications of the term are clear. To Schake, “India is an Asian power. The countries adopting the term are encouraging India into greater cooperation in maintaining the maritime commons in the Indian and Pacific oceans.”¹⁰

That brings us to India’s vision of the Indo-Pacific region. While Indian leaders and officials have been using the term Indo-Pacific for some time now, it was left to Prime Minister Narendra Modi to articulate the vision more precisely. Delivering the keynote address at the Shangri-La Dialogue in Singapore in 2018,¹¹ Modi placed this region at the heart of India’s engagement with the world. India’s engagement with the region, which encompasses many of the world’s most dynamic economies, will be undergirded by a positive impulse which seeks to enhance trade and cooperation. He defined this region as stretching from the shores of Africa to that of the Americas, thereby incorporating East

ii. The statement from the White House containing Trump’s Asia itinerary twice stated the importance of a “free and open Indo-Pacific region” while National Security Advisor H.R. McMaster told the press more than once that Trump had called “Indo-Pacific leaders” ahead of his trip.

Africa, the Gulf region and Indian Ocean island states left out of popular definitions. This is where India's definition of the Indo-Pacific is much more extensive and comprehensive and differs from characterization of the region by the United States or Australia, for example, whose scope of Indo-Pacific mostly revolves around the management of the rise of China, and does not include the areas beyond India towards Pakistan, the Persian Gulf region or Central Asia where New Delhi has strong cultural, economic interests and strategic concerns. India's concerns about Pakistan or Iran are not always shared by the United States or even Australia. For Modi, Indo-Pacific, is to be a 'free, open, inclusive region' in pursuit of progress and prosperity, and is not 'directed against any country', nor is it a 'grouping that seeks to dominate'. At the same time, he called for a common rules-based order for the region. Such an order must believe in sovereignty and territorial integrity, as well as equality of all nations, irrespective of size and strength. These rules and norms should be based on the consent of all, not on the power of the few. Another element of the concept of Indo-Pacific is the freedom of navigation, unimpeded commerce and peaceful settlement of disputes in accordance with international law. "When we all agree to live by that code, our sea lanes will be pathways to prosperity and corridors of peace. We will also be able to come together to prevent maritime crimes, preserve marine ecology, protect against disasters and prosper from blue economy," said Modi²²

Interestingly, Modi in his Shangri-la speech deliberately did not use the word 'Quad', the grouping of the US, India, Japan and Australia, even though New Delhi has of late revived its Quad engagements and interactions in the side-lines of the East Asia Summit to carry on its parallel diplomatic and strategic initiatives. To keep ASEAN in line with India's

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vision of Indo-Pacific and to see that the idea does not evoke any negative reaction from any quarters, Modi had put strong emphasis on its centrality by suggesting that for India, the core of the Indo-Pacific region will be ASEAN and India's 'Act East' policy, even as the Indian Ocean holds the 'key to India's future'. For India ASEAN unity is essential for a stable future for this region. Modi declared: "I am convinced that ASEAN can integrate

the broader region. In many ways, ASEAN is already leading the process. In doing so, it has laid the foundation of the Indo-Pacific Region. The East Asia Summit and the Regional Comprehensive Economic Partnership – two important initiatives of ASEAN – embrace this geography." For the first time, Modi stated that his Indian Ocean vision of SAGAR (Security and Growth for All in the Region) unveiled in 2015 will also be applicable to the 'east'. And in this respect, the relationship with the US is critical. Modi stressed that India and the US

shared a vision of an ‘open, stable, secure and prosperous Indo-Pacific Region’ which he described as “a natural region”.

In line with Modi’s Wuhan diplomacy, he was cautious enough to avoid ruffling the feathers of Beijing and had some good things to say about China, despite its border dispute with India and its close strategic ties with Pakistan, India’s hostile neighbour. “Our cooperation is expanding. Trade is growing. And, we have displayed maturity and wisdom in managing issues and ensuring a peaceful border,” Modi said. The relationship between India and China is key to a positive future, he said. “I firmly believe that Asia and the world will have a better future when India and China work together in trust and confidence, sensitive to each other’s interests”²³ However, he took note of the fact that the Indo-Pacific region’s potential as the fulcrum of global economic growth has in the recent past been undermined by some of China’s actions. Modi described India’s relationship with China as one with many layers. China remains one of India’s most important trading partners. At the same time, some of China’s actions to expand its market and build infrastructure are likely to lead to conflict, particularly, the China-Pakistan Economic Corridor (CPEC) that runs through Pakistan occupied Kashmir impinges on India’s sovereignty. China’s engagement with India needs to be an equal partnership between two sovereign nations as against an opportunity to engage in mercantilism. India has had both its merchandise and service exports to China hampered by non-tariff barriers. Separately, China’s infrastructure building in South Asia as a part of its larger Belt Road Initiative is already leading to an accumulation of unsustainable debt which will impinge on sovereignty of its partners.

Finally, since Indo-Pacific is essentially a maritime concept, Modi focused on the importance of naval diplomacy, praising the Indian navy for building partnerships in the region through training, joint exercises and goodwill missions, along with humanitarian assistance and disaster relief. He singled out Singapore for hosting the longest un-interrupted joint naval exercise with India, now in its 25th year, and mentioned the extension of this to a trilateral exercise. In a little noticed development, and unusually for Indian prime ministerial visits, Modi visited Changi naval port in Singapore. There he went aboard a Singaporean frigate and a visiting Indian naval frigate; emphasising India’s defence ties in the Indo-Pacific. During Modi’s visit to Indonesia recently, India signed a Comprehensive Strategic Partnership, and arrived at a common vision for maritime cooperation in the Indo-Pacific.²⁴ Modi declared that New Delhi would start a new tri-lateral exercise with Singapore soon and it wants to extend it to other ASEAN countries. India has also strategic partnership with Vietnam to build mutual capabilities and has upgraded its defence cooperation, including training and military exercises. India conducts the Malabar Exercises with the United States and Japan. A number of regional partners join in India’s Exercise Milan in the Indian Ocean

and participate in RIMPAC in the Pacific. Modi's articulation of India's vision provides a concrete template for the rules of engagement with the countries subscribing to the idea of Indo-Pacific. If this region is to fulfil its potential, it needs to move towards terms based on transparency and willingness of major players to build relationships based on equality. In its absence, alliances will be based on strategies of containment. That will be blow to the aspirations of people in the Indo-Pacific region.

Indo-Pacific concept of other middle powers

While the US and India's vision of the Indo-Pacific construct get primary importance in the discourse on the region, other countries' views on Indo-Pacific are equally important in order to get a clear picture of the emerging geo-politics of the Indo-Pacific region. Australia is one of the early proponents of the idea of the Indo-Pacific. For Australia it includes both the oceans surrounding the continent, with Southeast Asia acting as the linchpin between them. The concept appeared in official Australian statements well before other leaders started using them. The idea has now been formally endorsed in documents from the Gillard, Rudd, Abbott and Turnbull governments. For Australia, to quote an Indonesian scholar, "the Indo-Pacific is simply a concept to best understand and frame the geo-economic and geopolitical forces shaping the region; it is not a strategy or institution in itself. Significantly, the view from Australia is one looking north to an Indo-Pacific that has ASEAN unambiguously at its centre."¹⁵ As strategic currents in the Indo-Pacific shift south and west, from North Asia to India and Indonesia, the region's strategic centre of gravity is drawn to ASEAN. For Japanese Prime Minister Shinzo Abe, it is more about China. Abe wants to ensure that the infrastructure networks across Asia to Africa are not dominated by China and Chinese standards.

Apart from larger states like the United States and India, the smaller countries of Southeast Asia as well as the Association of Southeast Asian Nations (ASEAN) play an important role in the context of Japan's vision of a Free and Open Indo-Pacific Strategy. It is still early days in terms of Japan's rolling out of its Indo-Pacific Strategy, particularly in Southeast Asia, where there are mixed feelings in different countries about what the strategy is and how it will play out in terms of broader trends, be it links with the Quad – grouping Japan, Australia, India, and the United States – as well as China's own growing role in the region. Indonesia's own Indo-Pacific idea is tentative and is still evolving. It notes its own centrality to the concept but worries about the potential effect on existing ASEAN institutions and fears hardening divisions with China.¹⁶ Indonesia will also seek a stronger ASEAN presence in the Indo-Pacific region. In a recent piece in *The Jakarta Post*, Indonesian scholar Dino Patti Djalal called for ASEAN to "take the lead on the Indo-Pacific",

and work to ensure ASEAN retains its central role amid the growing complexity of regional relationships.¹⁷ Djalal, a former ambassador to the US, argued that an ASEAN-adopted and ASEAN-led Indo-Pacific understanding will facilitate more inclusive regional processes, and more effective regional diplomacy. France’s version is a re-assertion, through its island territories in the Indian and Pacific oceans, of its claims to global power status.

China has its own Indo-Pacific in the Maritime Silk Road—a part of the Belt and Road Initiative. In the midst of the contrasting perspectives, with ASEAN and India as ‘the backbone’ of maritime cooperation, ASEAN-led mechanisms such as the East Asia Summit (EAS) and the Treaty of Amity and Cooperation (TAC) could be coupled with the Indian Ocean Rim Association (IORA) to ‘bridge and integrate’ the Indian and Pacific oceans.

In the meantime, the concept of sentinels of sea-lanes of communication has already been implemented by India in the western Indo-Pacific, where about 2 dozen Indian Navy ships escort international shipping from the Red Sea to the Indian coast. The bulk of India’s maritime trade flows through this sea lane of communication, as does its energy imports and the undersea fibre optic cables that link India to the internet. These core quantifiable concerns are the drivers for India to demonstrate its capability in this area. The demonstrable capability is built on India’s experience in deploying naval assets as part of the multi-national task force to combat piracy off the coast of Somalia, its military exercises such as Malabar, and its growing naval power.

ASEAN’S Indo-Pacific Outlook

ASEAN outlook on the Indo-Pacific, even while articulated very recently under pressure from other major powers in the region and from an apprehension of losing its centrality in the emerging architecture in the region, draws quite heavily from the concept of Indonesia, which since the time of President Yudhoyono and Foreign Minister Marty Natalegawa was trying give shape to its world view of the region in order to promote its own political, economic and strategic goals. ASEAN views the Asia-Pacific and Indian Ocean regions, not just as contiguous territorial spaces but as a closely integrated and interconnected region, with ASEAN playing a central and strategic role. To quote from its 6-page document finalized in the last ASEAN summit: “This Outlook is not aimed at creating new mechanisms or replacing existing ones; rather, it is an Outlook intended to enhance ASEAN’s Community building process and to strengthen and give new momentum for existing ASEAN-led mechanisms to better face challenges and seize opportunities arising from the current and future regional and global environments. Moreover, the Outlook is intended to be inclusive in terms of ideas and proposals.”¹⁸ It envisages ASEAN Centrality as the underlying principle for promoting cooperation in the Indo-Pacific region, with

ASEAN-led mechanisms, such as the East Asia Summit (EAS), as platforms for dialogue and implementation of the Indo-Pacific cooperation, while preserving their formats. While preserving existing formats, it is open to develop, where “appropriate, cooperation with other regional and sub-regional mechanisms in the Asia-Pacific and Indian Ocean regions on specific areas of common interests to complement the relevant initiatives.”

Most countries that have stakes in the Indo-Pacific construct accept ASEAN’s centrality in it, essentially because of its geographical location between the Indian and the Pacific Oceans and also for its success in creating certain mechanisms for dialogue, consultation and reduction of tension for whatever it is worth, and thus are actively advancing an Indo-Pacific construct that is underpinned by ASEAN centrality. Delivering his first public address in late March this year, as Japan’s new Ambassador to Australia Reiichiro Takahashi told a Perth Conference on Australia-Japan-ASEAN relations that Japan’s Indo-Pacific vision is founded on the centrality and unity of ASEAN. Ambassador Takahashi declared, “ASEAN, sitting between the Indian and Pacific Oceans, takes center stage in any initiative to bolster regional security and stability.”¹⁹ In the same conference, Philip Green, Australia’s first assistant secretary for the Department of Foreign Affairs and Trade’s new US and Indo-Pacific Strategy Division, advocated for an Indo-Pacific, “where ASEAN and the ASEAN-centered regional architecture maintains its central role and helps set the rules and norms for behaviour in the region.”²⁰ ASEAN’s vision is premised on dialogue and cooperation instead of rivalry; development and prosperity for all; and the importance of the maritime domain and perspective in the evolving regional architecture. Moreover, it wants to further strengthen and optimize ASEAN-led mechanisms, including the East Asia Summit (EAS), the ASEAN Regional Forum (ARF), the ASEAN Defence Ministers Meeting Plus (ADMM-Plus), the Expanded ASEAN Maritime Forum (EAMF) and others such as the relevant ASEAN plus One mechanisms. Strategic discussions on this matter and practical cooperative activities can be pursued at ASEAN-led mechanisms including, among others, the EAS, the ASEAN Plus One mechanisms, ARF, and ADMM-Plus.

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The Outlook has four salient points: 1) ASEAN’s appreciation of its place in the Indo-Pacific; 2) re-assertion of its interest to play an active role in shaping regional security and economic architectures; 3) reaffirmation of its desire to engage all powers, not to take sides and even act as broker for competing interests and; 4) reiteration of its aspiration

for comprehensive and balanced ties with major powers outlining both its security and economic agenda. ASEAN’s outlook of the Indo-Pacific, however, does not appear to be very different from its attitude towards China’s Belt and Road Initiative, which was announced in 2013 in Jakarta (the 21st century Maritime Silk Road and the Asian Infrastructure Investment Bank).²¹ In 2017 ASEAN and China issued a joint statement expressing their mutual interest to deepen cooperation on infrastructure connectivity, an acceptance of Belt and Road’s potential contribution. This was followed in 2018 by a strategic partnership vision 2030. The synergy of China’s Belt and Road and ASEAN’s Master Plan for Connectivity was cited in both documents. In April 2019, leaders of the ten countries attended the second Belt and Road Forum in Beijing, cementing support for China’s initiative.

ASEAN’s Threat Perception

Strategic environment in the Indo-Pacific region revolves around the spectacular rise of China, both economically and militarily, its assertiveness in defining its territorial and maritime space in a convoluted manner based on what it perceives as its historical rights even to the extent of transgressing other countries’ legitimate claims to their territories, maritime waters and their resources through various ways like intimidation, subterfuge and sometimes buying of countries and their leaders under its infrastructure and connectivity offensives garbed under its so-called Belt and Road Initiative. The most classic example of this strategy of establishing its hegemony in the region centres on China’s grab for practically the whole of South China Sea, where Beijing has already established its de facto control. The unanimous judgment of the Arbitral Tribunal at the Permanent Court of Arbitration at The Hague on 12 July 2016 had rubbished Beijing’s absurd claims on practically the whole of South China Sea (SCS) with its so-called nine-dash line and also censored its creeping occupation

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and aggressive actions to bolster those claims. The Tribunal ruled in favour of the Philippines against China’s claims calling the latter’s claims illegal and asserted that Beijing’s artificial island building is causing “irreparable harm.” It concluded that Chinese claims of “such rights were extinguished to the extent they were incompatible with the exclusive economic zones provided for in the United Nations Convention on the Law of the Sea (UNCLOS),” to which both China and the Philippines are signatories.²² The court said that “there was no legal basis

for China to claim historic rights to resources within the sea areas falling within” Beijing’s “nine-dash line.”²³ China’s response to the verdict was predictable, lashing out at the judges and experts who decided the case, calling them biased and anti-Asian, and angrily hitting

out at what it described as an “ill-founded” ruling that was “naturally null and void, because the tribunal had ignored “basic truths” and “trampled” on international laws and norms.

Notwithstanding the PCA Ruling on South China Sea, it has emerged as a dangerous flashpoint and tensions remain quite high in the region due to two important factors – Beijing’s insatiable greed for land and territories, finding expression in occupation by stealth, artificial island-building, and militarization to scare others to stay away from the region; and the US-China rivalry for dominance over the region. A few weeks back, China claimed Thitu Island and a bundle of low-lying sandbars off the Philippines Coast. While nowhere near the scale of Fiery Cross or Mischief Reefs, this island and bundle of low-lying sandbars is just as significant, as it’s a prosperous fishing spot. And it’s another potential territorial marker in the hotly contested international waterway. Now, China has physically staked its claim over the sandbars that surround it, evident from the claims of the Filipino fishermen, who are being driven away from their traditional fishing grounds, by Chinese ‘fishing militia’. Not contented with occupation of Thitu Island, China has now displayed its power by deploying at least four J-10 fighter jets to the contested Woody Island in the South China Sea, the first known deployment of fighter jets there since 2017, representing the first time J-10s have been seen on Woody or any Chinese-controlled islands in the South China Sea. Both the placement of the planes out in the open and accompanying equipment is significant and indicated --since the fighter jets were on the contested island for up to 10 days—that it was designed to “demonstrate it is their territory and they can put military aircraft there whenever they want.” The deployment is also a statement that the China could extend its air power reach over the South China Sea and vital shipping lands, as the J-10 jets have a combat range of about 500 miles, as required or desired. This was in addition to the fact that over the past several years Beijing has substantially upgraded its military facilities on the islands, deploying surface-to-air missiles, building 20 hangars at the airfield, upgrading two harbours and performing substantial land reclamation. China’s expansive claim on the South China Sea at the expense of the legitimate claim of some other countries in the region, like Philippines, Vietnam and Malaysia, to name a few, have reached a dangerous proportion, turning South China Sea into a continuous flashpoint that can go out of control any moment, unless checked with institutional arrangements and rule-based order, with a wrong move by any of the actors in the region.ⁱⁱⁱ

Rivalry between China and the USA

What has further made the security environment critical in the Indo-Pacific region is the growing rivalry between China and the United States, a resident power in the Indo-Pacific region with a vital stake in the freedom of navigation and over flight in South China

iii. The present author has written extensively on the South China Sea and China’s bellicosity and some of the materials are drawn from them. See, Baladas Ghoshal, “South China Sea: A Dangerous Flashpoint,” *Economic Times*, 13 July 2019; “South China Sea continues to remain a Dangerous Flashpoint,” *India Writs Network*, 26 March 2019, available in <https://www.indiawrites.org/diplomacy/south-china-sea-continues-to-remain-a-flashpoint/>.

Sea and in the peace, stability and security of the region due to its treaty commitments for the security of Japan and Korea and, by Congressional Act, Taiwan. The most recent manifestation of the contention was starkly evident in the 18th Shangri-la Dialogue in Singapore in June 2019 at Singapore, where a war of words ensued between the two sides. While speaking at the Dialogue Acting US Defence Secretary Patrick Shanahan called China’s installation of surface to air missiles in the South China Sea waters as “overkill”, and its actions in the territorially disputed area “excessive.” Shanahan asserted that: “The greatest long-term threat to the vital interests of the states across the region...comes from actors who seek to undermine rather than uphold the rules-based international order. These actors undermine the system by using indirect, incremental actions and rhetorical devices to exploit others economically and diplomatically and coerce them militarily. They destabilise the region, seeking to reorder its vibrant and diverse communities toward their exclusive advantage.” In contrast to a free and open vision broadly shared by the region, he stated further, “some seem to want a future where power determines place and debt determines destiny; where nations are unable to make use of natural resources within their exclusive economic zones; where coral reefs are dredged and destroyed, with disastrous ecological and economic consequences; where fishermen’s livelihoods are in peril as they are denied access to waters they and their ancestors have fished for generations; where freedom of navigation and international over flight are restricted”.²⁴

China can and, according to the US, should have a cooperative relationship with the rest of the region, but behaviour that erodes other nations’ sovereignty and sows distrust of China’s intentions must end. Until it does, “we stand against a myopic, narrow and parochial view of the future, and we stand for a free and open order that has benefited us all, including China”. The vision for a Free and Open Indo-Pacific articulated by Shanahan naturally garnered much regional interest, as coastal states with competing maritime claims with China saw it as an opportunity to counter-balance Beijing’s mounting presence and activities in the South China Sea, as well as shore up their defence capabilities. But, as one Southeast Asian commentator has noted: “. . . although robust on traditional security, it still fell short of economics despite mention of the BUILD Act.^{iv} Confusion between it and the Quad, and concerns about Beijing’s reaction also help dampen enthusiasm towards the U.S. strategy.”²⁵

Even before Shanahan’s speech in Singapore, the Pentagon had already released its new Indo-Pacific Strategy paper, which openly accused China of “seek[ing] to reorder the region to its advantage by leveraging military modernization, influence operations, and predatory economics to coerce other nations.”²⁶ Quite predictably, Defence Secretary

iv. President Trump signed the Better Utilization of Investments Leading to Development (BUILD) Act into law on October 5, 2018. This landmark legislation will reform and strengthen U.S. development finance capabilities into a new federal agency to help address development challenges and foreign policy priorities of the United States.

Delfin Lorenzana of the Philippines, whose President Duterte had already made a turn towards China in exchange of a massive infrastructure dole even though it is an American treaty ally, openly expressed the “greatest fear” of smaller regional states, warning against “sleepwalking into another international conflict.”²⁷ He emphasized the necessity for de-escalation of tensions through institutionalized confidence building measures as well as shared focus on common challenges such as climate change and transnational terrorism. The Malaysian Defence Minister Mohamad Sabu expressed similar concern about the tragic dilemma of smaller countries, even those that are at loggerheads with China in the South China Sea. “We love America. But we also love China,” the Malaysian defence chief said, imploring both superpowers to help the Indo-Pacific to “remain an area of peace, friendship and trade, rather than one of confrontation and conflict” between US and China.²⁸ “While perturbed by China’s rising assertiveness,” to quote a Filipino analyst, “smaller regional states are even more worried about ending up as the grass trampled below the feet of quarrelling elephants. What’s clear is that the Indo-Pacific is no Shangri-La.”²⁹

In response to the American attack on Beijing’s aggressiveness as ‘overkill’ and ‘excessive’ China unabashedly defended its expanding strategic and military footprint in the region, while expressing its determination to “fight to the end, at all costs,” causing regional states, including American allies and China’s newfound friends, to find ways to avoid a great power conflict, which would inevitably drag the whole region into an irredeemably devastating conflict. Beijing issued a stern warning following the US Navy’s increased patrols through the Taiwan Strait. Speaking at Asia’s Defence Ministers’ summit at the Shangri-La Dialogue in Singapore, China’s Defence Minister, Wei Fenghe insisted that his country would “fight at all costs” if a war occurred with the US.³⁰ Although Fenghe said that both countries want to avoid a conflict, he warned against any country trying to interfere in China-Taiwan relations. He added: “If anyone dares to split Taiwan from China, the Chinese military has no choice but to fight at all costs.”³¹ No attempts to split China will succeed. “Any interference in the Taiwan question is doomed to failure.” Wei Fenghe also offered a figurative olive branch to the US. Moving away from the talk of conflict between the two states, Fenghe admitted that neither side wants conflict. He added that both sides “realise that conflict, or a war between them, would bring disaster to both countries and the world.” The Defence Minister also said that his country would not “attack unless we are attacked” as both states vie for dominance in the region. Speaking of tensions between the US and China, Fenghe also affirmed that if Washington wanted to talk “we will keep the door open.”

Weakness of ASEAN

In the crossfire between the United States and China, ASEAN finds itself in a helpless situation with very little leverage at its disposal because of lack of unity within it on the South

China Sea issue. Some observers of ASEAN believe that it really never was and perhaps never could be a unified political/security body under the pressure of great power competition. A closer look at the ASEAN's institution-building for dialogue and confidence building measures together with its much-vaunted and its centrality was possible and effective only when there were, firstly unity within the organization, and secondly, convergence of interests between the USA and China on the type of regional order they want to establish in the Indo-Pacific.. At the moment, not only there is no consensus on it between the two super powers, the organization itself is facing a crisis of relevance and its most formidable challenge for maintaining its “centrality” is “achieving a robust, binding COC with China”. If only ASEAN could become united in the face of China's onslaught and is able to bring in a binding ‘Code of Conduct’ (CoC), it would definitely reinforce its political and security centrality in the region. But such an achievement would require ASEAN to be willing and able to take a united stand against China regarding controversial provisions of a COC. But this is looking increasingly unlikely.

ASEAN is undoubtedly concerned about the deteriorating situation in the South China Sea, which is reflected in the chairman's statement in the recently held summit of the organization. “We reaffirmed the importance of maintaining and promoting peace, security, stability, safety and freedom of navigation in and over flight above the South China Sea and recognised the benefits of having the South China Sea as a sea of peace, stability and prosperity. We underscored the importance of the full and effective implementation of the 2002 Declaration on the Conduct of Parties in the South China Sea (DOC) in its entirety. We warmly welcomed the continued improving cooperation between ASEAN and China and were encouraged by the progress of the substantive negotiations towards the early conclusion of an effective and substantive Code of Conduct in the South China Sea (COC) within a mutually-agreed timeline.”³² China may have relented a bit in expediting the CoC, under pressure from international criticisms and also a bit of persuasion from Singapore during its Chairmanship of the organization last year to accept a single draft, but it would not solve the problem of occupation by stealth and continuous demand for ceding territories and resources under its brutal display of military might. ASEAN wants a binding CoC, which Beijing opposes strongly. Even if the latter concedes to ASEAN's demand, there is no international authority that can enforce such a binding provision. The UNCLOS of 1982 has already set the benchmark for such a situation, but Beijing has no respect for it when it comes to her so-called ‘core interests,’ as was evident from its contempt for International Court of Arbitration's Ruling in 2016, which not only rubbished all its claims on SCS, but also censured it for its actions in destroying the eco-systems of the seas by its random land reclamation, fishing and poaching.^v ASEAN's concern and weariness about China's actions

v. There is a long list of China's misconduct in the West Philippine Sea including coral reef damage and marine habitat reclamation. Adding to that list is the recent report that Chinese fishermen are extracting Giant Clams in Scarborough Shoal, a part of the West of the Philippine Sea. This caused for very loud distress and rage in the Philippines due to several interconnecting issues. See, Felimon Feliciano, Jr., “The Chain of Issues on China's Exploitation of Giant Clams in the West Philippines Sea,” *Strange Natures*, 220 April 2019, <https://strangenatures.com/2019/04/20/the-chain-of-issues-on-chinas-exploitation-of-giant-clams-in-the-west-philippine-sea/>

finds expression again in the Chairman's statement: "We discussed the matters relating to the South China Sea and took note of some concerns on the land reclamations and activities in the area, which have eroded trust and confidence, increased tensions and may undermine peace, security and stability in the region. We reaffirmed the need to enhance mutual trust and confidence, exercise self-restraint in the conduct of activities and avoid actions that may further complicate the situation and pursue peaceful resolution of disputes in accordance with international law, including the 1982 UNCLOS."³³

ASEAN's weaknesses together with the reality that China is an immediate neighbour to all of its members in some or the other, obviously, do not permit open confrontation with the latter, and therefore, is compelled to adopt a dual strategy, that of trying to tame Beijing, on the one hand, through dialogue, confidence-building mechanisms under the ASEAN-China framework and not joining any arrangements that it perceives to contain Beijing --like the Quad, that includes the US, Japan, Australia and India, Initiative for defence and economic cooperation; and on the other, soft-balancing through bilateral defence cooperation with the US, Japan, Australia, Russia and India. In this process, it hopes to build its own capabilities to deal with contingencies.

Individual countries are also exploring the possibilities of creating a mechanism or architecture that can reduce tension and provide stability and security to the region. A major manifestation of that is the high-level dialogue on the Indo-Pacific that Jakarta had organized a few months back to discuss various initiatives and concepts of cooperation in the Pacific and Indian Oceans and Rims, that could lead to mutually beneficial concrete cooperation and collaboration based on the principles of openness, transparency, inclusiveness, and respect for international law. This is a concept that India has promoted for some time, and particularly after Prime Minister Modi articulated his vision of Indo-Pacific at the Shangri-La Dialogue. "The High Level Dialogue will serve as a dynamic and interactive dialogue platform for deeper and more inclusive cooperation in the Indo-Pacific region,"³⁴ to quote an analyst covering the Dialogue. But the success of such an effort will depend to a large extent on the ability of these countries to bring Beijing under leash and persuade its paramount leader to accept a rule-based regional order.

China has adopted a divide and rule policy by making a distinction between those countries that have claims in the South China Sea and those who do not have.

China has adopted a divide and rule policy by making a distinction between those countries that have claims in the South China Sea and those who do not have. Over and above that it also buys off the loyalty of countries in the region by offering carrots in the form

of large financial grants out of its deep pockets. Cambodia and Laos are already under the influence of the Chinese because of their heavy financial dependence on Beijing. Myanmar, though it has recently demonstrated some independence in its foreign policy, is still very reticent to take any stand against the Chinese. Malaysia is also cautious, though Prime Minister Mahathir Moahmad has not only cancelled some of the high value projects like the East Coast railway link that would have connected the South China Sea with strategic shipping routes in Malaysia’s west, providing an essential trade link. The other was a natural gas pipeline in Sabah, a Malaysian state on the island of Borneo. He cancelled them as they were too expensive for his debt-ridden country and also for the lack of transparency in terms and conditions. Mahathir also said recently after the Thitu episode that China should define its “so-called ownership” in the disputed South China Sea so other claimant countries can start to benefit from the resource-rich waters.⁶ Such comments may reflect the unhappiness of some countries of ASEAN with China and may please Beijing’s detractors, but it will not help much to build their leverage vis-a-vis China in view of the huge power asymmetry and their massive economic dependence on the latter. That is why the ASEAN states always play safe and keep China in good humour.

ASEAN’s Scepticism about US role in the Region

The US undoubtedly wants a strong and capable ASEAN at the heart of the Indo-Pacific region in advancing a regional architecture that supports democratic governance and resolves disputes peacefully, through international law. It trains Coast Guards and other stakeholders through the ‘Southeast Asia Maritime Lane Enforcement Initiative’ (formally the Gulf of Thailand initiative) to improve interoperability and information sharing. Security assistance programmes, such as ‘Foreign Military Financing, International Military Education and Training and the Maritime Security Initiative,’ support the professionalization of individual ASEAN countries’ militaries and enhance their maritime security and maritime domain awareness. In September, the United States and Thailand will co-host the inaugural ‘ASEAN-U.S. Maritime Exercise’. This exercise will build capacity in maritime domain awareness, information sharing, and sea interdiction. Japan has also prioritised ASEAN in its Indo-Pacific strategy. The most recent articulation of the vision during Abe’s current tenure broadly centres around enhancing connectivity from Asia to Africa to promote greater stability and prosperity across these regions through a variety of means, including improving the security situation in these regions, promoting greater development, and supporting the advancement of rule of law and building capacity in related fields. Even while ASEAN countries attempt soft-balancing by developing closer defence cooperation and building their own capacities through purchase of advanced weapons systems from other major

vi. Mahathir stressed in an interview with ABS-CBN Network in Manila in March this year the importance of freedom of navigation in the busy sea lanes saying if there were no restrictions, “the claims made by China will not affect us very much.” Quoted in Dipanjan Roy Choudhury, *The Economic Times*, March 16 2019

powers like the USA, Japan and India, they cannot depend entirely on the US guarantees, essentially because of the erratic and uncertain policies of the Trump administration. The Trump administration has offered a strong vision for a free and open Indo-Pacific, but if it is not supported by a bold set of policy and budget initiatives to make it real, it will turn into yet another empty concept. The United States carries out regular exercise of Freedom of Navigation (FONOPs) to establish its role as a resident power in the region and to check China's attempt to declare an Air Defence Identification Zone (ADIZ) over South China Sea, but beyond those routine exercises, Washington has not done much to control China's creeping occupation of features, land reclamation and artificial island-building.

While most American officials have been highlighting the importance of Indo-Pacific and India's paramount role in it, yet beyond major changes to trade policy and the re-emergence of the "Quad," there have been few details that explain just how the new strategy will be operationalized. As India alone or in cooperation with other countries in the region is not in a position at present to fully cope with the Chinese military and economic

US must realize that the greatest threat to US position in the world and peace and stability in the region come from Beijing and not from Moscow.

challenges, the USA must do much more to strengthen the capabilities of other Indo-Pacific countries. One suggestion offered by an American strategic thinker is using India's Malabar Exercise as a starting point for resuscitating the Quad -- because it was the original Quad exercise in 2007-- and scaling-up Quad participation beyond Malabar in the next 18 months by plugging

the Quad into existing exercises, including RIMPAC, Talisman Sabre, Cope North, and Red Flag. Given the growing economic and strategic importance of the Indian Ocean region to global affairs and East Asian security, the Pacific Command's mission and responsibilities have been described symbolically and more accurately by re-designating the command as Indo-Pacific Command. Notwithstanding that, the USA remains ironically preoccupied in the Middle West and a confrontation with Russia (that forces Moscow to lean more towards Beijing); as well as indirectly strengthening Islamic radicalism in the form of ISIS. This is counter-productive. US must realize that the greatest threat to US position in the world and peace and stability in the region come from Beijing and not from Moscow. Accordingly, Washington should focus its policy towards the Indo-Pacific and also make Japan and South Korea to synchronize their policies.

US-China Trade War and ASEAN

Singapore Prime Minister Lee Hsien Loong's speech at the 18th Shangri-La Dialogue, is instructive of where his country and, in large part, the rest of Southeast Asia

stand in the intensifying US-China rivalry.³⁵ The escalating rivalry following the trade war between the two countries is creating serious dilemmas for regional countries, as China happens to be their biggest trade partner and emerging infrastructure financier, and the U.S being its longstanding security provider and key investor. While noting the stresses and strains building up between the two powers on a myriad of issues, PM Lee argued that there is no strategic inevitability for a face-off. While suggesting how the two powers can avoid a face-off, PM Lee also underscored the role that small states can play despite obvious constraints. Lee held the view that the trade war can be resolved by negotiators if the matter will be treated purely on its own merits. However, he further stated that “if either side uses trade rules to keep the other down or one side comes to the conclusion that the other is trying to do this, then the dispute will not be resolved.” In reality, this is what is happening. PM Lee warned of consequences beyond economics affecting broader bilateral relations that could trigger an unhealthy action-reaction dynamic, breeding mutual suspicion about each other’s motives, and compelling each to undertake counter measures and creating a dangerous spiral. What has made the matter even worse is that the US has not spared some of its valuable allies in the Indo-Pacific from its trade onslaught, creating obvious disappointments.

On regional trade arrangements, the U.S. penchant for bilateral trade deals under the Trump administration generates concern in the regional countries, which feel that power asymmetry will disadvantage them in any one-on-one trade negotiations with Washington. As one of the four ASEAN countries that signed up for the Comprehensive and Progressive Agreement for the Trans-Pacific Partnership (CPTPP), PM Lee hoped that the next U.S. administration would reconsider its withdrawal from the high-standards trade agreement that it used to champion. As against US’ preference for bilateral trade deal under Trump, China demonstrates growing confidence in joining and establishing multilateral connectivity, finance and trade initiatives that are being welcomed by regional countries. PM Lee and other countries in Southeast Asia are hopeful of Beijing joining the CPTPP sometime in the near future. China is already a party to the much-larger though less stringent Regional Comprehensive Economic Partnership (RCEP) where all ten ASEAN members are on board. China is providing the main leadership in the RCEP and is also pushing for its early finalization. India is yet to sign it as negotiations are going on with the ASEAN countries for concessions on the service and investments sectors where India has a comparative advantage in relation to goods where ASEAN has reaped greater benefits from its FTA with India. There is also some concern in New Delhi that with lower tariffs under RCEP, Indian market will be flooded with Chinese goods in a situation where it has already a huge balance of trade with Beijing. Seeing the delay in India’s decision to join the RCEP, China is now putting pressure on the

ASEAN to go without India and restrict it to ASEAN plus 3 (China, Japan and South Korea).

Where does India stand?

While India takes a cautious approach on the South China Sea issue, it cannot be indifferent to the increasing tension in the region caused by China's bellicosity. India must accord South China Sea a higher priority and greater seriousness in its foreign policy taking into account geo-economic realities. The South China Sea is a vital waterway through which US\$5 trillion worth of trade passes every year. The Straits of Malacca, the chokepoint which connects the Indian Ocean with the South China Sea, handles five times the volume of oil than the Suez Canal. India's strategic ties with countries in the region, especially with Malaysia, Indonesia, Singapore, Vietnam and the Philippines have become stronger under Prime Minister Modi's Act East Policy. More importantly, the Indo-Pacific is virtually India's new neighbour. India has as much stake in peace and tranquillity in the South China Sea, as any other regional actor -- the ASEAN, China, Japan or the US. ASEAN also wants India to take a more active role in the emerging political, economic and security architecture of Indo-Pacific. This fits in with New Delhi's own image as an emerging global power in the 21st century.

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